



## BERKELEY PUBLIC LIBRARY BOARD OF LIBRARY TRUSTEES

**REGULAR MEETING**  
Wednesday, 12/4/2019

**AGENDA**  
6:30 PM

Tarea Hall Pittman  
South Branch  
1901 Russell Street

Commission Members:

Dianne Davenport, President; John Selawsky, Vice President; Sophie Hahn; Judy Hunt; Amy Roth

### **I. PRELIMINARY MATTERS**

#### **A. Roll Call**

#### **B. Public Comment on Non-Agenda Matters**

*Speakers are allowed 3 minutes each for up to 10 speakers; if more than 10 individuals have filled out and submitted cards to speak, the time for all speakers will be reduced to 2 minutes per person and if more than 20 individuals have submitted speaker's cards, the time per person will be reduced to one minute each, for a maximum of one hour of public comment.*

#### **C. Comments from Library Unions**

*For regular meetings of the BOLT, representatives from the three unions representing Library employees may address BOLT, with a total time limit of 15 minutes. If all three (3) unions have representatives present and wish to speak, each union shall receive 5 minutes to address BOLT. If only two (2) unions have representatives present and wishing to speak, each union shall receive 7.5 minutes to address BOLT, for a total of 15 minutes. If only one (1) union has representatives present and wishing to speak, that union shall receive 15 minutes to address BOLT. The Secretary shall, at the start of the Comment from Library Union item, ask union representatives who wish to speak to identify themselves and which union they represent. The Secretary shall then determine the appropriate allocation of speaking time according to the rules stated herein.*

- i. Public Employees Union, LOCAL 1
- ii. SEIU, LOCAL 1021 (Maintenance and Clerical Units)
- iii. SEIU, LOCAL 1021 (Community Services and PTRLA Units)

#### **D. Comments from Board of Library Trustees**

### **II. CONSENT CALENDAR**

*The Board will consider removal and addition of items to the Consent Calendar prior to voting on the Consent Calendar. All items remaining on the Consent Calendar will be approved in one motion.*

#### **A. Minutes of November 13, 2019**

From: Elliot Warren, Acting Director of Library Services

Recommendation: Adopt the resolution to approve the minutes of the November 13, 2019 Regular Meeting of the Board of Library Trustees.

### **III. ACTION CALENDAR**

#### **A. Contract: CPS HR Consulting**

From: Elliot Warren, Acting Director of Library Services

Recommendation: Adopt a Resolution authorizing the Director of Library Services to execute a contract with CPS HR Consulting for recruitment services for the position of Library Director for an amount not to exceed \$28,000 from December 5, 2019 through May 30, 2020.

### **IV. INFORMATION REPORTS:**

*All items for discussion only and no final action.*

#### **A. Monthly Library Directors Report – Elliot Warren, Acting Library Director**

#### **B. Recruitment of Director of Library Services – Elliot Warren, Acting Library Director**

## V. ITEMS FOR FUTURE AGENDAS

*These items are not scheduled for discussion or action at this meeting. The Board of Library Trustees may schedule these items to the agenda of a future meeting.*

- Discussion of items to be added to future agendas

## VI. ADJOURNMENT

*This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Elliot Warren, 510-981-6195, ewarren@cityofberkeley.info.*

*Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. Please note: E-mail addresses, names, addresses, and other contact information are not required but, if included in any communication to a City board, commission, or committee, will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission, or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission, or committee for further information.*

*Any writings or documents provided to a majority of the commission regarding any item on this agenda will be made available for public inspection at the Berkeley Public Library Administration Office located at 2090 Kittredge Street - 3rd Floor Admin Wing, Berkeley, CA 94704.*



### COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair-accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.

I hereby certify that the agenda for this regular/special meeting of the Berkeley City Commission on Commissions was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way and in front of the Central Public Library at 2090 Kittredge Street as well as on the Berkeley Public Library's website, on November 27, 2019.

//s//

Elliot Warren, Acting Director of Library Services  
Serving as Secretary to the Board of Library Trustees

### Communications

1. Lobbyist Registration Ordinance
2. Healthy Options at Point of Sales (HOPS)
3. The Berkeley FILM Foundation invites you to celebrate our 10th Anniversary at the inaugural Gala for Justice & Inclusion in Film!



**MINUTES**  
**Berkeley Public Library - Board of Library Trustees Regular Meeting**  
**Wednesday, November 13, 2019 6:30 PM**

Central Library – 2090 Kittredge Street

**Board of Library Trustees:**

Diane Davenport, President	Sophie Hahn
John Selawsky, Vice President	Judy Hunt
	Amy Roth

**I. PRELIMINARY MATTERS**

A copy of the agenda packet can be found at <http://www.berkeleypubliclibrary.org/about/board-library-trustees>

**1. Call to Order:** 6:30 pm.

Present: Trustees Davenport, Hahn, Hunt, Selawsky and Roth.

Absent: None.

Also Present: Elliot Warren, Acting Director of Library Services (via Skype); Jay Dickinson, Circulation Services Manager; Alicia Abramson, Information Technology Manager; Danielle McMillian, Assoc. Human Resources Analyst; Eve Franklin, Administrative Secretary.

**2. Public Comments:** 1 speaker.

**3. Comments from Library Unions:**

- A. SEIU, LOCAL 1021 (Community Services and PTRLA Units) – 0 speakers
- B. Public Employees Union, LOCAL 1 – 0 speakers
- C. SEIU, LOCAL 1021 (Maintenance and Clerical Units) – 0 speakers

**4. Comments from Board of Library Trustees**

- A. Trustee Hahn – reported she has an item on the upcoming City Council agenda to relinquish funds to the Berkeley Public Library Foundation. The Berkeley Public Library Foundation will hold their 18<sup>th</sup> Annual Authors Dinner in February. Tickets have sold out, contact the Berkeley Public Library Foundation to get on the waiting list for tickets.
- B. Trustee Roth – Glad to see Link+ is back. Proud of the work library staff did during the recent PG&E power shutoffs.
- C. Trustee Hunt – reported on:
  - Article on Ernest Gaines, author of the autobiography of Miss Jane Pittman
  - Berkeley Historical Society “African Americans in Berkeley: Four Families” exhibit. There will be a screening of *Welcome to the Neighborhood* on November 17, and a screening of *Fair Legislation: the Byron Rumford Story* on December 1.
  - Berkeley Times article on the new Berkeley Symphony Music Director Joseph Young.
  - Berkeley Times article on “The Butterfly Effect: Migration is Beautiful” art project.
  - *What You Do Is Who You Are* book by Ben Horowitz.

**II. CONSENT CALENDAR**

Action: M/S/C Trustee Selawsky / Trustee Roth to adopt resolution #R19-049 to approve the consent calendar as presented.

Vote: Ayes: Trustees Davenport, Hahn, Hunt, Roth and Selawsky. Noes: None. Absent: None. Abstentions: None.

**A. Approve Minutes of the October 2, 2019 Regular Meeting**

From: Acting Director of Library Services

Recommendation: Adopt a resolution to approve the minutes of the October 2, 2019 Regular Meeting of the Board of Library Trustees as presented.

Financial Implications: None.

Contact: Elliot Warren, Acting Director of Library Services

Action: Adopted resolution #R19-050.

**III. ACTION CALENDAR**

**A. Discussion and Nominations for the Selection of Board President and Vice-President**

From: Elliot Warren, Acting Director of Library Services

Recommendation: Following discussion, the Board will nominate Trustees to sit as President and Vice-President, for the term commencing November 14, 2019, for a one-year term.

Financial Implications: None.

Contact: Elliot Warren, Acting Director of Library Services

Action: Trustee Hahn nominated Trustee John Selawsky as President commencing on November 14, 2019, until the first meeting of the board in October 2020, and until a successor is elected, unless their term as a member of the Board of Trustees expires sooner.

Vote: Ayes: Trustees Davenport, Hahn, Hunt, Roth and Selawsky. Noes: None. Absent: None. Abstentions: None.

Action M/S/C Trustee Davenport nominated Trustee Amy Roth as Vice President commencing on November 14, 2019, until the first meeting of the board in October 2020, and until a successor is elected, their term as a member of the Board of Trustees expires sooner.

Vote: Ayes: Trustees Davenport, Hahn, Hunt, Roth and Selawsky. Noes: None. Absent: None. Abstentions: None.

Adopted resolution #R19-051.

