

## ATTACHMENT D

### **NONDISCRIMINATION/LOCAL BUSINESS POLICY**

Non-Discrimination: Port policy prohibits discrimination or preferential treatment because of race, color, religion, sex, national origin, ancestry, age (over 40), physical or mental disability, cancer-related medical condition, a known genetic pre-disposition to a disease or disorder, veteran status, marital status, or sexual orientation.

Local Business Utilization: On October 7, 1997, the Board of Port Commissioners initiated a formal policy to encourage full participation of firms from its Local Business Area, the counties of Alameda and Contra Costa ("LBA"), particularly those in its Local Impact Area ("LIA"), in its work. The LIA includes the cities of Oakland, Alameda, Emeryville and San Leandro. The Port will also take into consideration whether LIA/LBA firms are primes or joint venture partners and the length of time the team member firms have had offices in these areas, and what efforts the prime and subconsultants make to assist in the community, e.g., assigning meaningful work to small local subconsultants, participation in job/trade fairs, hiring interns, pro bono work, working with local schools, etc.

In evaluating proposals, up to 85 points will be allocated for technical excellence and 15 preference points for local participation, as follows:

- Up to 5 points will be credited proportionately (counting the whole team, prime and subs) for LIABE certified firms, and 2.5 for LBABE certified firms; **please note that LIABE/LBABE credit is given only for certified firms which have had established active offices in the respective area for at least a year at the time of award, NOT for outside firms which plan to do the project work at a LIA/LBA office;**
- 3 points for an LIABE certified prime (proportionate to the share of prime work in the case of a joint venture) and 1.5 points for an LBABE certified prime, (in a sense, the local prime is double counted);
- 4 points if the length of time in the area exceeds 5 years, and 2 points if the length of time is between 2 and 5 years, proportionately applied to the whole team: and
- Up to 3 points for commitment to the Port's values and programs, e.g., mentoring small local businesses and providing meaningful work for small local subconsultants; utilization of college and high school interns from the LIA; participation in job fairs and trade fairs targeted to LIA residents and businesses; and other work showing the consultant's efforts to contribute to the economic development of the LIA.

In response to this RFQ, if you are subconsulting, you are asked to estimate a cost for your team's services and the percentage of work to be performed by subconsultants (See Attachment D-2). This estimate should conform reasonably to the expected cost of services. However, the final cost will be determined in negotiating with Port staff, as always. If the consultant is not subconsulting, list only the prime consultant on the chart (Attachment D-2).

To obtain credit for these factors and for any preference points on this RFQ, consultants must submit:

- A copy of a letter from the Port's Office of Equal Opportunity confirming current LIABE/LBABA status or a letter from the City of Oakland confirming current Local Business Enterprise (LBE) or Small Local Business Enterprise (SLBE) status of the prime or any subconsultant seeking local business credit. If a consultant or any team member wishes to be certified by the Port, a Database Questionnaire, with all supporting documentation must be submitted ten (10) business days prior to proposal due date. The questionnaire and checklist of necessary supporting documents can be obtained by email: [bgriffin@portoakland.com](mailto:bgriffin@portoakland.com) .
- A list of team members' (prime and subs) names, roles, location and LIA/LBA status in the format shown in Attachment D-2, "Chart for Submitting Data for Calculation of Preference Points, etc." The M/WBE or non-M/WBE status of team members may be listed but this is optional. Be specific as to the nature and estimated percentage of the work to be performed by the prime, any joint venture partners and/or subconsultants and the length of time each firm has maintained an active office at its LIA/LBA address.

For firms headquartered elsewhere, who wish to obtain credit for local offices, the Port will only telephone or address mail to that office, and expect personnel assigned to the project to work at that office.

In summary, please submit the following as an appendix in each copy of your proposal:

1. Attachment D-2, "Chart for Submitting Data for Calculation of Preference Points, etc."
2. Attachment D-3, Port of Oakland's EEO-1 Workforce Report/Professional Services Questionnaire in the most recent revision included in this RFQ and not more than one year old at the time of submittal, for each subconsulting firm or individual, as well as for the prime consultant, (ethnic and gender breakdown information is optional). Where firms use "Independent contractors" as employees, each such contracted employee should be considered a subconsultant. In the case of national or regional firms, please provide information for the office that will manage the contract.
3. Attachment D-4, Local Community Participation Questionnaire, for each subconsulting firm or individual, as well as for the prime consultant.

Note: Attachment D-1 is provided for information only, and should not be submitted at this time. When submitting invoices for payment, include subconsultant invoices and a current accounting of your payments to your subconsultants on this Progress Payment form.

