

RFQ ATTACHMENT II: Local Business Enterprise (LBE) Forms

Contract Monitoring Division Contact

If you have any questions concerning the CMD Forms and to ensure that your response is not rejected for failing to comply with these requirements, please call **Romulus Asenloo, the Contract Monitoring Division, Contract Compliance Officer for the Office of Civic Engagement & Immigrant Affairs/CAO-GSA at 415/581-2310** or by e-mail at **romulus.asenloo@sfgov.org**. The forms will be reviewed as part of the pre-qualification process.

HOW TO RESPOND TO THIS ATTACHMENT

Each RFQ or RFP process requires a new submittal of CMD Attachment 2 forms at the following link: <http://www.sfgsa.org/modules/showdocument.aspx?documentid=10460>

- (1) Form 2A-CMD Contract Participation Form
- (2) Form 2B-CMD "Good Faith Outreach" Requirements Form
- (3) Form 3-CMD Non-Discrimination Affidavit
- (4) Form 4-CMD Joint Venture Form (if applicable), and
- (5) Form 5-CMD Employment Form

Please submit **two (2)** copies of Forms 2A, 2B, 3 and 5 (and Form 4 if Joint Venture response) with your response. The forms should be placed in a separate, sealed envelope labeled "CMD Forms" as part of the "Original" of your response submission (your response copies do not need to include this Attachment).

If these forms are not returned with the response, the response may be determined to be non-responsive and may be rejected.

1. Local Business Enterprise Goals and Outreach

The requirements of the Local Business Enterprise (LBE) and Non-Discrimination in Contracting Ordinance set forth in Chapter 14B of the San Francisco Administrative Code as it now exists or as it may be amended in the future (collectively the "LBE Ordinance") shall apply to this RFQ. More information regarding these requirements can be found at <http://www.sfgsa.org/modules/showdocument.aspx?documentid=10460>

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2. LBE Subconsultant Participation Goal

The LBE subconsulting goal for the Telephonic Interpretation project is 15% of the total value of the goods and/or services to be procured. Prime proposers are required to meet the LBE goal. Proposals which fail to comply with the material requirements of S.F. Administrative Code §§14B.8 and 14B.9, CMD Attachment 2 and this RFP will be deemed non-responsive and will be rejected. During the term of the contract, any failure to comply with the level of LBE subcontractor participation specified in the contract shall be deemed a material breach of contract. Subconsulting goals can only be met with CMD-certified LBEs located in San Francisco.

RFQ ATTACHMENT II: Local Business Enterprise (LBE) Forms

3. Link to LBE Subconsultant Directory

<http://sfgsa.org/index.aspx?page=6132>

4. Good Faith Outreach to Select LBE Subconsultants

Each firm responding to this solicitation are also required to demonstrate in its response that it has used good-faith outreach to select LBE subconsultants as set forth in S.F. Administrative Code §§14B.8 and 14B.9, and shall identify the particular LBE subconsultants solicited and selected to be used in performing the contract. For each LBE identified as a subconsultant, the response must specify the value of the participation as a percentage of the total value of the goods and/or services to be procured, the type of work to be performed, and such information as may reasonably be required to determine the responsiveness of the response. LBEs identified as subconsultants must be certified with the San Francisco Contract Monitoring Division at the time the response is submitted, and must be contacted by the Respondent (prime contractor) prior to listing them as subconsultants in the response. Any response that does not meet the requirements of this paragraph will be non-responsive.

5. Documentation of Good Faith Outreach Efforts

In addition to demonstrating that it will achieve the level of subconsulting participation required by the contract, a Respondent shall also undertake and document in its submittal the good faith efforts required by Chapter 14B.8(C) & (D) and CMD Attachment 2, Requirements for Architecture, Engineering and Professional Services Contracts.

Responses which fail to comply with the material requirements of S.F. Administrative Code §§14B.8 and 14B.9, CMD Attachment 2 and this RFQ will be deemed non-responsive and will be rejected. During the term of the contract, any failure to comply with the level of LBE subconsultant participation specified in the contract shall be deemed a material breach of contract. Subconsulting goals can only be met with CMD-certified LBEs located in San Francisco. Note: If a proposer demonstrates in its proposal that it exceeds the established LBE subconsulting participation goal by 35% (i.e. 20.25% for this project) or more, such proposer is not required to conduct good faith outreach efforts or to submit evidence of good faith efforts. The selected firm for this contract will be required to use the CMD Utilization Tracking System.

6. LBE Participation and Rating Discounts

The City strongly encourages responses from qualified LBEs. Pursuant to Chapter 14B, the following rating discount will be in effect for this pre-qualification process (as well as subsequent Requests for Proposals/Requests for Quotes issued to the pre-qualified pool) for any Respondents who are certified by CMD as a LBE, or joint ventures where the joint venture partners are in the same discipline and have the specific levels of participation as identified below. Certification applications may be obtained by calling CMD at (415) 252-2500.

The rating discount applies at each phase of the selection process. The application of the rating discount is as follows:

- (1) A 10% discount to an LBE; or a joint venture between or among LBEs; or
- (2) A 5% discount to a joint venture with LBE participation that equals or exceeds 35%, but is under 40%; or

RFQ ATTACHMENT II: Local Business Enterprise (LBE) Forms

- (3) A 7.5% discount to a joint venture with LBE participation that equals or exceeds 40%; or
- (4) A 10% discount to a certified non-profit entity.
- (5) A 2% bonus to SBA-LBEs will be applied as long as it does not adversely affect small and/or Micro-LBEs being awarded a contract.

Joint Venture Rating Discounts If applying for a rating discount as a joint venture: The LBE must be an active partner in the joint venture and perform work, manage the job and take financial risks in proportion to the required level of participation stated in the response, and must be responsible for a clearly defined portion of the work to be performed and share in the ownership, control, management responsibilities, risks, and profits of the joint venture. The portion of the LBE joint venture's work shall be set forth in detail separately from the work to be performed by the non-LBE joint venture partner. The LBE joint venture's portion of the contract must be assigned a commercially useful function.