**IV. INFORMATION CALENDAR**

**A. Monthly Library Director's Report – Elliot Warren, Acting Director of Library Services**

From: Acting Director of Library Services

Contact: Elliot Warren, Acting Director of Library Services

Action: Received

**B. Statistical Reporting Report for FY 2019 – Elliot Warren, Acting Library Director**

From: Acting Director of Library Services

Contact: Elliot Warren, Acting Director of Library Services

Action: Received

**C. Recruitment Priorities– Elliot Warren, Acting Library Director**

From: Acting Director of Library Services

Contact: Elliot Warren, Acting Director of Library Services

Action: Received

**D. Executive Recruitment Process (Oral Report) – Danielle McMillian, Assoc. Human Resources Analyst**

From: Assoc. Human Resources Analyst

Contact: Danielle McMillian, Assoc. Human Resources Analyst

Action: Received

**V. AGENDA BUILDING**

- Closing of Director recruitment contract

- Timeline for getting to a hire.
- Amend resolution from June 5, 2019 on Director of Library Services Recruitment Process to include new President.
- Invite Director of City of Berkeley HR to partner in the recruitment.
- Staffing report

## **VI. ADJOURNMENT**

Adjourned at 8:37 PM.

This is to certify that the foregoing is a true and correct copy of the minutes of the regular meeting of November 13, 2019 as approved by the Board of Library Trustees

//s// \_\_\_\_\_

Elliot Warren, Acting Director of Library Services, acting as secretary to BOLT

Attachments:

1. Recruitment Priorities– Elliot Warren, Acting Library Director





## **SIMULTANEOUS RECRUITMENTS**

Generally two to three concurrent recruitment processes are occurring at any given time

### Factors considered

- Operational need
- Can backfilling occur?
- Is there a list?
- Is it a citywide list?
- Length of vacancy
- Uniqueness of position
- Supervising Span of Control

## RECENT AND CURRENT RECRUITMENT EFFORTS

### Completed:

- Librarian I -North, Central Adult (2), Central Children's
- Senior Building Maintenance Supervisor

### Current:

- Librarian I -Adult Services
- Library Assistants –Varied Facilities
- Intermittent Librarian I-5 positions

## RECRUITMENT PAIRS

Library Aide & Library Services Manager

Assistant Management Analyst & Library Page

Assistant Human Resources Analyst & Senior Librarian

Mail Services Aide & Library Specialist I

Library Specialist II & Building Mechanic



## WHY DO RECRUITMENT EFFORTS CHANGE?

Newly announced resignations

Citywide lists

Age of current lists

Vacancies can affect one another (New vacancies may be created by promotions)

- Library Assistants/Supervising Library Assistants
- Aides/Assistants
- Specialists/Librarians

## EXTERNAL FACTORS AFFECTING EFFICACY OF RECRUITMENTS

Job Market

Adjoining Agencies' Efforts

Housing Costs





**CONSENT CALENDAR**

December 4, 2019

To: Board of Library Trustees  
From: Elliot Warren, Acting Director of Library Trustees  
Subject: Contract: CPS HR Consulting

**RECOMMENDATION**

Adopt a Resolution authorizing the Director of Library Services to execute a contract with CPS HR Consulting for recruitment services for the position of Library Director for an amount not to exceed \$28,000 from December 5, 2019 through May 30, 2020.

**FISCAL IMPACTS OF RECOMMENDATION**

The FY 2020 Library Tax Fund (101) budget includes funding to support this request on account line 101-22-241-261-0000-000-463-612990. A budgetary adjustment is not needed to accommodate this contract.

**BACKGROUND**

The Board of Library Trustees is responsible for selection of the Library Director. On April 3, 2019, the Board voted to authorize the Library to issue a Request for Proposal for a vendor to coordinate the search for a Director of Library Services. On June 5, 2019, BOLT unanimously passed a resolution to create 3-person team whose responsibility it would be to assess proposals and identify, through a thorough City of Berkeley RFP process, a recommended executive recruitment firm with whom to sign a contract that will provide the BOLT with the services needed to perform a successful recruitment in the board's interests. The 3-person team has completed that work and is unanimously recommending that the Library execute a contract with CPS HR Consulting.

**RATIONALE FOR RECOMMENDATION**

Upon receipt, each proposal was thoroughly reviewed by the 3-member BOLT-designated team comprised of BOLT member Diane Davenport, Associate Human Resources Analyst Danielle McMillian, and Acting Library Director Elliot Warren. The CPS HR Consulting proposal received the highest combined weighted rankings by the selection team and was unanimously selected as the top bidder. As indicated in the RFP, the following weights were used:

Qualifications and Experience	60%
Costs	25%
Customer References	15%

Using the entirety of the information provided through the proposals communications, each team member then independently scored each of the three top candidates (CPS HR, W. Brown Creative Partners, and Strategic Government Resources) in each of the above categories.

The team's weighted scores *independently and unanimously* established CPS HR Consulting as the top candidate. Based on the this evaluation processes, CPS HR Consulting is recommended by the team as the best overall fit and value for the executive search firm to collaborate with BOLT to coordinate the process of recruitment of a Library Director.

Key factors that affected the selection of CPS HR Consulting include the following:

- The firm's deep experience performing successful executive level recruitments for Bay Area agencies, including public libraries
- A proposed project team that includes subject expert Susan Hildreth, whose resume includes leading a federal agency, the Institute for Museum and Library Services (IMLS), and previous employment as the California State Librarian and Director of both the San Francisco and Seattle Public Libraries.
- The firm's commitment to thoroughly engage with BOLT to ensure a process that integrates BOLT members' interests
- Recommendations from current customers

#### ALTERNATIVE ACTIONS CONSIDERED

Selection of CPS HR Consulting was the product of a standard and thorough RFP process designed to enable the BOLT-designated team to systematically consider alternatives and identify a top solution, which, in this case, was determined to be CPS HR Consulting.

#### CONTACT PERSON

Elliot Warren, Acting Director of Library Services, (510) 981-6195

Attachments:

- 1: Resolution
2. Draft scope of work

## **BOARD OF LIBRARY TRUSTEES**

**RESOLUTION NO: R19-\_\_\_\_**

### **CONTRACT: CPS HR Consulting**

WHEREAS, on April 3, 2019, the Board of Library Trustees recommended the issuance of a Request for Proposals (RFP) for Recruitment Services for the position of Director of Library Services for the Berkeley Public Library; and

WHEREAS, on August 8, 2019, the City issued a Request for Proposals (RFP) for Recruitment Services for the position of Director of Library services for Berkeley Public Library (Specification No. 20-11348); and received three (3) vendor responses; and

WHEREAS, the BOLT designated 3-member team evaluated vendor proposals and, based upon their evaluation, the Library has determined that CPS HR Consulting's proposal best meets the BOLT's interests and fiscal requirements; and

NOW THEREFORE, BE IT RESOLVED by the Board of Library Trustees that the Director of Library Services is authorized to execute a contract with CPS HR Consulting for recruitment services for the position of Director of Library Services for an amount not to exceed \$28,000 from December 5, 2019 through May 30, 2020.

ADOPTED by the Board of Library Trustees of the City of Berkeley at a special meeting held on Wednesday December 4, 2019:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

---

John Selawsky, President

---

Elliot Warren, Acting Director of Library Services  
Serving as Secretary to the Board of Library Trustee



## **EXHIBIT A**

### **SCOPE OF SERVICES**

#### **1 GENERAL PROVISIONS**

- 1.1 This Scope of Services defines the principal activities of CPS HR Consulting (the “Provider”) for the provision of executive recruitment services for the position of Director of Library Services for Berkeley Public Library (the “Library”).
- 1.2 All inquiries shall be directed to the Library’s Associate Human Resources Analyst and/or her representative(s).
- 1.3 Under this contract for recruitment of Director of Library Services, the Provider shall perform the following services, delineated in three (3) phases, as specified below in sections 2 through 4:
  - Develop candidate profile and recruitment strategy
  - Candidate development
  - Candidate presentation

#### **2 DEVELOP CANDIDATE PROFILE AND RECRUITMENT STRATEGY:**

- 2.1 Provider shall meet/talk with individual members of the Board of Library Trustees, the Acting Director of Library Services, and other assigned Library staff and key stakeholders to gain a thorough understanding of the position, the experience and professional requirements and personal characteristics desired in the Director Library Services, as well as the Library’s organization, mission and philosophy. Provider shall develop and obtain approval for the recruitment and organizational profiles.
- 2.2 Provider shall conduct community workshops and stakeholder interviews as needed and shall create and disseminate an online community survey to obtain a broad set of community viewpoints to support adequate recruitment.
- 2.3 Provider shall develop and finalize a detailed timeline for the project.
- 2.4 Provider shall develop and finalize the work plan and outreach strategy (advertisements, postings, and mailings, personal contact, etc.) that ensure the opening is well publicized and focuses on attracting individuals that possess the professional and personal qualities required of the Director of Library Services.
- 2.5 Provider shall submit draft brochure and other marketing and advertising materials for review.