**Any proposal that fails to complete and submit the above three items (Prime and subconsultants) will not be considered.**

For questions or assistance regarding this section, contact Cheryl Perry League [cperry@portoakland.com](mailto:cperry@portoakland.com), or [bgriffin@portoakland.com](mailto:bgriffin@portoakland.com) in the Port's Office of Equal Opportunity, or fax to (510) 451-1656. For assistance in obtaining local high school and college interns or local full/part time employees, call the Port's Employment Resource Development Coordinator, Joann Yoshioka (510) 272-1183.





**EEO-1 WORKFORCE REPORT/PROFESSIONAL SERVICES QUESTIONNAIRE** for companies performing work for the Port.  
 Include data for office assigned to work on Port contract only.

1. Company Name: \_\_\_\_\_
2. Project Manager for Port Contract: \_\_\_\_\_
3. Address/City/State/Zip: \_\_\_\_\_
4. Phone \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_
5. How long has your firm been at this address? \_\_\_\_\_ How many of your employees live in Oakland? \_\_\_\_\_
6. Regional or National Headquarters Address (if different) \_\_\_\_\_  
 \_\_\_\_\_
7. Are you certified as an MBE or WBE? Yes \_\_\_ No \_\_\_ By which agency? \_\_\_\_\_  
 Ownership percent: Asian \_\_\_ Black \_\_\_ Hispanic \_\_\_ Native American \_\_\_ White \_\_\_ Female
8. Description of Services:
9. Please analyze the company's workforce by ethnic group and gender using these charts:

<b>CURRENT EMPLOYEES as of: _____ (fill in data for office where contract work to be done)</b>														
EEO-1 JOB CATEGORIES	Total	GENDER (optional)		ETHNICITY (optional)										
		M	F	MALE					FEMALE					
				ASIAN	BLK	HSP	NA	W	ASIAN	BLK	HSP	NA	W	
OFFICIALS & MANAGERS														
PROFESSIONALS														
TECHNICIANS														
SALES														
OTHER														
<b>TOTAL</b>														

<b>NEW EMPLOYEES hired within last CALENDAR or FISCAL year (circle the applicable one)</b>														
EEO-1 JOB CATEGORIES	Total	GENDER (optional)		ETHNICITY (optional)										
		M	F	MALE					FEMALE					
				ASIAN	BLK	HSP	NA	W	ASIAN	BLK	HSP	NA	W	
OFFICIALS & MANAGERS														
PROFESSIONALS														
TECHNICIANS														
SALES														
OTHER														
<b>TOTAL</b>														

**KEY:** F Female M Male  
**ASIAN** (Asian) - of Far Eastern, Southeastern Asian, Pacific Island, or Indian subcontinent origin;  
**BLK** (Black) - of black racial group origin except Hispanic;  
**HSP** (Hispanic) - of Central or South American, Puerto Rican or Mexican, but not Spanish or Portuguese, origin;  
**NA** (Native American) - of North American origin, maintaining cultural identification through tribal affiliation;  
**W** (White) - of European, North African or Middle Eastern origin.

Business structure (please circle): Corporation (State of Incorporation \_\_\_\_\_) Partnership Sole Proprietorship

Oakland Business License No. \_\_\_\_\_

I understand that under Sect. 6109 of the Internal Revenue Code, the Port must report all fees paid for services for tax reporting purposes regardless of whether either my company or I are required to file a tax return. Federal Tax I.D. No. (SSN or FEIN): \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct.

at \_\_\_\_\_ on \_\_\_\_\_  
 City and State Title Date

Signature \_\_\_\_\_

LOCAL PARTICIPATION QUESTIONNAIRE  
(Use additional paper if necessary)

1. Is the consultant or large subconsultant partnering (joint venture, association or other business alliance) with a small local firm for this project? Yes\_\_\_ No\_\_\_ If the response is "yes", how will the consultant mentor or provide a professionally meaningful share of the project for small LIA firms on this project? Please be specific as to the nature of the relationship and the persons responsible for implementing it.
  
2. Do any team members regularly use local students as interns in their work? Yes\_\_\_ No\_\_\_ If so, please state from what schools or from what programs the interns are obtained and the type of work performed by them and any other details that might be relevant.
  
3. Will the team use local college or high school interns in this project? Yes\_\_\_ No\_\_\_ If the response is "yes," please be specific as to the number of interns planned and the type of work to be assigned to them.
  
4. Have firms in the team participated in other community projects, e.g., job fairs targeted to local neighborhoods, youth or school programs, community rehabilitation groups, etc.? Yes\_\_\_ No\_\_\_ If so, please give details:

