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-eq or emailing Certification@AlamedaCTC.org

LBCF Program Overview

LBCF Program Compliance

Upcoming Opportunities

Reporting Requirements

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

***The Disadvantaged Business Enterprise (DBE) Program requirements do not apply***
### Contract Goals

<table>
<thead>
<tr>
<th>Construction Contracts</th>
<th>Professional Services Contracts</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Contract Value</strong></td>
<td></td>
</tr>
<tr>
<td>$&gt; 75,000</td>
<td>$&gt; 25,000 and $\leq 75,000</td>
</tr>
<tr>
<td><strong>LBE Goal</strong></td>
<td><strong>%</strong></td>
</tr>
<tr>
<td>60.0% LBE Goal</td>
<td>70.0% LBE Goal</td>
</tr>
<tr>
<td><strong>SLBE Goal</strong></td>
<td><strong>%</strong></td>
</tr>
<tr>
<td>20.0% SLBE Goal</td>
<td>30.0% SLBE Goal</td>
</tr>
<tr>
<td><strong>VSLBE Goal</strong></td>
<td><strong>%</strong></td>
</tr>
<tr>
<td>Not Applicable</td>
<td>30.0% VSLBE Goal</td>
</tr>
<tr>
<td><strong>Selection Process</strong></td>
<td><strong>% of Points for</strong></td>
</tr>
<tr>
<td>Meet Goals or Make GFE</td>
<td>Each Goal Met</td>
</tr>
<tr>
<td></td>
<td>20.0% of Points for Goal Met</td>
</tr>
</tbody>
</table>

---

**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:

<table>
<thead>
<tr>
<th>SELECTION CRITERIA</th>
<th>POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Understanding the Required Scope of Work</td>
<td>20</td>
</tr>
<tr>
<td>2. Expertise</td>
<td>20</td>
</tr>
<tr>
<td>3. Management Plan.</td>
<td>20</td>
</tr>
<tr>
<td>4. Staffing Plan and Availability.</td>
<td>20</td>
</tr>
<tr>
<td>5. Ability to Meet or Exceed Applicable LBE and SLBE Goals</td>
<td>10</td>
</tr>
<tr>
<td>Total Points</td>
<td>100</td>
</tr>
</tbody>
</table>

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-equality.
6. If any state or federal funds are utilized on the contract, the LBCE Program goals do not apply.
Pre-Award Timeline

1. SPONSOR AGENCY may notify ALAMEDA CTC of an upcoming opportunity
2. SPONSOR AGENCY may request ALAMEDA CTC to review its solicitation for LBCE Program compliance
3. SPONSOR AGENCY may request ALAMEDA CTC to assist with outreach to LBE and SLBE firms

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:

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

[alamedactc.org/contracting-opportunities](alamedactc.org/contracting-opportunities)
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


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.

LBCReport@alamedactc.org for Questions

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

Check IF APPLICABLE
• LBCE Program was substituted for another program
• No payments were made this reporting period for this contract

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

Sponsor Representative Signature Date

Thank you for your time!

Contract Equity Team

E.W. Cheng, Manager of Procurement and Information Technology
Echeng@AlamedaCTC.org

Nicole Chang, DBE/LBCE Analyst (Consultant)
Nchang@AlamedaCTC.org

For Certification:
Certification@AlamedaCTC.org

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