



ALAMEDA COUNTY TRANSPORTATION COMMISSION

Local Business Contract Equity Program Overview and Compliance

Agenda



LBCE Program Overview



LBCE Program Compliance



Reporting Requirements



Contracting Opportunities

LBCE Program Overview

- 1995 – LBCE Program was created during the time of the 1986 Measure B Program.
- 2008 – Current version of the LBCE Program adopted in January 2008 after an extensive public process.
- 2013 – Updated version of the program was adopted.
- 2017 – Commission approved administrative updates to the program.

LBCE Program Overview (cont.)

Applies to contracts that are...

Funded solely or partially with:

- Measure F – Alameda County Vehicle Registration Fee (VRF)
- Measure B
- Measure BB

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



- Established to create economic growth and jobs within the county by requiring local contracting.
- Helps to identify and engage the participation of firms located in Alameda County.



Alameda CTC has three certifications within the LBCE Program:

- **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 Contract Goals

Type of Contract	LBE	SLBE	VSLBE
Contract over \$75,000			
Construction	60.0%	20.0%	N/A
Professional Services	70.0%	30.0%	N/A
Contract greater than \$25,000 and equal to or less than \$75,000			
Construction	N/A	N/A	N/A
Professional Services	N/A	N/A	30.0%
<ul style="list-style-type: none">• <i>SLBE participation also counts toward fulfilling the LBE goal.</i>• <i>VSLBE participation also counts toward fulfilling the LBE and SLBE goals.</i>			

Exceptions to Goal Requirements

- Contracts funded (1) **partially** by state or federal funds or (2) **wholly** by TFCA or CMA TIP funds.
- If Sponsor Agency uses its own staff; i.e., Sponsor "self-performs."
- If Sponsor Agency requests to use its own local business preference program in lieu of Alameda CTC's LBCE Program and is approved.
 - Must be approved **before** advertisement of the contract.
 - One contracting opportunity = one form.

Procurement Compliance: Professional Services Contracts

Sponsor responsibilities:

- Prepare the solicitation document with applicable LBCE Program goal(s) and language.
- Use Program Exhibits and sample language.
 - Exhibit A1 – Procurement Process: Professional Services
 - Exhibit A2 – Compliance Language: Professional Services
- Invite Alameda CTC to present at sponsor pre-proposal meeting(s).
- Applying evaluation points for each goal met for professional services contracts.

Procurement Compliance: Construction Contracts

Sponsor responsibilities:

- Prepare the bid document with applicable LBCE Program goal(s) and language.
- Use Program Exhibits and sample language.
 - Exhibit B1 – Procurement Process: Construction
 - Exhibit B2 – Compliance Language: Construction
 - LBCE Program Policy Appendix C: Good Faith Effort for Construction Contracts
- Invite Alameda CTC to present at sponsor pre-bid meeting(s).
- Good Faith Efforts (GFE) requirements, review, evaluation, and timelines for construction contracts.

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.

Construction Contracts: Required Forms

Submit with bid before bid opening

Form 1

List of Participating Firms and
LBE/SLBE/VSLBE Utilization

Form 1-1

Good Faith Efforts (GFE)
Documentation Checklist

Submit before **4th calendar day** after
bid opening

Form 2-1

LBE/SLBE/VSLBE
Good Faith Efforts Telephone Log

Form 2-2

List of Rejected
LBE, SLBE, VSLBE Firm(s)

Form 2-3

Information Furnished
to Interested LBE, SLBE, and/or VSLBE Firms

GFE for Construction Contracts

Failure to meet LBE and SLBE goals will not by itself be the basis for disqualification or determination of non-compliance with the LBCE Program.

Failure to include supporting documentation of a GFE and failure to achieve 70 out of 100 GFE evaluation points will render the bid non-responsive and will result in its rejection.

GFE Criteria is weighed based on the number of points allotted and evaluated on a pass-fail basis.

SPONSOR AGENCY REPORTING



Sponsor Agency needs to complete and certify the reports. Reports shall reflect **all** funding sources. Reporting requirements are separate from goals requirements.

Reports are required for each Project Funding Agreement (PFA) with B, BB and/or VRF funds. If any prime contracts are funded by the PFA, instead of one report for the PFA, provide one report for each prime contract.

The Semi-Annual Reports needs to be submitted to LBCEreport@alamedactc.org. Invoice-Based Reports to be submitted to Finance with Reimbursement Packet.

