



ALAMEDA COUNTY TRANSPORTATION COMMISSION

Local Business Contract Equity (LBCE) Program Overview & Compliance



Agenda



LBCE Program Overview



LBCE Program Compliance



Upcoming Contracting Opportunities



Reporting Requirements



Objectives



- Established to create economic growth and jobs within the county by requiring local contracting.



- Helps to identify and engage the participation of businesses located in Alameda County:
 - ✓ Local Business Enterprise (LBE)
 - ✓ Small Local Business Enterprise (SLBE)
 - ✓ Very Small Local Business Enterprise (VSLBE)

Businesses are encouraged to apply for certification by visiting alamedactc.org/contract-equity or emailing Certification@AlamedaCTC.org



LBCE Program

Contracts that are:

- Funded solely or partially with:
 - Measure F – Alameda County Vehicle Registration Fee (VRF)
 - Measure B
 - Measure BB
- Administered by Sponsor Agency with executed Project Funding Agreement (PFA)

Exception to Goal Requirements

- Sponsor Agency self-performs work; **or**
- A Sponsor Agency may request to use its own local business preference program if such a program has been formally adopted by the Sponsor Agency's governing body.

Substitution of the LBCE Program must be approved in writing by the LBCE Liaison Officer **prior to the advertisement** of the contract.

The Disadvantaged Business Enterprise (DBE) Program requirements do not apply



Contract Goals

Construction Contracts

- > \$75,000
- 60.0% LBE Goal
- 20.0% SLBE Goal
- Not Applicable
- Meet Goals or Make GFE



Professional Services Contracts

Contract Value

LBE Goal
Local Business Enterprise

SLBE Goal
Small Local Business Enterprise

VSLBE Goal
Very Small Local Business Enterprise

Selection Process

> \$75,000	> \$25,000 and ≤ \$75,000
70.0% LBE Goal	Not Applicable
30.0% SLBE Goal	Not Applicable
Not Applicable	30.0% VSLBE Goal
5.0% of Points for Each Goal Met	20.0% of Points for Goal Met

Construction Contracts:

GFE Criteria & Required Documentation for Bidders

- 1 Attend pre-bid meeting: **5 pts**
- 2 Identify/break out work to be performed by LBEs, SLBEs, and VSLBEs: **15 pts**
- 3 Advertise not less than 10 business days before the bid opening date in various media/publications: **10 pts**
- 4 Issue written notice to LBEs and SLBEs with items of work within 5 calendar days after pre-bid meeting: **15 pts**
- 5 Follow up with firms to determine whether they are interested in performing: **20 pts**
- 6 Provide a list of all LBEs and SLBEs to which project plans, specs, and requirements were made available: **5 pts**
- 7 Advise and make efforts to assist firms in obtaining (1) lines of credit or (2) insurance: **5 pts**
- 8 Provide evidence of negotiations and reasoning if LBE or SLBE bids are rejected: **25 pts**



Professional Services Contracts: Applicable Credits for Contract Award

Sample for LBE and SLBE goals:

SELECTION CRITERIA	POINTS
1. Understanding the Required Scope of Work.	20
2. Expertise.	20
3. Management Plan.	20
4. Staffing Plan and Availability.	20
5. Ability to Meet or Exceed Applicable LBE and SLBE Goals.	10 (5 for each goal)
Total Points:	100

LBE and SLBE Goals: > \$75,000

Five percent (5.0%) of the total evaluation points for each goal, for a total of ten percent (10.0%).

VSLBE Goal: > \$25,000 and < \$75,000

Twenty percent (20.0%) of the total evaluation points.

