

1 [Donation of Surplus Goods]  
2 AMENDING SAN FRANCISCO ADMINISTRATIVE CODE SECTION 6.01 TO AUTHORIZE  
3 THE DIRECTOR OF PURCHASING TO DISPOSE OF SURPLUS GOODS BY DONATION  
4 FOR REUSE OR RECYCLING.

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

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

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

11 **SEC. 6.01. PURCHASING; MATERIAL, SUPPLIES, EQUIPMENT AND**  
12 **SERVICES.**

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

22 (b) Purchases of materials, supplies and equipment involving the  
23 expenditure of less than \$5,000 may, on the recommendation of the  
24 department head in charge thereof and the approval of the purchaser,  
25 be purchased directly by the department head. Beginning with fiscal

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1 year 1996-97, the Board of Supervisors shall be authorized to  
2 increase or decrease by ordinance the dollar amount of purchases of  
3 materials, supplies and equipment which may, on the recommendation of  
4 the department head and approval of the purchaser, be purchased  
5 directly by the department head.

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

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

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1 known local resources for transfer of surplus goods to public  
2 entities, non-profit organizations, and private organizations for a  
3 public purpose, and for the recycling of parts.

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

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

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

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

23 (ii) engaged in distributing the surplus goods offered at  
24 no cost or for a nominal fee to non-profit organizations, schools, or  
25

1 low-income individuals or families that are physically located in the  
2 Bay Area;

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

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

11 \_\_\_\_\_ (v) engaged in recycling the surplus goods, including  
12 parts or materials.

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

19 \_\_\_\_\_ (C) To the extent that more than one organization meets the  
20 criteria in a category listed above, surplus goods shall be made  
21 available on a rotational basis to entities and organizations in the  
22 same category. If there is a need to dispose of surplus property and  
23 no entity or organization meeting the criteria noted in subparagraph  
24 (d) (2) (A) can be located to receive a donation, the Purchaser is  
25 authorized to utilize other means that may be available to dispose of

1 such property in a manner that will best serve the interests of the  
2 City.

3 (e) All purchases in excess of \$2,500 shall be by written  
4 contract. Beginning with fiscal year 1996-97, the Board of  
5 Supervisors shall be authorized to increase or decrease by ordinance  
6 the dollar amount of purchases which shall be made by written  
7 contract. Any other provision of this Section notwithstanding, on  
8 the recommendation of the department head, in case of an emergency  
9 actually existing, the purchaser of supplies, with the approval of  
10 the Director of Administrative Services, may make such purchases in  
11 the open market on the basis of informal bids. At least three bids  
12 or quotations shall be secured on open market purchases. All  
13 contracts and purchase orders in excess of \$50,000 for materials,  
14 supplies or equipment and all agreements for contractual services in  
15 excess of \$50,000 shall require the signature of the Director of  
16 Administrative Services in addition to the signature of the purchaser  
17 of supplies. Beginning with fiscal year 1987-88, the Board of  
18 Supervisors shall be authorized to increase or decrease by ordinance  
19 the dollar amount of contracts requiring approval of the Director of  
20 Administrative Services under this Section. The purchaser of  
21 supplies shall not enter into any contract or issue any purchase  
22 order unless the Controller shall certify thereon that sufficient  
23 unencumbered balances are available in the proper fund to meet the  
24 payments under such purchase order or contract as these become due.

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1        (f) The purchaser of supplies shall establish specifications and  
2 tests to cover all recurring purchases of material, supplies and  
3 equipment. The purchaser shall, as far as is practicable,  
4 standardize materials, supplies and equipment according to the use to  
5 which they are to be put, when two or more types, brands or kinds are  
6 specified or requested by individual departments.

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

22        (h) The purchaser of supplies shall require departments to make  
23 adequate inspection of all purchases, and shall make such other  
24 inspections as he or she deems necessary. The purchaser shall  
25 develop standards for determining when articles or services which may

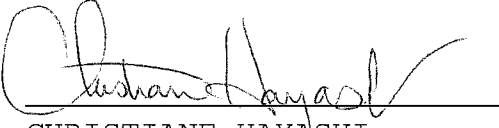
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1 be below standards, specifications or samples furnished should be  
2 rejected.

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

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16  
17 APPROVED AS TO FORM:  
18 LOUISE H. RENNE, City Attorney

19 By:   
20 CHRISTIANE HAYASHI  
21 Deputy City Attorney  
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Board of Supervisors, San Francisco

Passed for Second Reading

February 2, 1998

Ayes: Supervisors Ammiano Brown  
Kaufman Medina Newsom Teng Yaki  
Yee

Absent: Supervisors Bierman Katz

§ Finally Passed

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§ February 9, 1998

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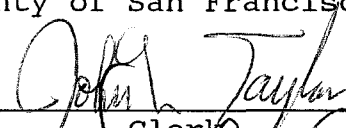
§ Ayes: Supervisors Ammiano Bierman  
§ Brown Katz Kaufman Medina Yaki  
§ Yee

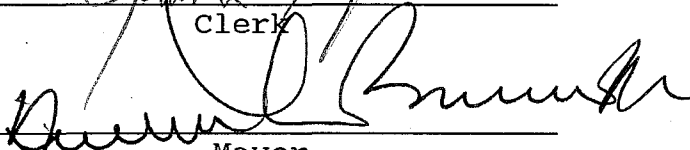
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§ Absent: Supervisors Newsom Teng

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

  
Clerk

  
Mayor

File No.  
97-97-52

FEB 20 1998

Date Approved