

1 [Authorizing the Department of Public Health to perform and award contracts for public work
2 under a specified procedure.]

3 **Ordinance adding San Francisco Administrative Code Chapter 6, Section 6.69, to**
4 **authorize the Department of Public Health to perform and award contracts for health**
5 **facilities public work through competition among a pre-qualified pool of contractors.**

6 Note: Additions are single-underline italics Times New Roman;
7 deletions are ~~strikethrough italics Times New Roman~~.
8 Board amendment additions are double underlined.
9 Board amendment deletions are ~~strikethrough 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 adding
12 Section 6.69, to read as follows:

13 SEC. 6.69. DEPARTMENT OF PUBLIC HEALTH PUBLIC WORK

14 For public work necessary to maintain or repair health facilities under the jurisdiction of the
15 Health Commission, the Department of Public Health (DPH) may award master agreement contracts,
16 for work to be performed on an "if-and-as-needed" basis, to qualified construction contractors in
17 conformance with the following procedures:

18 (A) Contract Award. The Director of DPH may award master agreement contracts, on an "if-
19 and-as-needed" basis to construction contractors who can establish all of the licensing, qualifications,
20 experience, and certifications, as required by the Director of DPH. A contractor may apply for a
21 master agreement under this Section by providing DPH with a statement of its experience and
22 qualifications and other information as requested by DPH. Within 60 days of receiving such
23 information, DPH shall advise the applicant of its eligibility for an award of a master agreement.

24 (B) Contract Terms. Master agreements awarded under this Section shall conform to the
25 requirements of Section 6.22 of this Chapter and shall conform to Administrative Code Chapter 14B, as

1 applicable. Master agreements shall provide for an expiration term of not more than three years from
2 the date of award, including all modifications. All master agreements shall provide for a maximum
3 total dollar value of work each contractor is authorized to perform during the contract period. No
4 master agreement may be modified to exceed 150% of the original contract amount. Master
5 agreements shall contain no minimum dollar amount. Master agreements shall provide that DPH may
6 assign work on a task order basis, "if-and-as-needed," through competition among master agreement
7 contractors.


8 **(C) Task Order Competitive Solicitation.** To assign work under master agreement contracts,
9 DPH shall solicit quotations from no fewer than three qualified master agreement contractors.
10 Solicitations shall conform to Section 6.21 of this Chapter, except that neither a published
11 advertisement nor a bid bond shall be required. Solicitations shall include a description of the
12 proposed task order scope of work, including plans or specifications, if any, and may include
13 provisions for liquidated damages for delay if and as appropriate to the particular project. Responsive
14 quotations must include subcontractor listing, if any, in conformance with Section 6.21(A)(9).

15 **(D) Task Order Award.** The Director of DPH shall award a task order for the performance of
16 work under a master agreement to the contractor submitting the lowest responsive quotation. In the
17 event that DPH is unable to obtain three quotations, the Director of DPH shall base the award on the
18 quotation or quotations received. If the Director of DPH believes that the public interest would best be
19 served by accepting other than the lowest quotation, he or she is hereby authorized to accept the
20 quotation that in his or her discretion will best serve the public interest.

21 **(E) Task Order Terms.** No task order or multiple task orders for any single public work,
22 whether in one phase or multiple phases, shall cumulatively exceed \$400,000, including all
23 modifications. The Director of DPH may issue or modify a task order to exceed the foregoing
24 limitation only upon the Director's written determination establishing the urgency of the work and the
25

1 justification for proceeding under this Section, rather than through the Department of Public Works, in
2 conformance with Section 6.2 of this Chapter.

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4 APPROVED AS TO FORM:
5 DENNIS J. HERRERA, City Attorney

6 By: 
7 Sheryl L. Bregman
8 Deputy City Attorney
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City and County of San Francisco

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Tails

Ordinance

File Number: 081084

Date Passed:

Ordinance adding San Francisco Administrative Code Chapter 6, Section 6.69, to authorize the Department of Public Health to perform and award contracts for health facilities public work through competition among a pre-qualified pool of contractors.

September 23, 2008 Board of Supervisors — PASSED ON FIRST READING

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell,
Mirkarimi, Peskin, Sandoval

Excused: 1 - McGoldrick

October 7, 2008 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell,
Mirkarimi, Peskin, Sandoval

Excused: 1 - McGoldrick

File No. 081084

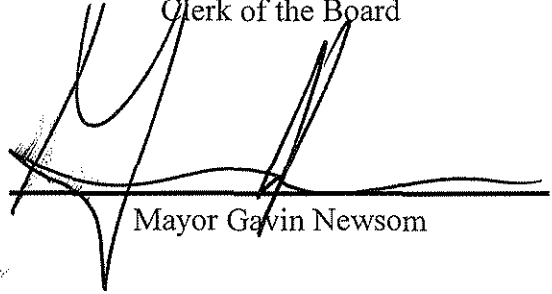
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on October 7, 2008
by the Board of Supervisors of the City and
County of San Francisco.



Angela Calvillo
Clerk of the Board



Date Approved



Mayor Gavin Newsom