

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.**

7  
8 NOTE: Additions are single-underline italics Times New Roman;  
9 deletions are ~~strike-through italics Times New Roman~~.  
10 Board amendment additions are double-underlined;  
11 Board amendment deletions are ~~strikethrough-normal~~.

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

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

15 Sec. 21.5 **OTHER PURCHASES.**

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

18 (a) Commodities or services where the total amount of the purchase does not exceed  
19 ~~\$50,000~~100,000.

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

21 (c) Perishable foods.

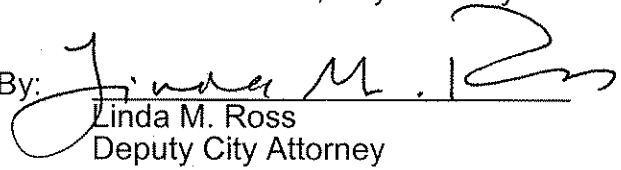
22 (d) Proprietary articles.

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.

11 (g) Commodities or Services purchased with federal grant funds, ~~awarded for the~~  
12 ~~purpose of enhancing security and overall preparedness to prevent, respond to, or recover from acts of~~  
13 ~~terrorism, where the total amount of the purchase does not exceed \$100,000 when an informal~~  
14 ~~solicitation is consistent with Federal contracting requirements.~~ Federal grant funds include federal  
15 monies awarded to the City through the state or other governmental entities. This subsection  
16 does not cover Commodities or Services identified by the grant as an administrative or  
17 management cost or expense.  
18  
19

20 APPROVED AS TO FORM:  
21 DENNIS J. HERRERA, City Attorney

22 By:   
23 Linda M. Ross  
24 Deputy City Attorney  
25



City and County of San Francisco  
**Tails**  
**Ordinance**

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**File Number:** 091162

**Date Passed:** February 02, 2010

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

October 20, 2009 Board of Supervisors - SUBSTITUTED

January 26, 2010 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi  
Excused: 1 - Alioto-Pier

February 02, 2010 Board of Supervisors - FINALLY PASSED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi  
Excused: 1 - Alioto-Pier

File No. 091162

I hereby certify that the foregoing  
Ordinance was FINALLY PASSED on  
2/2/2010 by the Board of Supervisors of the  
City and County of San Francisco.

Angela Calvillo  
Clerk of the Board

Mayor Gavin Newsom

Date Approved