



**0000009247 – McLaren and Twin Peaks Trails
Pre-Bid Meeting, April 15, 2024 at 10:30AM**

CMD Contact Information > Queena Chen, queena.chen@sfgov.org

CMD Attachment 1 > Please read **CMD Attachment 1** carefully. Chapter 14B requirements and forms are included in Attachment 1, which can be found in the specs or on CMD's website: www.sfgov.org/cmd 7/1/22 v

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 on the bid due date.
- SBA-LBEs will receive a 5% bid discount. SBA bonus will not apply if a 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. **Email lbecert@sfgov.org today or call (415) 581-2310.**

LBE subcontracting requirement

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

Good Faith Efforts Requirements

There are three approaches you can utilize to meet the good faith efforts requirements. However, you must still meet the LBE subcontracting participation 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, 35% of 25% subcontracting requirement is 7%. Add 7% to 20%, which equals to 27%. In order for the Prime to meet the "Good Faith Efforts" requirements with respect to Approach A, the Prime's LBE participation must meet or exceed **27%**. If the Prime will be utilizing this approach, the Prime must check YES under Approach A of CMD Form 2B.

*Note for Micro and Small-LBE Prime proposer: Micro and Small-LBE primes may count their own work towards the extra 35% portion for Approach A. The LBE prime must still use LBE subcontractors to meet the LBE subcontracting participation

requirement as stated above, but may use their own work towards exceeding the requirement by 35% under Approach A.

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.

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 Items 1, 2, 3 under this approach. Of importance, the Prime Proposer must submit all required documentation at the time of Proposal in order to earn points. *Note that for each Item, you cannot earn partial points. Please pay extra attention to any deadline requirements on the form.

Pay attention to the instructions for each Approach on Form 2B. Form 2B will walk you through the options that I just mentioned. Please have your outreach person contact me so I can walk them through the CMD website. The LBE Online Directory is also on the CMD website, if you go www.sfgov.org/cmd

- While Primes are performing good faith efforts, it is the responsibility of the Prime to communicate with the LBE subs and determine their qualifications for the scopes of work/services that the LBE subs are being listed and expected to perform.

Other Requirements

- **Trucking**: The Prime must list all lower tier trucking subs on CMD Form 6A when subcontracting out any portion of the trucking work. The Prime will receive 100% participation credit when a LBE trailer is pulled by a LBE owned tractor. The Prime will **only** receive 60% participation credit when an LBE owned trailer is pulled by a non-LBE owned tractor.
 - 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

Forms to be submitted with the Bid:

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

5-Day Submittals from CMD Attachment 1

The apparent low bidder must submit, by 5:00 p.m. on the fifth business day after bid opening:

- **Form 3** CMD Compliance Affidavit
- **Form 6** LBE Subcontractor Participation Affidavit
- **Form 6A** LBE Trucking Form (if applicable)

Tracking LBE Utilization

Prime contractors and all subcontractors who are awarded City contracts are required to enter and confirm payment information in a City approved payment system (e.g., City's PeopleSoft System, SOLIS, etc.). For the City's PeopleSoft System, additional information and self-service training can be found at <https://sfcitypartner.sfgov.org/Training>

CMD strongly encourages each Prime bidding on this project to contact me if you have any questions regarding any of the CMD requirements or forms.

