



CITY AND COUNTY OF SAN FRANCISCO CONTRACT MONITORING DIVISION

S.F. ADMINISTRATIVE CODE CHAPTERS 12B and 14B WAIVER REQUEST FORM (CMD-201)

Send completed waiver requests to:
CMD, 30 Van Ness Avenue, Suite 200, San Francisco, CA 94102 or
cmd.waiverrequest@sfgov.org

FOR CMD USE ONLY
Request Number: 10372

➤ **Section 1. CCSF Department Information (all fields must be completed)**

Department Head Signature: _____
 Name of Department: Port of San Francisco
 Department Address: Pier 1 Embarcadero
 Contact Person: Ken Chu or Shannon Alford
 Phone Number: (415) 274-0593, 415-336-0888 E-mail: kenneth.chu@sfport.com; shannon.alford@sfport.com

DocuSigned by:

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➤ **Section 2. Contractor Information (all fields must be completed)**

Contractor Name: TBD
 Bidder/Supplier No.: _____ Contractor Tax ID: _____
 Contractor Address: _____
 Contact Person: _____ Contact Phone No.: _____

➤ **Section 3. Transaction Information (all fields must be completed)**

Date Waiver Request Submitted: 5/5/21 Dollar Amount of Contract: \$ 33,368,600
 Contract/Transaction Number: Construction #2842 Contract Name: Port Maintenance Dredging
 Contract/Transaction Start Date: 8/1/21 Contract/Transaction End Date: 8/1/26

➤ **Section 4. Administrative Code Chapter to be Waived (please check all that apply)**

Chapter 12B
 Chapter 14B *Note: Employment and LBE subcontracting requirements will still be in force even when a 14B Waiver Type A or B is granted.*

➤ **Section 5. Waiver Type (a justification must be attached; see Check List on the other side of this form for instructions)**

A. Sole Source
 B. Emergency (pursuant to Administrative Code §6.60 or §21.15)
 C. Public Entity
 D. No Potential Contractors Comply **(Required)** Copy of waiver request sent to Board of Supervisors on: _____
 E. Government Bulk Purchasing Arrangement..... **(Required)** Copy of waiver request sent to Board of Supervisors on: _____
 F. Sham/Shell Entity **(Required)** Copy of waiver request sent to Board of Supervisors on: _____
 G. Subcontracting Goals
 H. Local Business Enterprise (LBE) *Note: For contracts in excess of \$5 million; see Admin. Code §14B.7(J)(2)*

CMD ACTION – For CMD/HRC Use Only

12B Waiver Granted: _____ 14B Waiver Granted:
 12B Waiver Denied: _____ 14B Waiver Denied: _____

Reason for Action: _____

CMD or HRC Staff: _____ Date: _____

CMD or HRC Director: _____ Date: 05/18/21

CHECK LIST

The City contracting department must complete each of the steps below before submitting this form:

- ✓ Attempt to get the contractor to comply with Administrative Code Chapter 12B requirements (Applies to Chapter 12B waiver requests only)
- ✓ Include a letter of justification explaining:
 - The purpose of the contract
 - Why the contract fits the type of waiver being requested (for example, why it is a sole source)
 - Your department's efforts to get the contractor to comply (for Chapter 12B waivers)
 (The OCA waiver form/justification may not be used in place of the CMD waiver form and justification)
- ✓ Fill in all of the fields in Sections 1-3
- ✓ Indicate in Section 4 the Administrative Code Chapter(s) to be waived
- ✓ Indicate in Section 5 which waiver type is being requested
- ✓ For waiver types D, E and F submit a copy of this form to the Clerk of the Board of Supervisors and indicate the date this was done in the field provided on the form

ADDITIONAL INFORMATION

Contract Duration: Contracts entered into pursuant to a Chapter 12B waiver should be constructed for the shortest reasonable duration so that future contracts may be awarded to a Chapter 12B-compliant contractor.

Waiver Type B (Emergency): A copy of the formal Declaration of Emergency or letter from the department Commission or Board must be submitted with the Form 201. Administrative Code §6.60 or §21.15 must be specified.

Chapter 14B Sole Source, Emergency and LBE Waivers: Only the bid discounts and departmental good faith outreach efforts requirements of Chapter 14B may be waived. All other provisions of this Chapter will still be in force even if this type of waiver has been granted.

Chapter 14B Subcontracting Waivers: Only the subcontracting goals may be waived. All other provisions of this Chapter will still be in force even if this type of waiver has been granted.

Waiver Types D, E and F: These waiver types have additional requirements:

1. The contracting department must notify the Board of Supervisor's that it has requested a waiver of this type.
2. Departments exercising waiver authority under one of these provisions must appear before a Board of Supervisors committee and report on their use of such waiver authority.

Modifications to waived transactions, including increasing the dollar amount, extending the term, and expanding the scope must have CMD and/or HRC approval prior to the expiration date on the previously approved waiver form.

- **Send waiver requests to:** Contract Monitoring Division, 30 Van Ness Avenue, Suite 200, San Francisco, CA 94102
or cmd.waiverrequest@sfgov.org
- **Additional copies of this form** and the **Quick Reference Guide to Waivers of Chapter 12B and 14B** are available at the Documents Center on the CCSF intranet at: <http://intranet/>
- ☎ **For further assistance**, contact the Contract Monitoring Division at 415-581-2310

** For internal use only. Amendments to this form that are not authorized by CMD/HRC render it invalid **