

## **LEGISLATIVE DIGEST**

[Administrative Code - Requirement for Prospective Contractors to Substantiate Safety Record to be Eligible for a Public Works Contract]

**Ordinance amending the Administrative Code to include as a mandatory element in the definition of the term “Responsible” substantiation of a record of safe performance on construction projects by the bidder or proposer on a Public Work or Improvement project, and to expressly require construction contract awards for all specific project-delivery methods to be made only to Responsible construction contractors.**

### Existing Law

The term “Responsible” as defined in existing law does not include substantiation of a record of safe performance on construction projects as a required element. The various project-delivery methods for public work or improvement contracts require award to a Responsible contractor as defined in existing law.

### Amendments to Current Law

The Ordinance amends the Section 6.1 definition of the term “Responsible” to include a record of safe performance on construction projects as a required element. The Ordinance also adds the requirement to award construction contracts only to Responsible contractors that have substantiated their record of safe performance on construction projects for all project delivery methods for public work or improvement contracts.

### Background Information

The Office of the Controller, City Services Auditor, issued a report dated April 11, 2017, recommending that the City adopt and institute a proactive approach to construction safety management and oversight on public works projects including safety components in the bidding and contracting process. On August 10, 2018, the Board of Supervisors Government Audit and Oversight Committee directed all Chapter 6 departments to work together to develop a uniform procedure for vetting contractor safety records.