


**City Of San Diego
COUNCILMEMBER MARTI EMERALD
DISTRICT SEVEN**

MEMORANDUM

REF: M-09-10-02

DATE: October 6, 2009
TO: Council President and Rules Committee Chair Ben Hueso
FROM: Councilmember Marti Emerald 
SUBJECT: Energy Efficiency Health and Safety Standards

We are facing an incredibly difficult economic reality and one of the primary drivers of recovery for our city will be infrastructure investment. In FY 2010, the City is projected to spend over \$400 million in public works and capital improvement projects. Federal stimulus dollars in addition to California bond measures will provide increased funding opportunities for these projects.

Despite the many challenges facing our City, we have an opportunity to utilize San Diego's apprenticeship programs and the skills and training of our local mechanical workforce.

While creating green collar careers for San Diegans, and stimulating our economic recovery, we can ensure quality construction, maximize energy savings, and guarantee return on our investment. More importantly, we can do this with no significant new costs to the City.

I am enclosing language which I believe will meet these goals and respectfully request the Rules Committee direct the City Attorney to prepare an ordinance for consideration by the City Council. I believe it is important to the future of our city, our citizens, and our economic development to ensure that all of our capital projects achieve higher standards in health and safety, energy efficiency, and job opportunities for San Diego.

ME/ch

cc: Honorable Members of the Rules Committee

§ 22.3106 Energy Efficiency, Health and Safety Standards

Although portions of the below language comprise existing State law which the City currently abides by, it is important during these economic times to stress how essential it is that sub-contractors hold the correct license with which to perform work for the City.

- (b) All *public works contracts* that includes any work listed below done as a part of any construction, improvement, or enhancement must be performed by a contractor possessing the appropriate license issued by the Contractors State License Board:
- (1) electrical work covered by the National Electrical Code performed by a C-10 licensed contractor, that provides verification of employing California certified electricians, or for low-voltage communications systems, a C-7 licensed contractor;
 - (2) reinforcing steel, structural steel, and ornamental metal work performed by a C-50, C-51 and / or C-23 license;
 - (3) landscape irrigation fitting performed by a C-27 licensed contractor;
 - (4) fire sprinkler fitting performed by a C-16 licensed contractor;
 - (5) installation of insulating media and preformed architectural acoustic materials for temperature and / or sound control performed by a C-2 licensed contractor. Any worker involved in asbestos removal must be a certified asbestos removal supervisor or a certified asbestos removal worker in accordance CalOSHA guidelines. Certified asbestos workers and supervisors must have also passed a respirator certification exam by OSHA.
 - (6) plumbing and pipefitting work, and plumbing repair performed by a contractor possessing a C-36 and /or C-38, C-34, C-4 license (additional licenses may include C-46 for solar water systems, or C-55 for water conditioning);

- (7) sheet-metal work performed by a C-43 licensed contractor and/ or a C-20 license (for HVAC systems);
- (8) conveyance work done as a part of any construction, improvement, or enhancement or service performed by a C-11 licensed contractor that employs Certified Competent Conveyance Mechanic workers certified by the Division of Occupational Safety and Health; All conveyance contractors must have a Division of Occupational Safety and Health CQCC license.

(a) For all *public works contracts* over \$25,000, the City Manager shall ensure that the following requirements are met:

- (1) functional testing under Title 24 of all energy systems to correct all performance deficiencies, and verify acceptance requirements to ensure all specified systems and equipment conform to the required performance criteria;
- (2) minimum of 70 percent of all journeymen for work performed in Section 22.3106(b) shall be graduates of an apprenticeship program approved by the California Division of Apprenticeship Standards in the appropriate craft;
- (3) minimum of 20 percent of jobsite workers for each craft for work performed in Section 22.3106(b) shall be OSHA 10-hour General Industry Safety & Health Certified;
- (4) at least one jobsite worker for each craft for work performed in Section 22.3106(b) shall be OSHA 30-hour General Industry Safety & Health Certified;

(c) Requests for Proposals and all other bid solicitations shall list the requirements in Section 22.3106(a)-(b).

