

Required Annual DPH Report

- ▶ On the Agenda:

- ▶ Sunshine Ordinance Requirement: Annual DPH Sole Source Waiver Usage Report submitted to the Board of Supervisors in June. (Health Commission update; no approval required)
- ▶ Attached slides for explanation.



Sunshine Ordinance Sole Source Report

(DPH FY20-21 Sole Source Waiver Usage Report)

S.F. Administrative Code, Chapter 67.24: “*The Sunshine Ordinance*” DPH Sole Source Contract Usage Report

- ▶ This ordinance requires that:
 - ▶ At the end of each fiscal year, each City department must provide to the Board of Supervisors a list of all professional sole source contracts (selected without a solicitation) entered into during the fiscal year, including those authorized under the following categories identified in Chapter 21 of the Administrative Code: Chapter 21.5, Chapter 21.30 and Chapter 21.42 (described in the next two slides).
 - ▶ Effective FY15-16, this report is also presented to the Health Commission as an update; approval is not required.
- ▶ This “Sunshine Ordinance” sole source report contains contracts entered into during FY20-21, which were selected without competitive solicitations

Sole Source Waiver Reporting Categories (included in BOS Sole Source Report)

SF Admin. Code	Sole Source Waiver Criteria	Sole Source Approval Requirements
Chapter 21.5	<p>The Admin Code provides that commodities or services available only from a sole source shall be procured in accordance with the City Purchaser's regulations. For example, only one price quotation will be required.</p> <p>There are four acceptable justifications (and one caveat) for sole source contracting approval:</p> <ul style="list-style-type: none"> • Goods or Services are available from only one source • Only one prospective vendor is willing to enter into a contract with the City • Item has design and/or performance features that are essential to the Department and no other source satisfies the City's requirements • Licensed or patented good or service • Other - If justifiable under a different reason (e.g., contract pilot projects with a term of two years or less) 	<p>The DPH Contracts Office must submit a sole source waiver request, with supporting documentation to the City's Office of Contract Administration (OCA) for approval.</p> <p>If denied, then a solicitation will be required before the services can be contracted.</p>
Chapter 21.30	Vendors with proprietary rights to software and hardware and for associated maintenance agreements will be treated as a sole source contract.	Same as above

Sole Source Waiver Reporting Categories (included in BOS Sole Source Report)

SF Admin.Code	Sole Source Waiver Criteria	Sole Source Approval Requirements
<p>Chapter 21.42</p>	<p>In 2006, the Board of Supervisors amended the Admin. Code to add section 21.42 to Chapter 21 authorizing the <u>SF Health Commission</u> to designate as sole source, professional services contracts for health, behavioral health and support services provided by non-profit organizations when recommended by the Department.</p> <p>This legislation was enacted to cover a potential gap period between the expiration of an authorized contract term, and the completion of a new RFP process.</p>	<p>The Contracts Office submits a list of recommended DPH sole source contracts to the HC annually for approval. (Note, this was done at the May 4, 2021 Health Commission meeting)</p> <p>OCA uses this list to approve any sole source waiver requests for contracts covered under this list.</p>