

Attachment II: Local Business Enterprise Forms

ATTACHMENT II: Local Business Enterprise (LBE) Forms

Contract Monitoring Division (“CMD”) Contact

If you have any questions concerning the CMD Forms and to ensure that your proposal is not rejected for failing to comply with S.F. Administrative Code Chapter 14B requirements, please contact the **General Services Agency – Contract Monitoring Division at (415) 581-2310 or visit www.sfgov.org/CMD**. The forms will be reviewed prior to the evaluation process.

HOW TO RESPOND TO THIS ATTACHMENT

Each solicitation process requires a **new submittal of CMD Attachment 2 forms** at the following link:

<http://www.sfgsa.org/index.aspx?page=6135>

- (1) Form 2A-CMD Contract Participation Form
- (2) Form 2B- CMD “Good Faith Outreach” Requirements Form
- (3) Form 3- CMD Non-Discrimination Affidavit
- (4) Form 4- CMD Joint Venture Form (if applicable), and
- (5) Form 5- CMD Employment Form

Please submit Forms 2A, 2B, 3 and 5 (and Form 4 if Joint Venture proposal) with your Proposal Package. The forms should be part of the “Original” of your proposal. The forms should have original signatures.

If these forms are not returned with the proposal, the proposal may be determined to be non-responsive and may be rejected.

1. Local Business Enterprise Goals and Outreach

The requirements of the Local Business Enterprise (LBE) and Non-Discrimination in Contracting Ordinance set forth in Chapter 14B of the S.F. Administrative Code as it now exists or as it may be amended in the future (collectively the “LBE Ordinance”) shall apply to this solicitation. More information regarding these requirements can be found at:

<http://www.sfgov.org/CMD>

2. LBE Subconsultant Participation Goal

Please refer to San Francisco Administrative Code Chapter 14B and *CMD Attachment 2* for information concerning the City's LBE program. The LBE sub-consulting goal has been waived for this RFP.

3. Link to LBE Subconsultant Directory

This link takes you to a directory of current Local Business Enterprises.

http://mission.sfgov.org/hrc_certification/

4. Good Faith Outreach to Select LBE Subconsultants

Each firm responding to this solicitation shall demonstrate in its proposal that it has used good-faith outreach to select LBE subconsultants as set forth in S.F. Administrative Code §§14B.8 and 14B.9, and shall identify the particular LBE subconsultants solicited and selected to be used in performing the contract. For each LBE identified as a subcontractor, the proposal must specify the value of the participation as a percentage of the total value of the goods and/or

ATTACHMENT II: Local Business Enterprise (LBE) Forms

services to be procured, the type of work to be performed, and such information as may reasonably be required to determine the responsiveness of the proposal. LBEs identified as subconsultants must be certified with the Contract Monitoring Division or with the San Francisco Human Rights Commission at the time the proposal is submitted, and must be contacted by the Proposer (prime contractor) prior to listing them as subcontractors in the proposal. Any proposal that does not meet the requirements of this paragraph will be non-responsive.

5. Documentation of Good Faith Outreach Efforts

In addition to demonstrating that it will achieve the level of subconsulting participation required by the contract, a Proposer shall also undertake and document in its submittal the good faith efforts required by Chapter 14B.8(C) & (D) and CMD Attachment 2, Requirements for Architecture, Engineering and Professional Services Contracts.

Proposals which fail to comply with the material requirements of S.F. Administrative Code §§14B.8 and 14B.9, CMD Attachment 2 and this solicitation will be deemed non-responsive and will be rejected. During the term of the contract, any failure to comply with the level of LBE subconsultant participation specified in the contract shall be deemed a material breach of contract. Subconsulting goals can only be met with CMD-certified Small or Micro-LBEs located in San Francisco.

Note: If Proposer meets/exceeds LBE participation by 35% (i.e. 13.5% LBE participation for this contract), Good Faith Outreach documentation is not required.

6. LBE Participation and Rating Bonuses

The City strongly encourages proposals from qualified LBEs. Pursuant to Chapter 14B, the following rating bonuses will be in effect for the award of this project for any Proposers who are certified as a Small or Micro-LBE, or joint ventures where the joint venture partners are in the same discipline and have the specific levels of participation as identified below. Certification applications may be obtained by calling (415) 581-2310. The rating bonus applies at each phase of the selection process. The application of the rating bonus is as follows:

- (1) A 10% bonus to a Small or Micro-LBE; or a joint venture between or among Small and/or Micro-LBEs; or
- (2) A 5% bonus to a joint venture with Small or Micro-LBE participation that equals or exceeds 35%, but is under 40%; or
- (3) A 7.5% bonus to a joint venture with Small or Micro-LBE participation that equals or exceeds 40%; or
- (4) A 10% bonus to a certified non-profit entity.

Joint Venture Rating Bonus If applying for a rating bonus as a joint venture: The LBE must be an active partner in the joint venture and perform work, manage the job and take financial risks in proportion to the required level of participation stated in the proposal, and must be responsible for a clearly defined portion of the work to be performed and share in the ownership, control, management responsibilities, risks, and profits of the joint venture. The portion of the LBE joint venture's work shall be set forth in detail separately from the work to be performed by the non-LBE joint venture partner. The LBE joint venture's portion of the contract must be assigned a commercially useful function.

SBA firms will get a 2% bid discount, to be applied only if it does not adversely affect the small and/or micro LBEs.