

**SANITATION AND STREETS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

RESOLUTION NO. 2022-0005

WHEREAS, On November 3, 2020 the voters passed Proposition B which enacted Section 4.139 of the Charter to establish the San Francisco Sanitation and Streets Commission and Section 4.138 of the Charter to establish the Department of Sanitation and Streets; and

WHEREAS, Under Section 4.139(c)(3), the Sanitation and Streets Commission is to approve all contracts proposed to be entered into by the Department of Sanitation and Streets, provided that the Commission may delegate this responsibility to the Director of Sanitation and Streets or the Director's designee; and

WHEREAS, In order to promote administrative efficiency to allow the department to nimbly meet its mission, while reserving to the Sanitation and Streets Commission decisions over significant policy issues, the Sanitation and Streets Commission wishes to establish a contracting and delegation policy for the department; now, therefore, be it

RESOLVED, That the San Francisco Sanitation and Streets Commission approves the San Francisco Sanitation and Streets Contract Approval Delegation and Requirements Policy which delegates to the Director of Sanitation and Streets the authority to approve certain contracts and contract amendments within certain limits.

I hereby certify that the foregoing resolution was adopted by the Sanitation and Streets Commission at its meeting of September 22, 2022.



Commission Affairs Manager, Sanitation and Streets Commission



SANITATION AND STREETS COMMISSION CONTRACT APPROVAL DELEGATION AND REQUIREMENTS POLICY

Under Charter Section 4.139(c)(3), the Sanitation and Streets Commission (“Commission”) is to approve all contracts proposed to be entered into by the Department of Sanitation and Streets (“SAS” or “Department”), provided that the Commission may delegate this responsibility to the Director of SAS (“Director”), or the Director’s designee. In order to promote administrative efficiency to allow the Department to nimbly meet its mission, while reserving to the Sanitation and Streets Commission decisions over significant policy issues, the Commission establishes the following contract approval delegation and requirements policy (“Policy”).

I. Expenditure Contracts

Except as provided below and subject to the limitations of Charter Section 9.118, the Sanitation and Streets Commission delegates to the Sanitation and Streets Director the authority to approve, award, and amend all San Francisco Department of Sanitation and Streets expenditure contracts.

A. Contract Approvals/Awards

The Commission shall approve the following San Francisco Sanitation and Streets contracts:

- 1. Commodities.** Direct purchases of commodities pursuant to Section 21.04 of the Administrative Code where the expenditure obligation is equal to or exceeds the “Threshold Amount” as defined by Section 6.1 of the Administrative Code as it may be amended from time to time. For reference, the Threshold Amount as of July 1, 2022 is \$1,000,000. For purposes of this Policy, a “commodity” is as defined in Section 21.02 of the Administrative Code.
- 2. General Services.** Direct purchases of general services pursuant to Section 21.04 of the Administrative Code where the expenditure obligation is equal to or exceeds the “Minimum Competitive Amount” for general services as defined in section 21.02 of the Administrative Code as it may be amended from time to time. For reference, the Minimum Competitive Amount for general services as of July 1, 2022 is \$1,000,000. For purposes of this Policy, a “general service” is as defined in Section 21.02 of the Administrative Code.
- 3. Professional Services.** Contracts for professional services awarded under Chapter 21 of the Administrative Code where the expenditure obligation is equal to or exceeds the “Minimum Competitive Amount” as defined in Section 21.02 of the Administrative Code as it may be amended from time to time. For reference, the Minimum Competitive Amount as of July 1, 2022 is \$200,000.
- 4. Public Works Construction Contracts.** Contracts for public works or improvements awarded under Chapter 6 of the Administrative Code where the expenditure obligation is equal to or exceeds the “Threshold Amount” as defined in

Section 6.1 of the Administrative Code, as it may be amended from time to time. For reference, the Threshold Amount as of July 1, 2022 is \$1,000,000.

5. **Grants.** Grants awarded under Chapter 21G of the Administrative Code where the expenditure obligation equals to or exceeds the “Minimum Competitive Amount” as defined in Sections 6.40 and 21.02 of the Administrative Code, as it may be amended from time to time. For reference, the Minimum Competitive Amount as of July 1, 2022 is \$200,000.

B. Amendments or Modifications

The Commission shall approve amendments or modifications to contracts as follows:

1. **Commodities, General Services, Grants, and Chapter 21 Professional Services.** Cumulative increases in increments in excess of 10% of the original contract amount or original contract term of commodities, general services, grants and Chapter 21 professional services contracts. For contracts with an original contract amount under the Minimum Competitive Amount or Threshold Amount, amendments or modifications do not require Commission approval unless the amendment or modification would cause the contract amount to exceed the Minimum Competitive Amount or Threshold Amount, as applicable.

2. **Public Works Construction Contracts.** Cumulative increases or decreases in increments of 10% of the original contract amount or original contract term of Sanitation and Streets construction contracts. For contracts with an original contract amount under the Threshold Amount, amendments or modifications do not require Commission approval unless the amendment or modification would cause the contract amount to exceed the Threshold Amount.

II. Revenue Contracts

Unless otherwise provided for in this Policy, the Commission shall approve SAS contracts having anticipated revenue to the City of \$1,000,000 dollars or more, or the modification, amendment or termination of any contract which when entered into had anticipated revenue of one million dollars or more (that is, agreements requiring Board of Supervisors approval under Charter Section 9.118(a)).

III. Additional Contracting Authority and Requirements

A. Emergency Contracts. The Commission authorizes the Director to approve and amend emergency contracts, subject to the provisions in Sections 21.15 and 6.60 of the Administrative code. Sections 21.15 and 6.60 require that if the emergency permits, the Director first secure the written approval of the Commission Chair before entering into the emergency contract. If the emergency does not permit such approval, the approval is to be obtained as soon thereafter as possible.

B. Director or Director’s Designee. For purposes of this Policy, “Director” means the duly appointed Sanitation and Streets Director, Interim Director, or Acting Director. In addition, the Director may redelegate the Director’s authority under this Policy to any Deputy Director or senior SAS manager during any temporary absence, leave, or incapacity.

C. Other Contracts. Except as otherwise provided in this Policy, the Commission delegates to the Director authority to approve all other Sanitation and Streets contracts.

IV. Consent Agenda

While any specific contract item may be placed on the regular agenda at the request of the Commission, in general the Commission shall hear categories of contract items on the consent agenda as follows:

A. Professional Services and Grants. The Commission shall hear contract approvals and amendments to professional services contracts or grants with original contract amounts between the Minimum Competitive Amount and \$1 million on the consent agenda. All other Commission approvals shall be on the regular agenda.

B. All Other Contracts. The Commission shall hear all other contract approvals and amendments to contracts with original contract amounts between the Threshold Amount (or Minimum Competitive Amount in cases of direct purchasing of general services contracts) and \$5 million on the consent agenda. All other Commission approvals shall be on the regular agenda.

C. As-Needed Contracts. Notwithstanding the above, amendments to as-needed contracts, regardless of original contract amount, shall be heard on the consent agenda.

D. Consent Agenda Threshold Automatic Increases. The consent agenda threshold amounts shall increase commensurate with the Urban Regional Consumer Price Index increases to the Threshold Amount and Minimum Competitive Amount as provided in Sections 6.1 and 21.02 of the Administrative Code.