

CONTRACTOR RESPONSIBILITY ORDINANCE EXEMPTIONS

The following provides a summary of the exemptions available under the Contractor Responsibility Ordinance (CRO). Departments should refer to the provisions of the Ordinance for details.

The following agreements are exempt from the CRO and do not require approval from the Department of Public Works, Bureau of Contract Administration, Special Research and Information Section (SRIS). An exemption request (Form SRIS/CRO-1) need not be submitted for the three types of agreements listed below.

1. **10.40.4(a)(1)** Agreements with a governmental entity such as the United States of America, the State of California, a county, city or public agency of such entities, or a public or quasi-public corporation located therein and declared by law to have such status.
2. **10.40.4(a)(2)** Agreements for the investment of trust moneys or agreements relating to the management of trust assets.
3. **10.40.4(a)(3)** Banking agreements entered into by the Treasurer pursuant to California Government Code Section 53630 et seq.

The following agreements require BCA approval before they can be exempt from the CRO's Questionnaire and Posting. Submit a request for exemption using the CRO Awarding Authority Request for Exemption Form (Form SRIS/CRO-1). The contract remains subject to all other CRO requirements.

4. **Prior to Sept. 4, 2001** Agreements entered into as a result of an Invitation for Bid or other procurement process that was released prior to September 4, 2001. These agreements become subject to the CRO when they are amended.
5. **10.40.4(b)(1)** Contracts awarded on the basis of exigent circumstances when any Awarding Authority finds the City would suffer a financial loss or that City operations would be adversely impacted.
6. **10.40.4(b)(2)** Contracts awarded in accordance with Charter Section 371(e)(5). The Awarding Authority must certify in writing that award is based on urgent necessity for the preservation of life, health, or property.
7. **10.40.4(b)(3)** Contracts entered into based on Charter Section 371(e)(6). The Awarding Authority must certify in writing that the contract is entered during time of war, or national, state, or local emergency.
8. **10.40.4(b)(4)** Contracts entered into based on Charter Section 371(e)(7). The Awarding Authority must certify in writing that the contract is entered into for equipment repairs or parts obtained from the manufacturer or exclusive agent.
9. **10.40.4(b)(5)** Contracts entered into based on Charter Section 371(e)(8). The Awarding Authority must certify in writing that the contract is entered into for cooperative arrangement with another governmental agency.
10. **10.40.4(b)(6)** Contracts where the goods or services are proprietary or available from only one source.