AMENDING SAN FRANCISCO ADMINISTRATIVE CODE SECTION 6.01 TO AUTHORIZE
THE DIRECTOR OF PURCHASING TO DISPOSE OF SURPLUS GOODS BY DONATION
FOR REUSE OR RECYCLING.

Note: Additions are underlined; deletions are
in ((double parentheses)).

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

Section 1. Chapter 6 of the San Francisco Administrative Code is
hereby amended by amending Section 6.01, to read as follows:

SEC. 6.01. PURCHASING; MATERIAL, SUPPLIES, EQUIPMENT AND
SERVICES.

(a) The purchaser of supplies shall purchase all materials, supplies
and equipment of every kind and nature and enter into agreements for
all contractual services required by the several departments and
offices of the City ((and County)), except as in this Section
otherwise provided. Purchases of books, magazines and periodicals
for the library departments, works of art for museums and other
articles or things of unusual character as to the purchasing thereof,
may, on the recommendation of a department head and the approval of
the purchaser, be purchased directly by said department head.

(b) Purchases of materials, supplies and equipment involving the
expenditure of less than $5,000 may, on the recommendation of the
department head in charge thereof and the approval of the purchaser,
be purchased directly by the department head. Beginning with fiscal
year 1996-97, the Board of Supervisors shall be authorized to
increase or decrease by ordinance the dollar amount of purchases of
materials, supplies and equipment which may, on the recommendation of
the department head and approval of the purchaser, be purchased
directly by the department head.

(c) Purchases for construction operations, or for any operations
conducted outside the boundaries of the City and County may, on the
recommendation of the department head in charge thereof, and the
approval of the purchaser of supplies, be made by the department
head. All such purchases made by officials other than the purchaser
shall be made in accordance with regulations established by the
purchaser of supplies.

(d) Materials, supplies and equipment which have been determined
to be surplus to City needs shall be disposed of in a manner which
will best serve the interests of the City. For the purposes of this
section, the interests of the City shall include the City's ability
to maximize the City's economic return on surplus goods, the City's
interest in maximizing the re-use of surplus goods by public
entities, non-profit organizations and schools, and the City's
interest in avoiding any unnecessary additions to the waste stream by
maximizing the re-use and recycling of surplus goods. Disposal of
surplus goods may include sales to, exchanges with, or donation to
public entities, non-profit organizations, and private organizations
for a public purpose, or donation to private entities for recycling
of parts or materials. The Purchaser shall maintain lists of all
known local resources for transfer of surplus goods to public
to entities, non-profit organizations, and private organizations for a
public purpose, and for the recycling of parts.

(1) The purchaser of supplies shall have the authority to
exchange used materials, supplies, and equipment to the advantage of
the City ((and County)), to advertise for bids, and to sell personal
property belonging to the City ((and County)) on the recommendation
of a department head that such articles are ((unfit for use)) surplus
to the needs of the department.

(2) The purchaser of supplies shall have authority to donate
obsolete, used or surplus materials, supplies and equipment if a
department head states in writing that such articles surplus to the
needs of the department. The purchaser shall document in writing
each donation.

(A) Donations of articles meeting the criteria listed above
may be offered to public entities, non-profit organizations, or
private organizations serving the public. The order of priority for
donations shall be to entities or organizations:

(i) engaged in distributing the surplus goods offered at
no cost or for a nominal fee to non-profit organizations, schools, or
low-income individuals or families that are physically located in San
Francisco;

(ii) engaged in distributing the surplus goods offered at
no cost or for a nominal fee to non-profit organizations, schools, or
low-income individuals or families that are physically located in the Bay Area;

(iii) engaged in distributing the surplus goods offered at no cost or for a nominal fee to non-profit organizations, schools, or low-income individuals or families that are physically located in the United States;

(iv) engaged in distributing the surplus goods offered at no cost or for a nominal fee to non-profit organizations, schools, or low-income individuals or families that are physically located in foreign countries;

(v) engaged in recycling the surplus goods, including parts or materials.

(B) Surplus medical supplies that are no longer in compliance with Federal Drug Administration regulations may be offered to entities and organizations which are engaged in distributing or administering the surplus medical supplies at no cost or for a nominal fee to low-income individuals or families in foreign countries.

(C) To the extent that more than one organization meets the criteria in a category listed above, surplus goods shall be made available on a rotational basis to entities and organizations in the same category. If there is a need to dispose of surplus property and no entity or organization meeting the criteria noted in subparagraph (d)(2)(A) can be located to receive a donation, the Purchaser is authorized to utilize other means that may be available to dispose of
such property in a manner that will best serve the interests of the City.

(e) All purchases in excess of $2,500 shall be by written contract. Beginning with fiscal year 1996-97, the Board of Supervisors shall be authorized to increase or decrease by ordinance the dollar amount of purchases which shall be made by written contract. Any other provision of this Section notwithstanding, on the recommendation of the department head, in case of an emergency actually existing, the purchaser of supplies, with the approval of the Director of Administrative Services, may make such purchases in the open market on the basis of informal bids. At least three bids or quotations shall be secured on open market purchases. All contracts and purchase orders in excess of $50,000 for materials, supplies or equipment and all agreements for contractual services in excess of $50,000 shall require the signature of the Director of Administrative Services in addition to the signature of the purchaser of supplies. Beginning with fiscal year 1987-88, the Board of Supervisors shall be authorized to increase or decrease by ordinance the dollar amount of contracts requiring approval of the Director of Administrative Services under this Section. The purchaser of supplies shall not enter into any contract or issue any purchase order unless the Controller shall certify thereon that sufficient unencumbered balances are available in the proper fund to meet the payments under such purchase order or contract as these become due.
(f) The purchaser of supplies shall establish specifications and
tests to cover all recurring purchases of material, supplies and
equipment. The purchaser shall, as far as is practicable,
standardize materials, supplies and equipment according to the use to
which they are to be put, when two or more types, brands or kinds are
specified or requested by individual departments.

(g) Purchases of equipment shall be made in accordance with
specifications furnished by the department requiring such equipment
in case the use of such equipment is peculiar to such department.
For patented or proprietary articles sold by brand name, the
purchaser may require each department requisitioning same by such
brand name, to furnish specifications of the article requisitioned
and may advertise for bids on the basis of such specifications, under
conditions permitting manufacturers of or dealers in other articles
made and sold for the same purpose, to bid on such specifications or
on the specifications of their own product. If the purchaser of
supplies recommends the acceptance of the lowest or best bid, stating
his or her reasons in writing therefor, and if the department head
concerned recommends the acceptance of any other bid on such
proprietary articles, stating his or her reasons in writing therefor,
the award shall be determined by the Controller.

(h) The purchaser of supplies shall require departments to make
adequate inspection of all purchases, and shall make such other
inspections as he or she deems necessary. The purchaser shall
develop standards for determining when articles or services which may
be below standards, specifications or samples furnished should be rejected.

(i) The purchaser of supplies shall have charge of central storerooms and warehouses of the City ((and County)). The purchaser shall also have charge of a central garage and shop for the repair of City ((and County)) equipment. All garages and shops heretofore maintained by departments for the construction, maintenance, and repair of departmental supplies and equipment, and the personnel assigned thereto, excepting the shop and personnel for fire alarm, police telegraph and traffic signal manufacture and repair operated by the department of electricity, are hereby transferred to said central garage and shop. The purchaser shall have authority to require the transfer of surplus property in any department to stores or to other departments.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: CHRISTIANE HAYASHI
Deputy City Attorney
Passed for Second Reading
February 2, 1998

Ayes: Supervisors Ammiano Brown
Kaufman Medina Newsom Teng Yaki
Yee

Absent: Supervisors Bierman Katz

Finally Passed
February 9, 1998

Ayes: Supervisors Ammiano Bierman
Brown Katz Kaufman Medina Yaki
Yee

Absent: Supervisors Newsom Teng

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

File No. 97-97-52

Date Approved

Mayor