

File No. 091162

Committee Item No. 2

Board Item No. \_\_\_\_\_

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date January 25, 2010

Board of Supervisors Meeting

Date \_\_\_\_\_

#### Cmte Board

- |                                     |                          |  |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/> | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Resolution                                   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Budget Analyst Report                        |
| <input type="checkbox"/>            | <input type="checkbox"/> | Legislative Analyst Report                   |
| <input type="checkbox"/>            | <input type="checkbox"/> | Youth Commission Report                      |
| <input type="checkbox"/>            | <input type="checkbox"/> | Introduction Form (for hearings)             |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/> | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Public Correspondence                        |

#### OTHER

(Use back side if additional space is needed)

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Completed by: Alisa Somera Date January 22, 2010

Completed by: \_\_\_\_\_ Date \_\_\_\_\_

An asterisked item represents the cover sheet to a document that exceeds 25 pages.  
The complete document can be found in the file and the online version.

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

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

23 By: 

Linda M. Ross  
Deputy City Attorney



SMALL BUSINESS COMMISSION  
OFFICE OF SMALL BUSINESS



CITY AND COUNTY OF SAN FRANCISCO  
GAVIN NEWSOM, MAYOR

December 13, 2009

Ms. Angela Calvillo, Clerk of the Board  
Board of Supervisors  
City Hall room 244  
1 Carlton B. Goodlett Place  
San Francisco, CA 94102-4694

**RE: File No. 091162 [Purchaser's authority to permit informal solicitation of certain contracts for purchase of goods or services and to set aside contracts for small local businesses]** 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.

**Small Business Commission Recommendation: Approval**

Dear Ms. Calvillo:

On December 7, 2009, the Small Business Commission heard and recommends to the Board of Supervisors approval for File #091162.

Sincerely,

A handwritten signature in cursive script that reads "Regina Dick-Endrizzi".

Regina Dick-Endrizzi  
Director, Office of Small Business

cc. Supervisor Maxwell, Mar, Chu and Chu  
Starr Terrell  
Alisa Somera, Clerk of the Land Use and Economic Development Committee