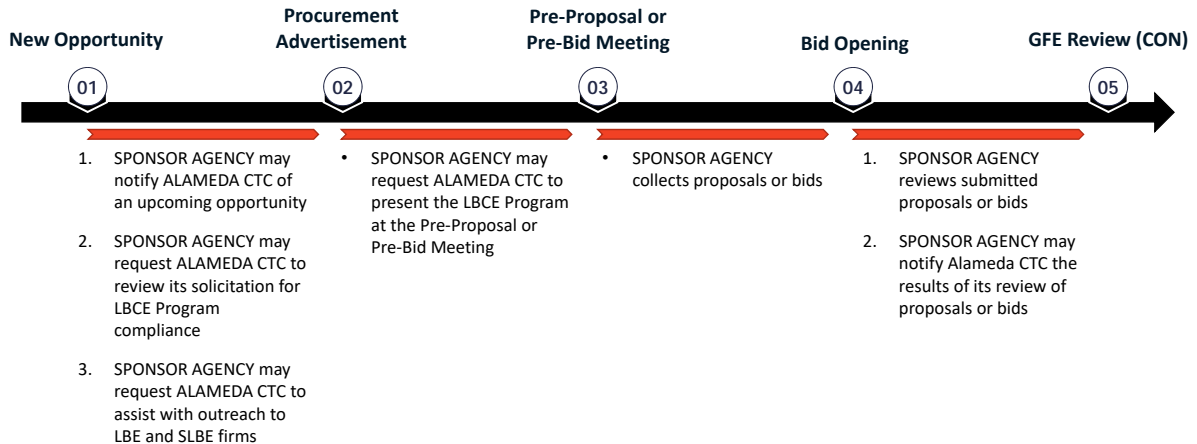


REMEMBER:

1. Contract goals are a percentage of the total non-contingent contract amount; i.e., on-call and/or optional tasks are excluded from the contract goals **until authorized**.
2. LBE, SLBE, and VSLBE firms must be certified prior to bid or proposal submission.
3. Rounding: **59.9%** and **19.9%** **DO NOT** round up to meet 60.0% LBE and 20.0% SLBE goals, respectively; same concept applies for 70.0% LBE and 30.0% SLBE goals.
4. Bidders must meet the LBCE Program goals or show evidence of performing GFE for construction contracts.
5. LBCE Program goals and requirements should be clearly detailed in the solicitation documents; see LBCE Program Exhibits at alamedactc.org/contract-equity.
6. If any state or federal funds are utilized on the contract, the LBCE Program goals do not apply.



Pre-Award Timeline



GFE Review



The GFE Evaluation Process consists of a two-tiered review process:

- 1. Interdisciplinary Review Team (IRT):** The initial review/analysis of the GFE documents will be performed by Alameda CTC, and this initial report will be presented to the IRT, nominated by the Executive Director, which determines if a GFE was demonstrated.
- 2. GFE Review Committee:** Review of IRT decision, if appealed by bidders, will be conducted at a hearing in Alameda County by a GFE Review Committee (Committee), which will be comprised of two Commission members appointed by the Chair and an outside independent appointee retained by the Alameda CTC ED.
We would only move to this tier in the event of a protest and appeal.



To have your upcoming contracting opportunities advertised by Alameda CTC, please share the following information and if available, the link to the opportunity:

<p>Advertisement Timeframe Bid/proposal release date, pre-bid meeting date, bid/proposal due date, and bid/proposal opening date</p>	<p>Procurement Type Professional Services or Construction</p>
<p>Contact Information Agency staff contact information for questions regarding the opportunity</p>	<p>Project Name Name of the project that can be searched by interested bidders or proposers on the agency's procurement portal</p>
<p>Brief Project Scope Brief summary of the scope anticipated to be provided or performed by the bidder/proposer</p>	<p>Specific Services If applicable, the specific services needed for the opportunity</p>

alamedactc.org/contracting-opportunities



SPONSOR AGENCY REPORTING

A Contractor or Consultant can complete the Semi-Annual Report Form; however, the Sponsor Agency does need to review and verify the form is accurate.

The Semi-Annual Report Form needs to be submitted to LBCReport@alamedactc.org to be reviewed by Alameda CTC.

Alameda CTC is available to schedule 1-on-1 trainings with Sponsor Agencies to provide instruction on how to complete the Semi-Annual Report Form.

