



CONTRACT MONITORING DIVISION OFFICE OF THE CITY ADMINISTRATOR



London N. Breed, Mayor
Carmen Chu, City Administrator

Romulus Asenloo, Director

0000007220 - 190 9th Street Energy Efficiency, HVAC Upgrades & Photovoltaic Panels Pre-Bid Meeting, December 8, 2022 @ 9:30 AM, Microsoft Teams Meeting

CMD Contact Information > Antonio Tom; antonio.tom@sfgov.org;

CMD Attachment 1 > Chapter 14B requirements and forms are included in CMD Attachment 1, which can be found in the specs or on CMD's website: www.sfgov.org/cmd

LBE bid discount

- San Francisco Micro- and Small-LBE Primes will receive a 10% bid discount for this project. LBE primes that apply for the bid discount must be certified by the bid due date.
- SBA-LBEs will receive a 5% bid discount. However, the SBA-LBE bid discount will not be applied in cases where the Micro- or Small-LBE is the apparent low bidder.
- If you are interested in becoming certified, please contact our certification unit as soon as possible. Please be aware that CMD may not be able to complete the certification of new firms by the bid due date. **Certification Unit at (415) 581-2310 or lbecert@sfgov.org.**

LBE subcontracting requirement

- The LBE subcontracting participation requirement is **20%**.
- Bids must meet the LBE subcontracting requirement on Section 00 43 36 at the time of bid or bid may be deemed nonresponsive.
- LBE prime participation cannot count towards meeting the LBE subcontracting requirement.
- **Only San Francisco Micro and Small-LBEs** certified by CMD can be utilized to meet the LBE subcontracting requirement and a list of certified firms are available on the CMD website. LBE subs must be certified by the bid due date *and* they must be certified in the areas that they are being listed to perform
- The Prime cannot use deletable bid items, allowances and contingency bid items to meet the LBE subcontracting participation requirement.

Good Faith Outreach

There are three approaches you can utilize to meet the good faith outreach requirements. However, regardless of which approach chosen, you must still meet the LBE subcontracting requirement(s).

1. Under Approach A, the Prime Proposer must exceed the sum of the project's stated LBE participation requirement(s) by 35%. For this project, the Prime's LBE participation must meet or exceed 1.35 times the subcontracting requirement, which is **27%**. If you will be utilizing this approach, you must check YES under Section A of Form 2B.

OR

2. Under Approach B, the Prime must list a Micro-LBE subcontractor on its Bid that they have not listed on its last five (5) most recently awarded City contracts which have an LBE sub participation requirement(s).

OR

3. Under Approach C, the Prime must earn at least 50 points by demonstrating that it negotiated with LBEs in good faith. The Prime must submit supporting documentation as outlined under this approach at the time of bid in order to earn points. *Note that for each item, you cannot earn partial points.

Pay attention to each of the required steps listed on Form 2B. Form 2B will walk you through the two options above. The LBE Online Directory is also on the CMD website, if you go www.sfgov.org/cmd

Other Requirements

- **Trucking:** You must list all lower tier trucking subs on CMD Form 6A when subcontracting out any portion of the trucking work. You will receive **only** a 60% participation credit when a LBE owned trailer is pulled by a non-LBE owned tractor. And vice versa.
 - Keep in mind that disposal fees do not count towards meeting the LBE sub requirement; make sure you separate that part out if the LBE trucking firm provides a quote that includes the disposal fees
 - Please make sure the LBE trucking firm that you are listing to do the hauling work owns its trucks, and the trucks must be listed under its LBE certification
 - Any equipment like grit separators, tanks, and debris boxes fall under the LBE category “Construction Equipment” and not under the “Trucking and Hauling” category. Make sure you indicate the correct LBE category for the appropriate scope that you are listing them to perform on Section 00 43 36. LBE firms under the “Construction Equipment” category are equipment sale and rental firms, which only 60% of the equipment rental fee (current market rate) can be credited towards meeting the LBE sub requirement
- **Special Materials:** For the cost of items deemed special materials/equipment in Section 00 16 00, you will receive **only** 5% of the purchase price of these items towards meeting the LBE subcontracting requirement **if** you utilize a SF-LBE Materials Supplier to purchase these items and that supplier is CMD certified for these types of items. Otherwise, you will receive 0% LBE credit for the purchase of these items. Note that LBE subcontractors will only receive 100% for the installation (labor) and 5% for the purchase price of the special material that it will be installing.

Forms to be submitted with Bid from CMD Attachment 1:

- Submit CMD Form 2B along with all supporting documentation as required.
- Section 00 43 36 of the bid specs must be submitted with the Bid. If you are using a LBE to meet the LBE subcontracting requirement, even if the percentage of LBE work is under ½ of 1%, the sub must be listed on Section 00 43 36 to receive LBE credit. This includes LBE trucking firms and LBE suppliers.

5-Day Submittals

The apparent low bidder must submit the CMD forms electronically (PDFs), by 5:00 p.m. on the fifth business day after bid opening to antonio.tom@sfgov.org:

- **Form 3** CMD Compliance Affidavit
- **Form 6** LBE Subcontractor Participation Affidavit
- **Form 6A** LBE Trucking Form (if applicable)
- **Good Faith Outreach Support Documents for Form 2B.** This is the follow-up email correspondence and Written Bids and Statement of Selection of Subs (if applicable)

LBE Utilization Tracking - PeopleSoft

The LBE tracking system is an online based payment affidavit and notification module within the City’s Financials and Procurement System (PeopleSoft). Prime contractors and all subcontractors who are awarded contracts are now required to file CMD Payment Affidavits as primes and to file CMD Payment Affidavit Confirmations as subcontractors, instead of submitting CMD Form 7 and 9. Additional information and Self-Service Training can be found at <https://sfcitypartner.sfgov.org/Training>.