

PROCUREMENT PROCESS: CONSTRUCTION

The Sponsor Agency must follow these requirements in procuring a construction contract:

1. **LBCE Program Compliance.** Sponsor Agency shall review the LBCE Program to ensure compliance with program requirements, including, but not limited to:
 - a. Incorporating required provisions verbatim in the procurement document and subsequent contract for construction projects (also see Exhibit B2).
 - b. Furnishing copies of the procurement documents and contracts to Alameda CTC for review prior to approval by the Sponsor Agency on contracts utilizing Alameda CTC funds.
 - c. Conforming to all applicable requirements of the Local Agency Public Construction Act and the California Labor Code.
 - d. Coordinating with Alameda CTC to achieve Alameda CTC's objectives and clarifying LBCE Program requirements in the event that the Sponsor Agency is bound by other mandated requirements.
2. **Outreach to Alameda CTC-certified Firms.** Sponsor Agency shall distribute, or request that Alameda CTC distribute, the procurement notice to Alameda CTC-certified LBE, SLBE, and/or VSLBE firms. Sponsor Agency should document its outreach efforts. Further, Alameda CTC recommends that the Sponsor Agency advertise the procurement notice in one or more newspapers, technical publications, professional associations, societies, and/or business development centers, to solicit LBE, SLBE, and/or VSLBE firms that are interested in participating in the opportunity.
3. **Pre-bid Meeting.** Not less than ten (10) business days before bids are due for each contract subject to this LBCE Program, Alameda CTC or Sponsor Agency shall hold a pre-bid meeting in Alameda County and invite prospective prime contractors and subcontractors, including LBE, SLBE and VSLBE firms. During the meeting, Sponsor Agency will explain the contract work to be performed and the process for bidding, and Alameda CTC or Sponsor Agency will explain the provisions of this LBCE Program, including the LBCE Program Exhibits. Sponsor Agency shall discuss and provide the list of certified LBE, SLBE and VSLBE firms (available at https://www.alamedactc.org/app_pages/view/4543) to prospective bidders, prime contractors and subcontractors at the meeting.
4. **Bid and Good Faith Efforts Requirements.** Sponsor Agency shall direct the prime contractor to comply with all of the requirements for submitting a bid as prescribed by the LBCE Program, including LBCE Program Appendix C (Good Faith Efforts for Construction Contracts) and LBCE Program Exhibit B2 (Sample Program Compliance Language: Construction), including but not limited to the following:
 - a. All firms to be utilized to meet the LBE and/or SLBE goal must be certified by Alameda CTC prior to bid opening.
 - b. All work performed by LBE, SLBE, and/or VSLBE firms, including any subconsultant and/or vendor regardless of tier and subcontract amount, should be clearly identified and the percentage of their involvement indicated.
 - c. Proof of certification must be submitted with the bid.
 - d. A bidder that fails to meet the LBE or SLBE goal on a construction contract shall not be awarded the contract unless the Good Faith Efforts requirements are met.