The Semi-Annual Report Forms are due by **January 31** for the July 1 through December 31 reporting period and **July 31** for the January 1 through June 30 reporting period.



Upcoming Reporting Schedule

Performance Period: January 1 thru June 30

- Sponsor Agencies collect budget and payment data on project funding agreements (PFAs) which are solely or in part by VRF, Measure B and/or Measure BB funds from January 1, 2023 through June 30, 2023.

Alameda CTC Email Notices

- Alameda CTC sends an email notice to the Sponsor Agencies of the upcoming reporting cycle.

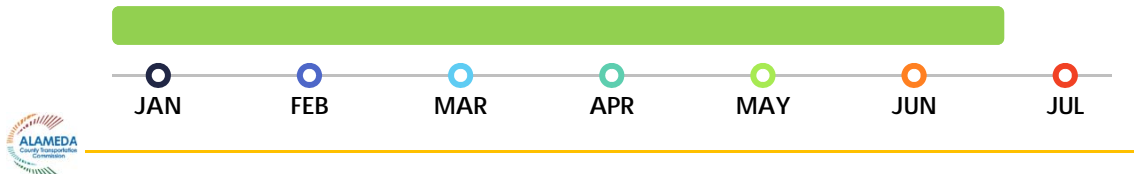
Sponsor Semi-Annual Report Form Preparation

- Sponsor Agencies begin preparing reports on July 1.

Sponsor Semi-Annual Report Form Submittals

- Sponsor Agencies submit Sponsor Semi-Annual Report Form by July 31.

Sponsor Semi-Annual Report Form(s) Due: July 31



Key Takeaways to Complete Report Form

1 Sponsor Semi-Annual Report Form = 1 Prime

A Project Funding Agreement (PFA) may have multiple prime contractors or consultants. The number of primes working under the PFA is the number of Sponsor Semi-Annual Report Forms that need to be prepared and submitted.

Budget & Payment Data includes All Funding Sources

A project or contract executed under a Project Funding Agreement (PFA) may have multiple funding sources. Regardless of the additional funding sources budgeted or utilized for the project or contract, a Sponsor Semi-Annual Report Form will need to be submitted if a Project Funding Agreement is executed.

Report Form needed regardless of contract goal

A project or contract executed under a Project Funding Agreement (PFA) may have multiple funding sources and other program compliance requirements; however, this does not exempt the requirement for submitting a Sponsor Semi-Annual Report Form. Regardless if there is a DBE goal or other goal on the project, a Sponsor Semi-Annual Report Form is required.

LBCEreport@alamedactc.org for Questions

If the Sponsor Agency has questions regarding the Sponsor Semi-Annual Report Form, please contact LBCEreport@alamedactc.org. Staff are available to schedule 1-on-1 meetings to assist with preparing report form(s).



SPONSOR SEMI-ANNUAL REPORT FORM: PRIME CONSULTANT/CONTRACTOR LBE, SLBE, AND VSBE TRACKING
Submit each complete, signed form semi-annually by January 31 and July 31 of each year to: LBCEreport@alamedactc.org

SECTION I. PROJECT SPONSOR AGENCY/ENTITY ("SPONSOR") DETAIL:

Sponsor: _____ Sponsor Representative Name: _____
 Project Funding Agreement (PFA) No.: _____ Sponsor Representative Phone No.: _____
 Semi-Annual Report Cycle (check one): January July Sponsor Representative Email: _____
 Consultant/Contractor Tracking (N/A): This PFA did not fund any consultant/contractor contract (if checked, skip Section II below).