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

Reporting Requirements

Breakdown of Sections

SECTION I. PROJECT SPONSOR AGENCY/ENTITY

- Sponsor Name
- Project Funding Agreement (PFA) No.
- 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

- Did not fund prime contract, use B/BB/VRF
- LBCE Program was substituted for another program
- No payments were made this reporting period for this contract
- Prime contract is close out; final report on final payment



SPONSOR SEMI-ANNUAL REPORT: PRIME CONSULTANT/CONTRACTOR LBE, SLBE, AND VSLBE TRACKING

Submit each complete, signed form semi-annually by January 31 and July 31 of each year to:

LBCEreport@alamedact.org

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

Sponsor:		Sponsor Staff Contact Name:	
Project Funding Agreement (PFA) No.:		Sponsor Staff Contact Phone No.:	
Semi-Annual Report Cycle (check one):	☐ January ☐ July	Sponsor Staff Contact E-mail:	
PFA End Date:		PFA Close Out Date:	
Consultant/Contractor Tracking N/A (if any of the following boxes are checked, skip Section II below) - This PFA:			
☐ This PFA did not fund any prime contract.			
☐ This PFA did not fund any prime contract using Measure B, Measure BB, and/or Vehicle Registration Fee funds.			
☐ This PFA shall not fund any prime contract or any non-Sponsor staff costs for the life of this PFA.			

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:			

LBCE Program Substitution (if applicable):

No Payments (if applicable):

Final Report (if applicable):

☐ LBCE Program was substituted for another local program.

☐ No payments were made this reporting period for this contract.

☐ This prime contract has been closed out; this is the final report on final payment.

Total LBE, SLBE, and VSLBE Contract Budget and Payment Information (add additional rows as needed for subs):

Prime and Subcontractor/Subcontractor	Tier (P, 1, 2, or 3)	LBE	SLBE	VSLBE	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	T1							\$0.00
Sub 2	T1							\$0.00
Sub 3	T1							\$0.00
Sub 4	T2							\$0.00
Sub 5								\$0.00
Sub 6								\$0.00
Sub 7								\$0.00
Sub 8								\$0.00
Sub 9								\$0.00
TOTAL (\$):					\$0.00	\$0.00	\$0.00	\$0.00
LBE Total (%):					#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
SLBE Total (%):					#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
VSLBE Total (%):					#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!

Resources:

Certification List at

www.alamedact.org/contract-equity

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

REQUIRED COMMENTS AND CORRECTIVE ACTION PLAN - For each unmet goal, please provide (1) an explanation for why the goal was not met and (2) a correction action plan (e.g., specify actions already undertaken to meet the goal and identify means to increase participation to achieve the goal, including detailing a timeline for implementation); add pages as needed:

SECTION III. SPONSOR STAFF SIGNATURE

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

Sponsor Staff Signature

Date

Reporting Requirements

Key Takeaways to Complete Report Form

1 Sponsor Semi-Annual/Invoice 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 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 Report Form will need to be submitted if a Project Funding Agreement is executed.

LBCReport@alamedactc.org for Questions

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



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Project Funding Agreement (PFA) No.:	Sponsor Staff Contact Phone No.:
Semi-Annual Report Cycle (check one): ☐ January ☐ July	Sponsor Staff Contact E-mail:
PFA End Date:	PFA Close Out Date:
Consultant/Contractor Tracking N/A (if any of the following boxes are checked, skip Section II below) - This PFA:	
☐	• This PFA did not fund any prime contract.
☐	• This PFA did not fund any prime contract using Measure B, Measure BB, and/or Vehicle Registration Fee funds.
☐	• This PFA shall not fund any prime contract or any non-Sponsor staff costs for the life of this PFA.

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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:	

LBCE Program Substitution (if applicable):	☐ LBCE Program was substituted for another local program.
No Payments (if applicable):	☐ No payments were made this reporting period for this contract.
Final Report (if applicable):	☐ This prime contract has been closed out; this is the final report on final payment.

Total LBE, SLBE, and VSLBE Contract Budget and Payment Information (add additional rows as needed for subs):

Prime and Subconsultant/Subcontractor	Tier (P, 1, 2, or 3)	LBE	SLBE	VSLBE	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)
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Sub 1	T1							\$0.00
Sub 2	T1							\$0.00
Sub 3	T1							\$0.00
Sub 4	T2							\$0.00
Sub 5								\$0.00
Sub 6								\$0.00
Sub 7								\$0.00
Sub 8								\$0.00
Sub 9								\$0.00
TOTAL (\$):					\$0.00	\$0.00	\$0.00	\$0.00
Resources:								
Certification List at www.alamedactc.org/contract-equity								
LBE Total (%):		#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
SLBE Total (%):		#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
VSLBE Total (%):		#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!

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SECTION III. SPONSOR STAFF SIGNATURE

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

Submit a 2-year forecast for all sponsor procurements (well in advance of contract advertisement) using the **Sponsor Agency LBCE Program Contracting Opportunities Form** by sharing the following information:

Advertisement Timeframe**Procurement Type**

Professional Services or Construction

Contact Information**Project Name**

Name of the project that can be searched by interested bidders or proposers on the agency's procurement portal

Brief Project Scope**Specific Services**

If applicable, the specific services needed for the opportunity

This is posted to Alameda CTC's Contracting Opportunities Six-month Look-ahead located at

alamedactc.org/contracting-opportunities.



Thank you for your time!

Contract Equity Team

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For Certification:
Certification@AlamedaCTC.org

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