

1 [Requiring for certain all public work involving asphalt that the contractor use asphalt be
2 ~~purchase~~ from the City asphalt plant.]

3 **Ordinance adopting new Section 6.9 of Administrative Code Chapter 6, Article I,**
4 **requiring that for certain all public work involving asphalt that public work contractors**
5 **use purchase the asphalt from the City asphalt plant.**

6 Note: This section is entirely new.

7 Board amendment additions are double underlined. Board
8 amendment deletions are ~~striketrough normal~~.

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

10 Section 1. The San Francisco Administrative Code Code is hereby amended by
11 adding Section 6.9, to read as follows:

12 **SEC. 6.9. ASPHALT PURCHASE.**

13 All Advertisements For Bids for public works under this Chapter shall specify that for
14 any asphalt to be used in a City and County of San Francisco public work project, contractors
15 and subcontractors shall obtain purchase such asphalt from the City and County of San
16 Francisco asphalt plant. Failure of the requirement to appear in the Advertisement For Bids
17 shall not abrogate the requirement that contractors and subcontractors procure the asphalt for
18 public work projects from the City and County of San Francisco asphalt plant. The Director of
19 Public Works or his or her designee ~~A bidder or contractor~~ may be excused a bidder or
20 contractor from this requirement by the ~~Director of Public Works or his or her designee~~ upon a
21 showing by the bidder or contractor that either (a) the City and County of San Francisco
22 asphalt plant would be unable to provide the necessary quantity of asphalt at the time
23 required under the approved contract schedule; or (b) ~~procurement and delivery from another~~

1 ~~source is less costly~~ the project requiring the asphalt is located outside of the City and County
2 of San Francisco.

3 This Ordinance shall become effective 30 days following written notice to the Board of
4 Supervisors from the Director of Public Works that the City has completed an expansion of the
5 capacity of the City and County of San Francisco's asphalt plant necessary to permit
6 implementation of this Ordinance.

7 APPROVED AS TO FORM:
8 DENNIS J. HERRERA, City Attorney

9 By: Andrew W. Schwartz Sheryl L. Bregman
10 Deputy City Attorney

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