SECTION II. CONSULTANT/CONTRACTOR CONTRACT DETAIL:

Prime Consultant/Contractor: _____ Contract Start Date: _____
 General Agreement No.: _____ Contract End Date: _____
 Total Contract Budget: _____ Contract Close Out Date: _____
 Contract Category: _____ State and/or Federal Funding Used: _____
 Project Title: _____
 Scope of Work: _____

Check the following if applicable:
 LBCE Program Substitution: **LBCE program was substituted for another local program.**
 Payment: **No payments were made this reporting period for this contract.**

Prime and Subcontractor/Subcontractor	Tier (1, 2, or 3)	LBE	SLBE	VSBE	Contract/ Subcontract Budget (all fund sources)	Total Paid This Period (all fund sources)	Total Paid to Date (all fund sources)	Remaining Budget (all fund sources)
Prime Consultant/Contractor	1							\$0.00
Sub 1								\$0.00
Sub 2								\$0.00
Sub 3								\$0.00
Sub 4								\$0.00
Sub 5								\$0.00
Sub 6								\$0.00
Sub 7								\$0.00
Sub 8								\$0.00
Sub 9								\$0.00
Sub 10								\$0.00
Sub 11								\$0.00
TOTAL (SL)					\$0.00	\$0.00	\$0.00	\$0.00
LBE Total (%)		RDV/00	RDV/00	RDV/00				RDV/00
SLBE Total (%)		RDV/00	RDV/00	RDV/00				RDV/00
VSBE Total (%)		RDV/00	RDV/00	RDV/00				RDV/00

Tier Legend:
 1 = Prime Consultant/Contractor
 2 = Tier 1 Subcontractor
 3 = Tier 2 Subcontractor

Certification Legend:
 LBE = Local Business Enterprise
 SLBE = Small Local Business Enterprise
 VSBE = Very Small Local Business Enterprise

Comments (INCL. ON LBE, SLBE, AND/OR VSBE UTILIZATION DEFICIENCIES (COMMITTED VSBE'S ATTAINED) AND PLANS TO MEET COMMITTED CONTRACT GOALS):

certify that this form is accurate and complete, and all information herein is in compliance with the Project Funding Agreement.

Sponsor Representative Signature _____ Date _____

Rev. 12/09/2022

Reporting Requirements

Breakdown of Sections

SECTION I. PROJECT SPONSOR AGENCY/ENTITY

- Sponsor Name
- Project Funding Agreement (PFA)
- Semi-Annual Report Cycle
- Consultant/Contractor Tracking
- Sponsor Representative Name
- Sponsor Representative Phone #
- Sponsor Representative E-mail

SECTION II. CONSULTANT/CONTRACTOR CONTRACT DETAIL

- Prime Consultant/Contractor
- Contract Agreement No.
- Total Contract Budget
- Contract Category
- Project Title
- Scope of Work
- Contract Start Date
- Contract End Date
- Contract Close Out Date
- State and/or Federal Funding Used

Check IF APPLICABLE

- LBCE Program was substituted for another program
- No payments were made this reporting period for this contract



SPONSOR SEMI-ANNUAL REPORT FORM: PRIME CONSULTANT/CONTRACTOR LBE, SLBE, AND VSLE TRACKING
 Submit each complete, signed form semi-annually by January 31 and July 31 of each year to: LBCEreport@alamedactc.org

SECTION I. PROJECT SPONSOR AGENCY/ENTITY ("SPONSOR") DETAIL

Sponsor: _____ Sponsor Representative Name: _____
 Project Funding Agreement (PFA) No.: _____ Sponsor Representative Phone No.: _____
 Semi-Annual Report Cycle (check one): January July Sponsor Representative E-mail: _____
 Consultant/Contractor Tracking N/A: (This PFA did not fund any consultant/contractor contract (if checked, skip Section II below).)

