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17-220
11/06/17

Covered State List City Contracts and Travel Anti-LGBT Laws

Chapter 12X of the Administrative Code prohibits the City from entering into contracts with contractors that have its United States headquarters in a state that has passed anti-LGBT laws since June 26, 2015. Chapter 12X also prohibits City-funded travel to such states.

The Office of the City Administrator is responsible for publishing and maintaining a [Covered State List](#), which identifies the states that are subject to these prohibitions. The Board of Supervisors also passed Ordinance No. 189-16 on October 14, 2016 (enacted February 11, 2017), which places a ban on City-funded travel and city contracts involving states with anti-LGBT laws.

The Covered State List is reviewed on a semi-annual basis. When a state is removed or added, the Office of the City Administrator will make that information public and post the updated list on its website.

Travel:

For purposes of City-funded traveling (which includes but is not limited to training, conferences, seminars, etc.), members should review the Covered State List prior to making any travel arrangements. Please refer to [Administrative Code 12X.4](#) travel guidelines and 12X.5 waiver exceptions. If a waiver is requested for traveling to a state on the Covered State List, a memo shall be written with form [P-12X.5](#). Fill out the P-12X.5 form and check the statement that best applies to the waiver that you are requesting. Once approved through your chain of command, forward the memo and P-12X.5 form to the Fiscal Division for record keeping purposes.

Contracts:

When initiating a contract, the Department should be aware of the ban, and should not submit contracts for review that violate Section 12X.S(a). Effective immediately, as part of the approval process, the Office of Contract Administration ("OCA") will review all new Requisitions and Professional Services Contracts (PSC) under Chapter 21 to ensure they comply with Section 12X.S(a) prohibition.

In order to implement Chapter 12X compliance, departments are expected to notify vendors of the Chapter 12X ban in Request of Proposals and Request for Qualifications. Sample language that OCA recommends including in your solicitations will be incorporated into the P-590 RFP template available on OCA's website.

If the department wishes to enter into a contract otherwise prohibited by Chapter 12X, the department may make a determination of non-applicability, exception, or waiver as authorized by Section 12X.S(b). The waiver for an exception can be found on OCA's website under Form P-12X.5. This form must be accompanied by a written memo approved through your chain of command and sent to the Fiscal Division.


WILLIAM SCOTT
Chief of Police

Per DB 17-080, both sworn and non-sworn members are required to electronically acknowledge receipt and review of this Department Bulletin in HRMS.