#### **3 CANDIDATE DEVELOPMENT:**

- 3.1 Provider shall conduct a proactive and robust recruitment search, including an advertising campaign using various media outlets and the creation and distribution of recruitment brochure/materials. Conduct personalized outreach to prospective

candidates.

- 3.2 Provider shall screen and evaluate candidates based on the candidate profile; conduct preliminary reference reviews for those candidates identified as most qualified as a result of the screening process; conduct initial interviews by phone and then in person, if appropriate for further consideration, to gain information about the candidates' experience, management style, and "fit" with the recruitment criteria.
- 3.3 Provider shall prepare recruitment report detailing each qualified candidate's background, experience, education, and accomplishments.

4

**CANDIDATE PRESENTATION:**

- 4.1 Provider shall attend up to three (3) special, closed meetings of the Board of Library Trustees to review recruitment report to identify five (5) to eight (8) top candidates and to discuss and prepare for a community and staff engagement process that matches the Board of Library Trustees' interests. Provider shall provide a detailed preliminary candidate report to the board prior to the first scheduled meeting.
- 4.2 Provider shall coordinate all aspects of the selection process for the City of Berkeley (the "City") for at least two (2) rounds of candidate interviews with the Board of Library Trustees. Provider shall prepare appropriate materials such as interview questions, evaluation manuals and other assessment exercises; facilitate the interviews, assist the Board of Library trustees with deliberation of the results; and contact both successful and unsuccessful candidates.
- 4.3 Provider shall perform an extensive reference check on the final candidate(s), including but not limited to education verification, credit history, personal and professional references, civil and criminal litigation searches, and for candidate offered the position, criminal and driving record check.
- 4.4 Provider shall assist with offer, negotiation, and acceptance phase of the recruitment.
- 4.5I If no candidates are selected, or if a candidate is hired and terminated by the Library within a year of hiring, the Provider shall agree to re-perform contracted services at no additional cost to the City and Library.





**INFORMATION REPORTS**

Wednesday, December 4, 2019

To: Board of Library Trustees  
From: Elliot Warren, Acting Director of Library Services  
Subject: Director's Report

**LINK+**

Since October 23, the Library has been able to successfully offer materials from dozens of California and Nevada libraries to patrons via Link+ following a service hiatus due to the ILS Migration.

Since reintroducing the service, BPL patrons have checked out roughly 1,500 Link+ materials. The Library has also lent about 800 items to other institutions.

In October, the Library created a new [LINK+ web page](#) with such content as FAQs, a search widget, and links to the web page patrons will use to see their personal LINK+ holds and account. The Library now allows up to 25 LINK+ transactions per patron. Previously, due to integration with the previous catalog, these counted towards the circulation limits for BPL materials. This is no longer the case, a fact which enables a greater degree of patron access to LINK+ materials.

The Library is taking advantage of the re-implementation to publicize LINK+, including the fact that about a year ago the Library opened up LINK+ access to audiovisual materials such as audiobooks, music CDs and DVDs of all sorts. Some patrons remained unaware of this change, which makes the service much more valuable for many of BPL's patrons.

**Programming and Outreach**

*Invisible Becomes Visible:* The Tarea Hall Pittman South Branch's Teen Leadership group worked with local artist Priscilla Hines to create clay tiles that will be used in a mosaic that compliments a City of Berkeley Civic Arts grant-funded mural in South Berkeley. 17 teens attended.

*Immigration 101:* U.S. Citizenship and Immigration Services (USCIS) Community Relations Officer, Jennifer LaForce, spent a Saturday afternoon with 20 community members at the Central Library explaining naturalization steps and options for new Americans. The attendees were diverse: a community member interested in learning more about immigration, a Berkeley Adult School teacher, and community members seeking reliable and accurate information from USCIS about naturalization. One couple who attended drove from San Jose to attend the event. One attendee shared with staff, "Thank you so much! It's so important to get this information. We need this information!" The presentation included interactive naturalization test taking, relevant naturalization scenarios that resonated for attendees, answering naturalization questions individually, and delivering complimentary USCIS literature and test preparation materials. The Library will be offering additional immigration-focused programs in collaboration with governmental and non-governmental organizations in the near future.

*NaNoWriMo:* As part of National Novel Writing Month the Central Library hosted a kick-off event featuring Robin Clare Barnes, a three-time NaNoWriMo winner and a board member of the Berkeley Public Library Foundation. Robin, also known as RC Barnes, hails from a background in film and television as a Walt Disney

Studios executive, writing many short stories and screenplays, and working on films featuring a dog and sled. She is also a speaker at the 2019 AfroComicCon, touching on female protagonists and women in entertainment. She spoke about her experience using the NaNoWriMo platform: the process, getting started, staying motivated, top survival strategies, and how she went from her 1st draft to publishing her debut novel at the end of this month (this year will be her 8th year participating in the program). Community members were able to discuss their ideas, pose questions, and exchange ideas and approaches to writing with one another.

About 5-6 patrons per day attended North Branch's *Come Write In* sessions for NaNoWriMo. The highlight of the month included a Flash Fiction Workshop for adults and teens in which 16 writers attended.

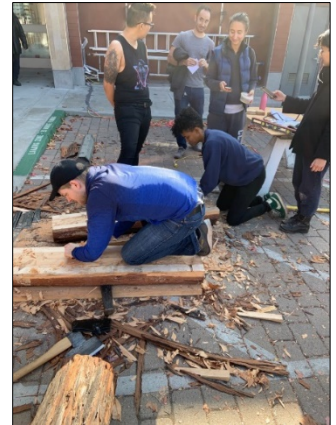
*Brains! A Halloween STEM festival:* The Central Library hosted a science-themed family event about brains. 143 participants learned about human brains and animals without brains ("brainless wonders"), joined a zombie dance party, made "neurons" from pipe cleaners, and heard not-so-scary stories. A park ranger from the Tilden Nature Area shared information about animal skulls and let people touch the skulls that he had brought. Librarians displayed books about human and animal brains and about the human body, encouraging patrons to borrow them. This one-off program fulfills the strategic plan goal that "effective STEM programs occur at each site on a monthly basis."



The Tarea Hall Pittman South Branch celebrated *Native American Heritage Month* with a *Shapeshifter and Mischief Makers* program held by Alicia Retes, who is the Education Director at the Museum of the American Indian in Novato. Ms. Retes shared her knowledge of the Coast Miwok people by singing original tri-lingual (Miwok, Spanish and English) songs and brought native percussion instruments shared among attendees. 42 community members attended. West Branch hosted native activist, artist, humorist and performer L. Frank Manriquez for a standing room only crowd of 90+ community members. Manriquez spoke of "life after genocide" among other topics.



The Tool Lending Library held a carpentry workshop attended by 25 patrons in which participants worked together to build benches. Attendees learned basic skills including design, tool safety and material selection. Benches were donated to a local preschool and senior housing complex. Upcoming Tool Library DIY classes include landscaping, garden projects, clothes mending and another FixIt Clinic.



### **Staff Trainings: Incident Response**

The Library is preparing incident response trainings offered to all units in December, covering the following topics:

- Response to facilities issues
- Emergencies and emergency information
- Who to call and when
- Best practices in difficult incidents with patrons
- Handling one's emotions during difficult incidents
- Documenting incidents

The Library is receiving support from the City of Berkeley Human resources Department to develop and hold the trainings.

### **Mission Statement and Organizational Visioning**

The Library has entered into a contract with Building Blox Consulting to develop mission and vision statements in line with recommendations developed through last year's organizational evaluation. Building Blox Consulting is a San Francisco Bay Area based consulting firm that has worked with numerous local nonprofits, social justice organizations, and service providers on strategic planning, staff training and organizational development initiatives. The firm will be working closely with board members and Library staff to support the Library's interest in developing a clear understanding of who we are, what we do, and why, as a precursor to developing a strategic plan.

### **Collections**

The Enki Library eBook database is a Library-only eBook service developed in the SF Bay Area as a collaboration between the Califa consortium and Contra Costa County Library, with funding from Bay Area Library and Information Systems (BALIS), the California State Library, and the State Library of Kansas. Berkeley Public Library is one of approximately 100 libraries participating in the project. The Enki database of eBooks includes the works of many small, local, alternative, independent, and/or academic publishers, such as the University of California Press, New Harbinger, Hunter Press, and PM Press, among many others.

Since July of 2019, each coming month has seen the highest number of BPL users (i.e. significant growth in patron interest). This follows implementation of CARL X, which appears to be providing improved access to the catalog records for Enki eBooks.

To continue to improve access to Enki, BPL's Collection Services staff will soon upload enhanced electronic catalog records to the Enki database. Enki has over 70,000 eBook titles in the shared collection, and provides library subscribers with a turnkey, ready-made, librarian-curated collection of popular fiction and nonfiction genres including romance, mysteries, travel, technical, crafts, cooking and more.

The new Enki records include authorized subject headings, properly formatted titles and audience-level information, summaries, series links, and a note that indicates inclusion as an Enki eBook. The Enki enhanced and upgraded records will provide patrons with more precise and accurate retrieval of records in the Library online catalog.

The Library's Cornerstones team also received and processed four new Orion StarBlast Astro Reflector Telescopes. Each branch library received a telescope. Patrons may place holds on the telescopes and they will circulate from each BPL location.



### Central Library Improvements

In preparation for Central Library Improvements, staff have been meeting to finalize furniture designs, develop a work-plan for the moving of collections, and to develop signs.

Shifting of collections on the first floor began the week of November 25, with staff shifting such collections as Large Type materials and the adult nonfiction books to enable adult nonfiction books in the 900s call number range, which are currently housed on the second floor, to be moved onto the first floor among other adult nonfiction materials. Collections staff have also developed a process whereby materials may be, on an as needed basis during the construction, temporarily placed into storage, but may be retrievable via the Library's catalog for paging and checkout by community members and staff. As the Library progresses through the stages of construction and the need to shift additional materials, this tool will allow for flexibility and ongoing community access even when some collections are not in the public area.

The document shown to the right has been created to highlight key features of the Central Library Improvements project:

## CENTRAL LIBRARY IMPROVEMENTS

First the Branches. Now... time for Central!

**Planned improvements include:**

- **1 COMFORTABLE SPACES**

Beautifully designed areas for reading, studying and browsing our collections with a variety of additional seating options on both the 1st & 2nd floors.
- **2 A PLACE FOR TEENS**

Dedicated Teen Room on the 1st floor with engagement, programming, collections and learning opportunities for teens.
- **3 IMPROVED LIGHTING & FLOORING**

Updated flooring on the 1st floor and lighting enhancements throughout the 1st & 2nd floors.
- **4 PLACES TO GATHER TOGETHER & LEARN**

A public programming space on the 2nd floor easily accessible for all.
- **5 MORE BATHROOMS**

Gender neutral bathrooms to ensure safe and comfortable access to bathrooms for everyone.
- **6 MODERNIZED COMPUTER AREA**

Public computer area designed to enable laptop use alongside desktop access.



THANK YOU FOR YOUR UNDERSTANDING THROUGHOUT THE RENOVATIONS.

**We can't wait for you to experience the new spaces!**

Visit [www.berkeleypubliclibrary.org](http://www.berkeleypubliclibrary.org) for updates.

CONTACT PERSON

Elliot Warren, Acting Director of Library Services, Library, 510-981-6195





**INFORMATION REPORTS**

Wednesday, December 4, 2019

To: Board of Library Trustees  
From: Elliot Warren, Acting Director of Library Services  
Subject: Recruitment of Director of Library Services

INTRODUCTION

The Library is preparing for a nationwide recruitment for the position of Director of Library Services. This written report is intended to clarify the process being used to support the goal of hiring a Director.

FISCAL IMPACT

There is no fiscal impact from this report.

BACKGROUND

On April 3, 2019, the BOLT voted to authorize the issuance of a Request for Proposal process to identify an executive search firm intended to help the BOLT perform an effective recruitment for the position of Library Director. The BOLT also voted to create a three-member team comprised of the then-board president and two members of Library administration to ensure that the RFP was performed successfully so that a recruitment could be initiated.

That team wrote the RFP, which was then issued on August 8, 2019; received vendor proposals, which were due on September 12, 2019; assessed and scored those proposals; performed reference checks via telephone interviews regarding the bidding firms; developed weighted scoring sheets for the bidding firms; and held at least three meetings to discuss each firm's strengths and to develop consensus on the winning bidder.

On October 29, 2019 the team finalized its selection and initiated notification to the winning bidder in order to move forward with negotiating a final and agreed upon scope of services and pricing schedule to be integrated into a boiler plate City of Berkeley Personal Services contract. The draft scope of services was developed using as a guide a previous contractual scope developed by the City of Berkeley's Human Resources Department's for an earlier contract with an executive recruitment firm.

CURRENT SITUATION AND ITS EFFECTS

The Library is awaiting completion of the December 4, 2019 BOLT meeting (i.e. this very meeting) to finalize and execute the contract, as there may be additional input by BOLT members or a desire to alter the process in some way. A timeline will not be developed until after a contract is executed. The identified winning firm has provided a four-month draft project timeline. The project is likely to look something like this, depending upon the course of negotiations and any identified desired changes:

Month 1: Initial meeting; timeline developed; community survey; individual BOLT members interviewed; stakeholders interviewed; draft brochure; brochure printed, advertisement plan initiated

Month 2: Aggressive recruiting

Month 3: Preliminary screening; meet with board at special closed meetings to identify leading candidates and to develop an interview process



Month 4: Interviews; Decision by board; Reference Checks; Appointment of selected candidate

This contract does not rise above the cost threshold needed for BOLT authorization. However, due to the interest in further board-member discussion, review, transparency, and input, it has been offered to the board for approval to authorize the Acting Director to execute.

#### FURTHER ACTION

The board has been offered the opportunity to approve a contract with an executive recruitment firm identified through the RFP process as that company best suited to serve the BOLT's goals and interests. Progress towards the hiring of a Director depends upon the BOLT's decision as a body to authorize the Director to execute a contract with the firm identified through the RFP process described above. Once a contract is executed, which requires review by the City's Finance Department and Auditor's Office, the 3-member team can meet with the identified project manager to develop a timeline with specific dates and to initiate the vital work of the firm's staff meeting one on one with BOLT members and identified community stakeholders to ensure that the process meets the diversity of board members' interests.

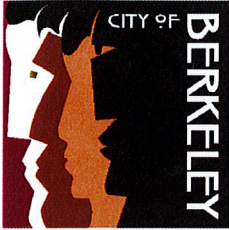
#### CONTACT PERSON

Elliot Warren, Acting Director of Library Services, (510) 981-6195

#### Attachments:

1. RFP for Executive Search Firm issued by the City of Berkeley





Finance Department  
General Services Division

**REQUEST FOR PROPOSALS (RFP)**  
**Specification No. 20-11348**  
**FOR**  
**RECRUITMENT SERVICES FOR DIRECTOR OF LIBRARY SERVICES**  
**PROPOSALS WILL NOT BE OPENED AND READ PUBLICLY**

Dear Proposer:

The City of Berkeley is soliciting written proposals from qualified firms or individuals for *recruitment services for the Director of Library Services*. As a Request for Proposal (RFP) this is not an invitation to bid and although price is very important, other factors will be taken into consideration.

The project scope, content of proposal, and vendor selection process are summarized in the RFP (attached).

**Proposals must be received no later than 2:00 pm, on Thursday, September 12, 2019.** All responses must be in a sealed envelope and have **“Recruitment Services for Director of Library Services”** and **Specification No. 20-11348** clearly marked on the **outer most mailing envelope**. Please submit one (1) unbound original and three (3) unbound copies of the proposal as follows:

**Mail or Hand Deliver To:**

City of Berkeley  
Finance Department/General Services Division  
2180 Milvia Street, 3rd Floor  
Berkeley, CA 94704

Proposals will not be accepted after the date and time stated above. Incomplete proposal or proposals that do not conform to the requirements specified herein will not be considered. Issuance of the RFP does not obligate the City to award a contract, nor is the City liable for any costs incurred by the proposer in the preparation and submittal of proposals for the subject work. The City retains the right to award all or parts of this contract to several bidders, to not select any bidders, and/or to re-solicit proposals. The act of submitting a proposal is a declaration that the proposer has read the RFP and understands all the requirements and conditions.

**For questions** concerning the anticipated work, or scope of the project, please **contact Danielle McMillian, Associate Human Resources Analyst**, via email at [dmcmillian@cityofberkeley.info](mailto:dmcmillian@cityofberkeley.info) no later than **Friday, August 23, 2019**. Answers to questions will **not** be provided by telephone or email. Rather, answers to all questions or any addenda will be **posted** on the City of Berkeley's site at <http://www.cityofberkeley.info/ContentDisplay.aspx?id=7128>. It is the vendor's responsibility to check this site. For general questions concerning the submittal process, contact purchasing at 510-981-7320.

We look forward to receiving and reviewing your proposal.

Sincerely,

Dennis Dang  
Acting General Services Manager

2180 Milvia Street, Berkeley, CA 94704 Tel: 510.981.7320 TDD: 510.981.6903 Fax: 510.981.7390

E-mail: [finance@ci.berkeley.ca.us](mailto:finance@ci.berkeley.ca.us) Website: <http://www.ci.berkeley.ca.us/finance>

## **I. INTRODUCTION**

The City of Berkeley (the “City”) is located 10 miles to the east of San Francisco, and encompasses 17.7 square miles with a population of approximately 122,324 residents (US Census estimate as of July 1, 2016). Berkeley has the highest population density of any city in the East Bay region. The City is perhaps best known for being home to the University of California at Berkeley, one of the best public universities in the nation.

The Berkeley Public Library (the “Library Department” or “Library”) has served the people of Berkeley since 1893 and is one of the most heavily used public libraries in California, serving the City’s residents along with many patrons from the surrounding area. The current annual budget is approximately \$20 million. The Library employs approximately 150 staff members.

The Central Library, located in downtown Berkeley, and four neighborhood branch libraries ensure easy library access for all in the City’s many and diverse neighborhoods.

The Berkeley Public Library supports the City of Berkeley Strategic Plan and has identified three key goals that significantly relate to the Library’s mission:

- Provide state-of-the-art, well maintained infrastructure, amenities, and facilities
- Champion and demonstrate social and racial equity
- Be a customer-focused organization that provides excellent, timely, easily-accessible service and information to the community.

Significant current projects the new Director will assume include the Central Library improvements project, implementation of a new Integrated Library System, and a strategic planning initiative.

## **II. SCOPE OF SERVICES**

The Library Department anticipates a contract commencement of mid-October 2019 with recruitment outreach following shortly thereafter. The duration of the contract will be dependent on services selected and the mutually agreed upon time for completion. A provision to extend the contract at the sole discretion of the Library will be included in the contract.

The scope of services is a general guide to the work the Department expects to be performed, and is not a complete listing of all services that may be required or desired. The selected firm will work closely with a three (3)-member team consisting of the Chair of the Board of Library Trustees and two (2) Library Administration staff members.

The following work tasks are approximated to provide the advertising and marketing services necessary. Proposing firms may suggest a modified scope as part of their proposal.

1. Meet with Acting Director of Library Services and other key staff to obtain information regarding the expectations, challenges, requirements and responsibilities of the position;
2. Engage with the three (3)-member team, review job descriptions and other related materials, and develop recruitment profiles that include a clear description of the recruitment criteria for the Director of Library Services position and will serve as a profile template for selecting eligible candidates;
3. Work with the three (3)-member team to develop a recruitment work plan and timeline;

4. Work with the three (3)-member team to develop an outreach strategy to ensure that the openings are well publicized, including national, regional, in-state and local networks; and to implement clear and **appropriate procedures** to facilitate application by interested individuals;
5. Develop an advertising plan to include, but not limited to, web, professional organizations, social media, and other appropriate professional publications. All social media postings will be proofed and approved by the Associate Human Resources Analyst prior to publication;
6. Contact potential candidates through networking resources and other contacts, with assistance from the Acting Director of Library Services and the Library Department;
7. Perform candidate intake services, serving as the primary contact for respondent inquires, written acknowledgement or receipt of application, initial assessment of prospective candidate suitability;
8. At the conclusion of the outreach and recruitment of candidates, Contractor shall prepare a report that includes an outline of its efforts and results, and an informational descriptive on the most qualified potential candidates for consideration by the Board of Library Trustees (BOLT);
9. Conduct detailed reference checks, background checks and education/credits checks;
10. Send rejection letters to those who do not qualify;
11. Schedule interviews for the top candidates;
12. Assist with negotiation of compensation packages and other employment arrangements as requested; and
13. If no candidates are selected, or if a candidate is hired and terminated by the Library within a year of hiring, the Contractor agrees to re-perform contracted services at no additional cost to the City and Library.

#### **IV. SUBMISSION REQUIREMENTS**

All proposals shall include the following information, organized as separate sections of the proposal. The proposal should be concise and to the point.

1. Contractor Identification:

Provide the name of the firm, the firm's principal place of business, the name and telephone number of the contact person and company tax identification number.

2. Client References:

Provide a minimum five (5) client references. References should be California cities or other large public sector entities. Provide the designated person's name, title, organization, address, telephone number, and the project(s) that were completed under that client's direction.

3. Price Proposal:

The proposal shall include pricing for all services. Pricing shall be all inclusive unless indicated otherwise on a separate pricing sheet. The Proposal shall itemize all services, including hourly rates for all professional, technical and support personnel, and all other charges related to completion of the work shall be itemized.

4. Contract Terminations:

**If your organization has had a contract terminated in the last five (5) years, describe such incident.** Termination for default is defined as notice to stop performance due to the vendor's non-performance or poor performance and the issue of performance was either (a) not litigated due to inaction on the part of the vendor, or (b) litigated and such litigation determined that the vendor was in default.

Submit full details of the terms for default including the other party's name, address, and phone number. Present the vendor's position on the matter. The City will evaluate the facts and may, at its sole discretion, reject the proposal on the grounds of the past experience.

If the firm has not experienced any such termination for default or early termination in the past five (5) years, so indicate.

5. IV. SELECTION CRITERIA

The following criteria will be considered, although not exclusively, in determining which firm is hired.

1. References – 15%
2. Costs – 25%
3. Qualification and Experience – 60%

A selection panel consisting of two staff and one Board of Library Trustees member will be convened to evaluate each proposal against the requirements stated herein, and to select the respondent whose proposal represents the best overall value and fit to the City and Berkeley Public Library, along with consideration of price and other factors.

V. PAYMENT

Invoices: Invoices must be fully itemized, and provide sufficient information for approving payment and audit. Invoices must be accompanied by receipt for services in order for payment to be processed. Mail invoices to the Project Manager and reference the contract number.

Berkeley Public Library  
Accounts Payable  
2031 Bancroft Way  
Berkeley, CA 94704

Payments: The City will make payment to the vendor within 30- days of receipt of a correct and complete invoice.

VI. CITY REQUIREMENTS

A. Non-Discrimination Requirements:

Ordinance No. 5876-N.S. codified in B.M.C. Chapter 13.26 states that, for contracts worth more than \$3,000 bids

for supplies or bids or proposals for services shall include a completed Workforce Composition Form. Businesses with fewer than five employees are exempt from submitting this form. (See B.M.C. 13.26.030)

Under B.M.C. section 13.26.060, the City may require any bidder or vendor it believes may have discriminated to submit a Non-Discrimination Program. The Contract Compliance Officer will make this determination. This applies to all contracts and all consultants (contractors). Berkeley Municipal Code section 13.26.070 requires that all contracts with the City contain a non-discrimination clause, in which the contractor agrees not to discriminate and allows the City access to records necessary to monitor compliance. This section also applies to all contracts and all consultants. **Bidders must submit the attached Non-Discrimination Disclosure Form with their proposal**

**B. Nuclear Free Berkeley Disclosure Form:**

Berkeley Municipal Code section 12.90.070 prohibits the City from granting contracts to companies that knowingly engage in work for nuclear weapons. This contracting prohibition may be waived if the City Council determines that no reasonable alternative exists to doing business with a company that engages in nuclear weapons work. If your company engages in work for nuclear weapons, explain on the Disclosure Form the nature of such work. **Bidders must submit the attached Nuclear Free Disclosure Form with their proposal.**

**C. Oppressive States:**

The City of Berkeley prohibits granting of contracts to firms that knowingly provide personal services to specified Countries. This contracting prohibition may be waived if the City Council determines that no reasonable alternative exists to doing business with a company that is covered by City Council Resolution No. 59,853-N.S. If your company or any subsidiary is covered, explain on the Disclosure Form the nature of such work. **Bidders must submit the attached Oppressive States Disclosure Form with their proposal.**

**D. Conflict of Interest:**

In the sole judgment of the City, any and all proposals are subject to disqualification on the basis of a conflict of interest. The City may not contract with a vendor if the vendor or an employee, officer or director of the proposer's firm, or any immediate family member of the preceding, has served as an elected official, employee, board or commission member of the City who influences the making of the contract or has a direct or indirect interest in the contract.

Furthermore, the City may not contract with any vendor whose income, investment, or real property interest may be affected by the contract. The City, at its sole option, may disqualify any proposal on the basis of such a conflict of interest. **Please identify any person associated with the firm that has a potential conflict of interest.**

**E. Berkeley Living Wage Ordinance:**

Chapter 13.27 of the Berkeley Municipal Code requires that contractors offer all eligible employees with City mandated minimum compensation during the term of any contract that may be awarded by the City. If the Contractor is not currently subject to the Living Wage Ordinance, cumulative contracts with the City within a one-year period may subject Contractor to the requirements under B.M.C. Chapter 13.27. A certification of compliance with this ordinance will be required upon execution of a contract. The Living Wage rate is currently \$14.97 (if medical benefits are provided) or \$17.45 (if medical benefits are not provided). The Living Wage rate is adjusted automatically effective June 30<sup>th</sup> of each year commensurate with the corresponding increase in the Consumer Price Index published in April of each year. If the Living Wage rate is adjusted during the term of your agreement, you must pay the new adjusted rate to all eligible employees, regardless of what the rate was when the contract was executed.

**F. Berkeley Equal Benefits Ordinance:**

Chapter 13.29 of the Berkeley Municipal Code requires that contractors offer domestic partners the same access to benefits that are available to spouses. A certification of compliance with this ordinance will be required upon execution of a contract.

**G. Statement of Economic Interest:**

The City's Conflict of Interest Code designates "consultants" as a category of persons who must complete Form 700, Statement of Economic Interest, at the beginning of the contract period and again at the termination of the contract. The selected contractor will be required to complete the Form 700 before work may begin.

**VII. OTHER REQUIREMENTS**

**A. Insurance**

The selected contractor will be required to maintain general liability insurance in the minimum amount of \$2,000,000, automobile liability insurance in the minimum amount of \$1,000,000 and a professional liability insurance policy in the amount of \$2,000,000 to cover any claims arising out of the performance of the contract. The general liability and automobile insurance must name the City, its officers, agents, volunteers and employees as additional insureds.

**B. Worker's Compensation Insurance:**

A selected contractor who employs any person shall maintain workers' compensation insurance in accordance with state requirements. Sole proprietors with no employees are not required to carry Worker's Compensation Insurance.

**C. Business License**

Virtually every contractor that does business with the City must obtain a City business license as mandated by B.M.C. Ch. 9.04. The business license requirement applies whether or not the contractor has an office within the City limits. However, a "casual" or "isolated" business transaction (B.M.C. section 9.04.010) does not subject the contractor to the license tax. Warehousing businesses and charitable organizations are the only entities specifically exempted in the code from the license requirement (see B.M.C. sections, 9.04.295 and 9.04.300). Non-profit organizations are granted partial exemptions (see B.M.C. section 9.04.305). Persons who, by reason of physical infirmity, unavoidable misfortune, or unavoidable poverty, may be granted an exemption of one annual free license at the discretion of the Director of Finance. (see B.M.C. sections 9.04.290).

Vendor must apply for a City business license and show proof of application to Purchasing Manager within seven days of being selected as intended contractor.

The Customer Service Division of the Finance Department located at 1947 Center Street, Berkeley, CA 94704, issues business licenses. Contractors should contact this division for questions and/or information on obtaining a City business license, in person, or by calling 510-981-7200.

**D. Recycled Paper**

**All reports to the City shall be on recycled paper that contains at least 50% recycled product** when such paper is available at a cost of not greater than ten percent more than the cost of virgin paper, and when such paper is available at the time it is required. If recycled paper is not available the Contractor shall use white paper. Written reports or studies shall be *printed on both sides of the page* whenever practical.

**E. State Prevailing Wage:**

Certain labor categories under this project may be subject to prevailing wages as identified in the State of California Labor Code commencing in Section 1770 et. seq. These labor categories, when employed for any “work performed during the design and preconstruction phases of construction including, but not limited to, inspection and land surveying work,” constitute a “Public Work” within the definition of Section 1720(a)(1) of the California Labor Code requiring payment of prevailing wages.

Wage information is available through the California Division of Industrial Relations web site at:  
[http://www.dir.ca.gov/OPRL/statistics\\_and\\_databases.html](http://www.dir.ca.gov/OPRL/statistics_and_databases.html)

**VIII. SCHEDULE (dates are subject to change)**

<input type="checkbox"/> Issue RFP to Potential Bidders:	Thursday, August 8, 2019
<input type="checkbox"/> Questions Due	Friday, August 23, 2019
<input type="checkbox"/> Issue Question & Answer Addendum	Tuesday, August 27, 2019
<input type="checkbox"/> Proposals Due from Potential Bidders	Thursday, September 12, 2019
<input type="checkbox"/> Complete Selection Process	Thursday, October 3, 2019
<input type="checkbox"/> Award of Contract	Friday, October 4, 2019
<input type="checkbox"/> Sign and Process Contract	Friday, October 11, 2019
<input type="checkbox"/> Notice to Proceed	Monday, October 14, 2019

Thank you for your interest in working with the City of Berkeley for this service. We look forward to receiving your proposal.

**Attachments:**

• Check List of Required items for Submittal	Attachment A
• Non-Discrimination/Workforce Composition Form	Attachment B
• Nuclear Free Disclosure Form	Attachment C
• Oppressive States Form	Attachment D
• Living Wage Form	Attachment E
• Equal Benefits Certification of Compliance	Attachment F
• Right to Audit Form	Attachment G
• Insurance Endorsement	Attachment H

## ATTACHMENT A

### **CHECKLIST**

- ☐ Proposal describing service (one (1) unbound original and three (3) unbound copies)
- ☐ Contractor Identification and Company Information
- ☐ Client References
- ☐ Costs proposal by task, type of service & personnel
- ☐ The following forms, completed and **signed in blue ink** (attached):
  - Non-Discrimination/Workforce Composition Form Attachment B
  - Nuclear Free Disclosure Form Attachment C
  - Oppressive States Form Attachment D
  - Living Wage Form (*may be optional*) Attachment E
  - Equal Benefits Ordinance Certification of Compliance (EBO-1) Attachment F

### **ADDITIONAL SUBMITTALS REQUIRED FROM SELECTED VENDOR AFTER COUNCIL APPROVAL TO AWARD CONTRACT.**

- ☐ Provide **original-signed in blue ink** Evidence of Insurance
  - Auto
  - Liability
  - Worker's Compensation
- ☐ Right to Audit Form Attachment G
- ☐ Commercial General & Automobile Liability Endorsement Form Attachment H
- ☐ Berkeley Business License

**For informational purposes only: Sample of Personal Services Contract can be found on the City's website on the current bid and proposal page at the top of the page.**



**NON-DISCRIMINATION/WORKFORCE COMPOSITION FORM FOR NON-CONSTRUCTION CONTRACTS**

To assist the City of Berkeley in implementing its Non-Discrimination policy, it is requested that you furnish information regarding your personnel as requested below and return it to the City Department handling your contract:

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Business Lic. #: \_\_\_\_\_

Occupational Category: (See reverse side for explanation of terms)	Total Employees		White Employees		Black Employees		Asian Employees		Hispanic Employees		Other Employees	
	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male
Official/Administrators												
Professionals												
Technicians												
Protective Service Workers												
Para-Professionals												
Office/Clerical												
Skilled Craft Workers												
Service/Maintenance												
Other (specify)												
Totals:												

Is your business MBE/WBE/DBE certified? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, by what agency? \_\_\_\_\_

If yes, please specify: Male: \_\_\_\_\_ Female: \_\_\_\_\_ Indicate ethnic identifications: \_\_\_\_\_

Do you have a Non-Discrimination policy? Yes: \_\_\_\_\_ No: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Verified by: \_\_\_\_\_ Date: \_\_\_\_\_

City of Berkeley Contract Compliance Officer

## Occupational Categories

**Officials and Administrators** - Occupations in which employees set broad policies, exercise overall responsibility for execution of these policies, or provide specialized consultation on a regional, district or area basis. Includes: department heads, bureau chiefs, division chiefs, directors, deputy superintendents, unit supervisors and kindred workers.

**Professionals** - Occupations that require specialized and theoretical knowledge that is usually acquired through college training or through work experience and other training that provides comparable knowledge. Includes: personnel and labor relations workers, social workers, doctors, psychologists, registered nurses, economists, dietitians, lawyers, systems analysts, accountants, engineers, employment and vocational rehabilitation counselors, teachers or instructors, and kindred workers.

**Technicians** - Occupations that require a combination of basic scientific or technical knowledge and manual skill that can be obtained through specialized post-secondary school education or through equivalent on-the-job training. Includes: computer programmers and operators, technical illustrators, highway technicians, technicians (medical, dental, electronic, physical sciences) and kindred workers.

**Protective Service Workers** - Occupations in which workers are entrusted with public safety, security and protection from destructive forces. Includes: police officers, fire fighters, guards, sheriffs, bailiffs, correctional officers, detectives, marshals, harbor patrol officers, and kindred workers.

**Para-Professionals** - Occupations in which workers perform some of the duties of a professional or technician in a supportive role, which usually requires less formal training and/or experience normally required for professional or technical status. Such positions may fall within an identified pattern of a staff development and promotion under a "New Transporters" concept. Includes: library assistants, research assistants, medical aides, child support workers, police auxiliary, welfare service aides, recreation assistants, homemaker aides, home health aides, and kindred workers.

**Office and Clerical** - Occupations in which workers are responsible for internal and external communication, recording and retrieval of data and/or information and other paperwork required in an office. Includes: bookkeepers, messengers, office machine operators, clerk-typists, stenographers, court transcribers, hearings reporters, statistical clerks, dispatchers, license distributors, payroll clerks, and kindred workers.

**Skilled Craft Workers** - Occupations in which workers perform jobs which require special manual skill and a thorough and comprehensive knowledge of the processes involved in the work which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs. Includes: mechanics and repairpersons, electricians, heavy equipment operators, stationary engineers, skilled machining occupations, carpenters, compositors and typesetters, and kindred workers.

**Service/Maintenance** - Occupations in which workers perform duties which result in or contribute to the comfort, convenience, hygiene or safety of the general public or which contribute to the upkeep and care of buildings, facilities or grounds of public property. Workers in this group may operate machinery. Includes: chauffeurs, laundry and dry cleaning operatives, truck drivers, bus drivers, garage laborers, custodial personnel, gardeners and groundskeepers, refuse collectors, and construction laborers.

**CITY OF BERKELEY**  
**Nuclear Free Zone Disclosure Form**

I (we) certify that:

1. I am (we are) fully cognizant of any and all contracts held, products made or otherwise handled by this business entity, and of any such that are anticipated to be entered into, produced or handled for the duration of its contract(s) with the City of Berkeley. (To this end, more than one individual may sign this disclosure form, if a description of which type of contracts each individual is cognizant is attached.)
2. I (we) understand that Section 12.90.070 of the Nuclear Free Berkeley Act (Berkeley Municipal Code Ch. 12.90; Ordinance No. 5784-N.S.) prohibits the City of Berkeley from contracting with any person or business that knowingly engages in work for nuclear weapons.
3. I (we) understand the meaning of the following terms as set forth in Berkeley Municipal Code Section 12.90.130:

"Work for nuclear weapons" is any work the purpose of which is the development, testing, production, maintenance or storage of nuclear weapons or the components of nuclear weapons; or any secret or classified research or evaluation of nuclear weapons; or any operation, management or administration of such work.

"Nuclear weapon" is any device, the intended explosion of which results from the energy released by reactions involving atomic nuclei, either fission or fusion or both. This definition of nuclear weapons includes the means of transporting, guiding, propelling or triggering the weapon if and only if such means is destroyed or rendered useless in the normal propelling, triggering, or detonation of the weapon.

"Component of a nuclear weapon" is any device, radioactive or non-radioactive, the primary intended function of which is to contribute to the operation of a nuclear weapon (or be a part of a nuclear weapon).

4. Neither this business entity nor its parent nor any of its subsidiaries engages in work for nuclear weapons or anticipates entering into such work for the duration of its contract(s) with the City of Berkeley.

Based on the foregoing, the undersigned declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Business Entity: \_\_\_\_\_

Contract Description/Specification No: **Recruitment Services for Director of Library Services/20-11348**

**Attachment C**

**CITY OF BERKELEY**  
**Oppressive States Compliance Statement**

The undersigned, an authorized agent of \_\_\_\_\_ (hereafter "Vendor"), has had an opportunity to review the requirements of Berkeley City Council Resolution No. 59,853-N.S. (hereafter "Resolution"). Vendor understands and agrees that the City may choose with whom it will maintain business relations and may refrain from contracting with those Business Entities which maintain business relationships with morally repugnant regimes. Vendor understands the meaning of the following terms used in the Resolution:

"Business Entity" means "any individual, firm, partnership, corporation, association or any other commercial organization, including parent-entities and wholly-owned subsidiaries" (to the extent that their operations are related to the purpose of the contract with the City).

"Oppressive State" means: **Tibet Autonomous Region and the Provinces of Abo, Kham and U-Tsang**

"Personal Services" means "the performance of any work or labor and shall also include acting as an independent contractor or providing any consulting advice or assistance, or otherwise acting as an agent pursuant to a contractual relationship."

Contractor understands that it is not eligible to receive or retain a City contract if at the time the contract is executed, or at any time during the term of the contract it provides Personal Services to:

- a. The governing regime in any Oppressive State.
- b. Any business or corporation organized under the authority of the governing regime of any Oppressive State.
- c. Any person for the express purpose of assisting in business operations or trading with any public or private entity located in any Oppressive State.

Vendor further understands and agrees that Vendor's failure to comply with the Resolution shall constitute a default of the contract and the City Manager may terminate the contract and bar Vendor from bidding on future contracts with the City for five (5) years from the effective date of the contract termination.

The undersigned is familiar with, or has made a reasonable effort to become familiar with, Vendor's business structure and the geographic extent of its operations. By executing the Statement, Vendor certifies that it complies with the requirements of the Resolution and that if any time during the term of the contract it ceases to comply, Vendor will promptly notify the City Manager in writing.

Based on the foregoing, the undersigned declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Business Entity: \_\_\_\_\_

Contract Description/Specification No: **Recruitment Services for Director of Library Services/20-11348**

I am unable to execute this Statement; however, Vendor is exempt under Section VII of the Resolution. I have attached a separate statement explaining the reason(s) Vendor cannot comply and the basis for any requested exemption.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**CITY OF BERKELEY**  
**Living Wage Certification for Providers of Services**

**TO BE COMPLETED BY ALL PERSONS OR ENTITIES ENGAGING IN A CONTRACT FOR PERSONAL SERVICES WITH THE CITY OF BERKELEY.**

The Berkeley Municipal Code Chapter 13.27, Berkeley's Living Wage Ordinance (LWO), provides that contractors who engage in a specified amount of business with the City (except where specifically exempted) under contracts which furnish services to or for the City in any twelve (12) month period of time shall comply with all provisions of this Ordinance. The LWO requires a City contractor to provide City mandated minimum compensation to all eligible employees, as defined in the Ordinance. In order to determine whether this contract is subject to the terms of the LWO, please respond to the questions below. Please note that the LWO applies to those contracts where the contractor has achieved a cumulative dollar contracting amount with the City. Therefore, even if the LWO is inapplicable to this contract, subsequent contracts may be subject to compliance with the LWO. Furthermore, the contract may become subject to the LWO if the status of the Contractor's employees change (i.e. additional employees are hired) so that Contractor falls within the scope of the Ordinance.

**Section I.**

**1. IF YOU ARE A FOR-PROFIT BUSINESS, PLEASE ANSWER THE FOLLOWING QUESTIONS**

- a. During the previous twelve (12) months, have you entered into contracts, including the present contract, bid, or proposal, with the City of Berkeley for a cumulative amount of \$25,000.00 or more?

**YES** \_\_\_\_\_ **NO** \_\_\_\_\_

If **no**, this contract is NOT subject to the requirements of the LWO, and you may continue to Section II. If **yes**, please continue to question **1(b)**.

- b. Do you have six (6) or more employees, including part-time and stipend workers?

**YES** \_\_\_\_\_ **NO** \_\_\_\_\_

If you have answered, "YES" to questions 1(a) and 1(b) this contract **IS** subject to the LWO. If you responded "NO" to 1(b) this contract **IS NOT** subject to the LWO. **Please continue to Section II.**

**2. IF YOU ARE A NON-PROFIT BUSINESS, AS DEFINED BY SECTION 501(C) OF THE INTERNAL REVENUE CODE OF 1954, PLEASE ANSWER THE FOLLOWING QUESTIONS.**

- a. During the previous twelve (12) months, have you entered into contracts, including the present contract, bid or proposal, with the City of Berkeley for a cumulative amount of \$100,000.00 or more?

**YES** \_\_\_\_\_ **NO** \_\_\_\_\_

If no, this Contract is NOT subject to the requirements of the LWO, and you may continue to Section II. If yes, please continue to question 2(b).

- b. Do you have six (6) or more employees, including part-time and stipend workers?

**YES** \_\_\_\_\_ **NO** \_\_\_\_\_

If you have answered, "YES" to questions 2(a) and 2(b) this contract **IS** subject to the LWO. If you responded "NO" to 2(b) this contract **IS NOT** subject to the LWO. **Please continue to Section II.**

**Section II**

**Please read, complete, and sign the following:**

THIS CONTRACT **IS** SUBJECT TO THE LIVING WAGE ORDINANCE. ☐

THIS CONTRACT **IS NOT** SUBJECT TO THE LIVING WAGE ORDINANCE. ☐

The undersigned, on behalf of himself or herself individually and on behalf of his or her business or organization, hereby certifies that he or she is fully aware of Berkeley's Living Wage Ordinance, and the applicability of the Living Wage Ordinance, and the applicability of the subject contract, as determined herein. The undersigned further agrees to be bound by all of the terms of the Living Wage Ordinance, as mandated in the Berkeley Municipal Code, Chapter 13.27. If, at any time during the term of the contract, the answers to the questions posed herein change so that Contractor would be subject to the LWO, Contractor will promptly notify the City Manager in writing. Contractor further understands and agrees that the failure to comply with the LWO, this certification, or the terms of the Contract as it applies to the LWO, shall constitute a default of the Contract and the City Manager may terminate the contract and bar Contractor from future contracts with the City for five (5) years from the effective date of the Contract termination. If the contractor is a for-profit business and the LWO is applicable to this contract, the contractor must pay a living wage to all employees who spend 25% or more of their compensated time engaged in work directly related to the contract with the City. If the contractor is a non-profit business and the LWO is applicable to this contract, the contractor must pay a living wage to all employees who spend 50% or more of their compensated time engaged in work directly related to the contract with the City.

These statements are made under penalty of perjury under the laws of the state of California.

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Business Entity: \_\_\_\_\_

Contract Description/Specification No: **Recruitment Services for Director of Library Services/20-11348**

### Section III

---

- **\*\* FOR ADMINISTRATIVE USE ONLY -- PLEASE PRINT CLEARLY \*\***

I have reviewed this Living Wage Certification form, in addition to verifying Contractor's total dollar amount contract commitments with the City in the past twelve (12) months, and determined that this Contract IS / IS NOT (circle one) subject to Berkeley's Living Wage Ordinance.

\_\_\_\_\_  
Department Name

\_\_\_\_\_  
Department Representative

To be completed  
by



**Form EBO-1  
CITY OF BERKELEY**

**CERTIFICATION OF COMPLIANCE WITH EQUAL BENEFITS ORDINANCE**

If you are a **contractor**, return this form to the originating department/project manager. If you are a **vendor** (supplier of goods), return this form to the Purchasing Division of the Finance Dept.

**SECTION 1. CONTRACTOR/VENDOR INFORMATION**

Name:			Vendor No.:	
Address:		City:	State:	ZIP:
Contact Person:			Telephone:	
E-mail Address:			Fax No.:	

**SECTION 2. COMPLIANCE QUESTIONS**

- A. The EBO is inapplicable to this contract because the contractor/vendor has no employees.  
☐ Yes ☐ No (If "Yes," proceed to Section 5; if "No," continue to the next question.)
- B. Does your company provide (or make available at the employees' expense) any employee benefits?  
☐ Yes ☐ No  
 If "Yes," continue to Question C.  
 If "No," proceed to Section 5. (The EBO is not applicable to you.)
- C. Does your company provide (or make available at the employees' expense) any benefits to the spouse of an employee? ..... ☐ Yes ☐ No
- D. Does your company provide (or make available at the employees' expense) any benefits to the domestic partner of an employee? ..... ☐ Yes ☐ No

**If you answered "No" to both Questions C and D, proceed to Section 5. (The EBO is not applicable to this contract.) If you answered "Yes" to both Questions C and D, please continue to Question E.**  
**If you answered "Yes" to Question C and "No" to Question D, please continue to Section 3.**

- E. Are the benefits that are available to the spouse of an employee identical to the benefits that are available to the domestic partner of the employee? ..... ☐ Yes ☐ No

**If you answered "Yes,"** proceed to Section 4. (You are in compliance with the EBO.)  
**If you answered "No,"** continue to Section 3.

**SECTION 3. PROVISIONAL COMPLIANCE**

- A. Contractor/vendor is not in compliance with the EBO now but will comply by the following date:
- ☐ By the first effective date after the first open enrollment process following the contract start date, not to exceed two years, if the Contractor submits evidence of taking reasonable measures to comply with the EBO; or
- ☐ At such time that administrative steps can be taken to incorporate nondiscrimination in benefits in the Contractor's infrastructure, not to exceed three months; or
- ☐ Upon expiration of the contractor's current collective bargaining agreement(s).

B. If you have taken all reasonable measures to comply with the EBO but are unable to do so, do you agree to provide employees with a cash equivalent?\* ..... ☐ Yes ☐ No

\* The cash equivalent is the amount of money your company pays for spousal benefits that are unavailable for domestic partners.

#### SECTION 4. REQUIRED DOCUMENTATION

At time of issuance of purchase order or contract award, you may be required by the City to provide documentation (copy of employee handbook, eligibility statement from your plans, insurance provider statements, etc.) to verify that you do not discriminate in the provision of benefits.

#### SECTION 5. CERTIFICATION

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that I am authorized to bind this entity contractually. By signing this certification, I further agree to comply with all additional obligations of the Equal Benefits Ordinance that are set forth in the Berkeley Municipal Code and in the terms of the contract or purchase order with the City.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, at \_\_\_\_\_, \_\_\_\_\_  
(State) (City)

\_\_\_\_\_  
Name (please print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Federal ID or Social Security Number

#### **FOR CITY OF BERKELEY USE ONLY**

☐ Non-Compliant (The City may not do business with this contractor/vendor)  
☐ One-Person Contractor/Vendor ☐ Full Compliance ☐ Reasonable Measures  
☐ Provisional Compliance Category, Full Compliance by Date: \_\_\_\_\_  
Staff Name(*Sign and Print*): \_\_\_\_\_ Date: \_\_\_\_\_

**Attachment F**



**CITY OF BERKELEY**  
**Right to Audit Form**

The contractor agrees that pursuant to Section 61 of the Berkeley City Charter, the City Auditor's office may conduct an audit of Contractor's financial, performance and compliance records maintained in connection with the operations and services performed under this contract.

In the event of such audit, Contractor agrees to provide the Auditor with reasonable access to Contractor's employees and make all such financial, performance and compliance records available to the Auditor's office. City agrees to provide Contractor an opportunity to discuss and respond to/any findings before a final audit report is filed.

Signed:\_\_\_\_\_ Date:\_\_\_\_\_

Print Name & Title:\_\_\_\_\_

Company:\_\_\_\_\_

Contract Description/Specification No: **Recruitment Services for Director of Library Services/20-11348**

Please direct questions regarding this form to the Auditor's Office, at (510) 981-6750.

**CITY OF BERKELEY**  
**Commercial General and Automobile Liability Endorsement**

The attached Certificates of Insurance are hereby certified to be a part of the following policies having the following expiration dates:

<b>Policy No.</b>	<b>Company Providing Policy</b>	<b>Expir. Date</b>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

The scope of the insurance afforded by the policies designated in the attached certificates is not less than that which is afforded by the Insurance Service Organization's or other "Standard Provisions" forms in use by the insurance company in the territory in which coverage is afforded.

Such Policies provide for or are hereby amended to provide for the following:

1. The named insured is \_\_\_\_\_.
2. CITY OF BERKELEY ("City") is hereby included as an additional insured with respect to liability arising out of the hazards or operations under or in connection with the following agreement:  
\_\_\_\_\_.

The insurance provided applies as though separate policies are in effect for both the named insured and City, but does not increase the limits of liability set forth in said policies.

3. The limits of liability under the policies are not less than those shown on the certificate to which this endorsement is attached.
4. Cancellation or material reduction of this coverage will not be effective until thirty (30) days following written notice to \_\_\_\_\_, Department of \_\_\_\_\_, Berkeley, CA.
5. This insurance is primary and insurer is not entitled to any contribution from insurance in effect for City.

The term "City" includes successors and assigns of City and the officers, employees, agents and volunteers.

\_\_\_\_\_  
Insurance Company

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Signature of Underwriter's  
Authorized Representative

Contract Description/Specification No: **Recruitment Services for Director of Library Services/20-11348**

**Attachment H**