

1 [Purchaser's Authority to Permit Informal Solicitation of Certain Contracts for Purchase of
2 Goods or Services and to Set Aside Contracts for Small Local Businesses]

3 **Ordinance amending Administrative Code section 21.5 to allow Purchaser to permit**
4 **informal solicitation for contracts for commodities and services up to \$100,000 and for**
5 **those contracts utilizing federal grant funds where authorized and to update**
6 **Purchaser's authority to set aside contracts for local small businesses.**

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8 NOTE: Additions are *single-underline italics Times New Roman*;
9 deletions are *strike-through italics Times New Roman*.
Board amendment additions are double-underlined;
Board amendment deletions are ~~strike-through normal~~.

10 Be it ordained by the People of the City and County of San Francisco:

11 Section 1. The San Francisco Administrative Code is hereby amended by amending
12 Section 21.5, to read as follows:

13 Sec. 21.5 **OTHER PURCHASES.**

14 Notwithstanding any other provision of this Chapter, procurement of the following shall
15 be made in accordance with the Purchaser's regulations:

16 (a) Commodities or services where the total amount of the purchase does not exceed
17 ~~\$50,000~~100,000.

18 (b) Commodities or services available only from a sole source.

19 (c) Perishable foods.

20 (d) Proprietary articles.
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1 (e) Contracts involving a pilot project with a term not to exceed two years; provided,
2 however, that any further procurement beyond the pilot project phase shall be subject to all
3 applicable competitive procurement requirements.

4 (f) Contracts set aside for competitive award to Micro-LBEs in accordance with Chapter
5 14B.7(K) of the Administrative Code. ~~The Purchaser may designate a particular Solicitation as a small~~
6 ~~business set aside, and restrict competition for that contract to DBEs. Such set aside shall not continue~~
7 ~~for more than two consecutive years for any particular contract, and the Purchaser shall not allocate~~
8 ~~an aggregate of more than ten million dollars per fiscal year for DBE set aside contracts. The findings~~
9 ~~made by the Board of Supervisors with respect to contracting with local businesses in Administrative~~
10 ~~Code Section 12-D.A.2 are hereby incorporated by reference into this section.~~

12 (g) Commodities or Services purchased with federal grant funds, ~~awarded for the purpose~~
13 ~~of enhancing security and overall preparedness to prevent, respond to, or recover from acts of~~
14 ~~terrorism, where the total amount of the purchase does not exceed \$100,000~~ when an informal
15 solicitation is consistent with Federal contracting requirements. Federal grant funds include federal
16 monies awarded to the City through the state or other governmental entities. This subsection
17 does not cover Commodities or Services identified by the grant as an administrative or
18 management cost or expense.
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20 APPROVED AS TO FORM:
21 DENNIS J. HERRERA, City Attorney

22 By: _____
23 Linda M. Ross
24 Deputy City Attorney
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