SECTION II. CONSULTANT/CONTRACTOR CONTRACT DETAIL

Prime Consultant/Contractor: _____ Contract Start Date: _____
 Contract Agreement No.: _____ Contract End Date: _____
 Total Contract Budget: _____ Contract Close Out Date: _____
 Contract Category: _____ State and/or Federal Funding Used: _____
 Project Title: _____

Scope of Work: _____

Check the following if applicable:
 LBCE Program Substitution: **LBCE Program was substituted for another program.**
 Payment: **No payments were made this reporting period for this contract.**

Total LBE, SLBE, and VSLE Contract Budget and Payment Information (fill additional rows as needed for sub):

Prime and Subcontractor/Subcontractor	Tier (P, 1, 2, or 3)	LBE	SLBE	VSLE	Contract/Subcontract Budget (all fund sources)	Total Paid This Period (all fund sources)	Total Paid-to-Date* (all fund sources)	Remaining Budget (all fund sources)
Prime Consultant/Contractor	P							\$0.00
Sub 1								\$0.00
Sub 2								\$0.00
Sub 3								\$0.00
Sub 4								\$0.00
Sub 5								\$0.00
Sub 6								\$0.00
Sub 7								\$0.00
Sub 8								\$0.00
Sub 9								\$0.00
Sub 10								\$0.00
Sub 11								\$0.00
TOTAL (\$)					\$0.00	\$0.00	\$0.00	\$0.00
LBE Total (\$)					\$0.00	\$0.00	\$0.00	\$0.00
SLBE Total (\$)					\$0.00	\$0.00	\$0.00	\$0.00
VSLE Total (\$)					\$0.00	\$0.00	\$0.00	\$0.00

Legends:
 P = Prime Contractor
 1 = 1 Subcontractor
 2 = 2 Subcontractor
 3 = 3 Subcontractor

Certification Legend:
 LBE - Local Business Enterprise
 SLBE - Small Local Business Enterprise
 VSLE - Very Small Local Business Enterprise

Responsible Certification List:
www.alameda.ctc.org/contracting

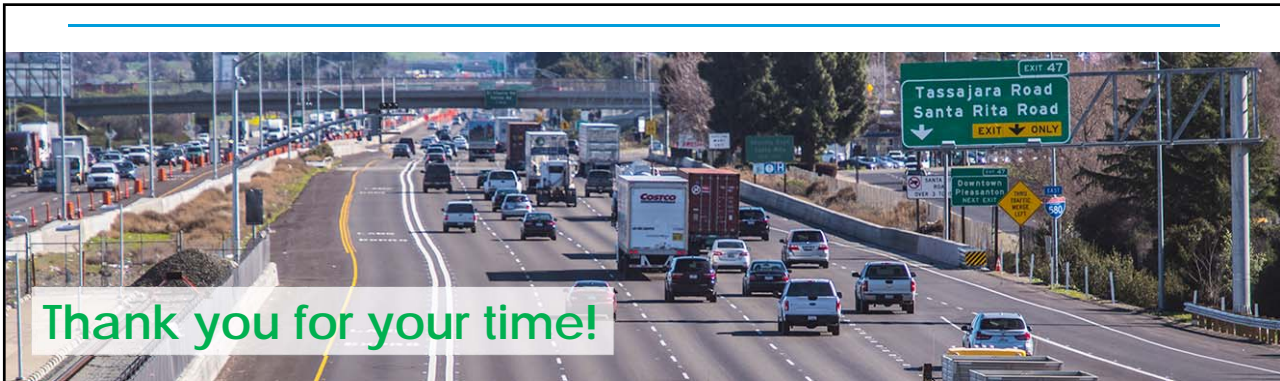
* "Total Paid-to-Date" through the applicable period end of December 31 (Sub 1 form by January 31 or June 30 (Sub 1 form by July 31).

COMMENTS (INCL. ON LBE, SLBE, AND/OR VSLE UTILIZATION DEFICIENCIES COMMITTED VERSUS ATTAINED) AND PLANS TO MEET COMMITTED CONTRACT GOALS:

certify that this form is accurate and complete, and all information herein is in compliance with the Project Funding Agreement.

Sponsor Representative Signature: _____ Date: _____

Rev. 12/09/2022



Contract Equity Team

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For Certification:
Certification@AlamedaCTC.org

For LBCE Reporting and Upcoming Opportunities:
LBCEreport@AlamedaCTC.org

