Contracting 101 with the Port of Oakland

Wednesday, May 8, 2019
Oakland International Airport
Terminal 1, Conference Room-M102 Muir Woods
9:00 a.m. – 12:00 p.m.

Agenda

9:00 a.m. – 9:30 a.m.  Registration
9:30 a.m. – 9:45 a.m.  Welcome & Introduction

Amy Tharpe, Director of Social Responsibility
Rob Andrews, Acting Director of Engineering

9:45 a.m. - 10:45 a.m.  Contracting 101 at the Port

Steve Low - Capital Improvement Program/Procurement
Bill Russell - Accessing Public Works Projects Online
Lila Zinn - Non-Discrimination Small/Local Business Utilization Policy
Ramona Dixon - Small/Local Business Certification
Kitty Creech - Maritime and Aviation Project Labor Agreement
Donna Cason - Prevailing Wages
Josh Schultz – Risk Management and Insurance

10:45 a.m. – 11:15 a.m.  Questions

11:15 a.m. – 12:00p.m.  Networking
Contracting 101
with the Port of Oakland

May 8, 2019
Steve Low
Engineering Administration

Five Year Capital Improvement Program

$350 Million worth of work in the next 5 years

5 Year Capital Improvement Program (Millions)

- Airport: $200M
- Seaport: $146M
- Commercial Real Estate: $4M

S. Low
$350 Million

- Port continues to assess and explore alternative funding strategies for additional project dollars
  - Infrastructure Grants
  - Security Grants
  - Tenant Requests

S. Low

Bid Requirements

- **Valid State of California Contractor’s License**
  - March 1, 2015: No contractor or subcontractor may be listed on a bid proposal for a public works project unless registered with Department of Industrial Relations (DIR)
  - April 1, 2015: No contractor or subcontractor may work on a public works project unless registered with DIR
- **Bonds**
- **Insurance**
- **Security Badging**
- **List of Required Documents Specified in Document 00200**
  1. Bid Form
  2. Surety Bond not less than 10% of Bid Amount
  3. Contractor Registration and Safety Experience Form
  4. Port of Oakland Subcontractor and Supplier List Form
  5. Construction and Demolition Debris Waste Reduction and Recycling Plan
  6. Regulatory Compliance Statement
  7. Non-collusion Declaration
  8. Bidder Certifications
  9. And others depending on contract requirements

S. Low
What are the different ways that the Port procures for its Public Works projects?

- The Port contracts for public works services in two ways:
  1. Purchase Orders
  2. Construction Contracts

For more information regarding the Purchase Order Process, go to http://www.portofoakland.com/opportunities/purchasing.aspx
Construction Contracts

• Work over $50,000 requires a formal bid process

• Typical Formal Bid Process includes:
  o Advertise in the newspaper, Port Website, and eBidboard
  o Receive and Verify Bids
  o Award to the lowest responsible responsive bidder

S. Low
1. Go to www.portofoakland.com

2. Click on “Bids/RFPs”

3. Scroll down the “Bids/RFPs/RFQs/Permits” page until you reach the “Bids/RFPs/RFQs – Engineering” heading.

4. Click on “Engineering Bids”
REGISTER FOR
BID/RFP/RFQ/NOTIFICATIONS

Port Website: Engineering Bids

5. Click here to go to hosting website

Trouble downloading plans & specs? Scroll down the page and download the "Help File."
Click on the project title for more information on the project and to download plans & specs:

- Basic Project Information
- Links to download plans & specs
- Plan holders list

Hosting Website: Port Bids Page

All current Port public works projects > $50,000 are listed on this page

Hosting Website: Project Page (Top)

General information about the project
• List of project documents
  Click on any link to (a) register as plan holder and (b) download project documents
  See "Help File" for complete instructions

• List of plan holders
  Your firm will appear on the list when you register
  List includes plan holders / builders exchanges / other agencies
Bid Results & Port Contact

- Bid results for public works projects > $50,000 are posted on the hosting website
  - See the instruction manual for more information
- Please contact Bill Russell (510.627.1439) for assistance in
  - Downloading plans and specs
  - Obtaining bid results

B. Russell

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Lila Zinn
Social Responsibility Division
Non-Discrimination and Small Local Business Utilization Policy

- NDSLBUP was adopted by Board Commissioners in 1997
- Basis for this policy to ensure non-discrimination:
  - Contracting
  - Create and grow businesses in the Port’s market area
- Applicable to all Port funded public works construction projects
- Maximum 10 point preference = Bid Discount!!!
  - Teaming with Port certified small/local businesses
  - Self performance by Prime General Contractor

Preference Points

- The NDSLBUP today:
  - Public Works Construction Projects
    - 10 preference points maximum
    - Base platform is the UA/LBA
    - Portwide application and support
    - SBE set-aside program
- MUST be certified at bid opening for preference points
  - Submit complete application package 7 business days prior bid open

L. Zinn
NDSLBU Policy

- Support for the NDSLBU
  - Prompt payment
  - Disputes
  - Labor

- Local Impact Area (LIA)
  - Cities of Oakland, Alameda, Emeryville and San Leandro

- Local Business Area (LBA)
  - Cities in Alameda and Contra Costa Counties

- Small and Very Small Business Enterprise (SBE/VSBE)

- On-line Certification Application Process

L. Zinn

Port On - Line Certification Application Process

Lets Watch 3 Short Videos
Video #3

Ramona Dixon
Social Responsibility Division
Types of Certifications

- **Local Impact Area (LIA)**
  - Areas most impacted by Port projects
  - Cities of Oakland, Alameda, Emeryville and San Leandro

- **Small Business Enterprise (SBE)**
  - Dollar size cap is $36,000,000 of average annual gross revenue or less over the past 3 years
  - Must qualify for LIA status

- **Very Small Business Enterprise (VSBE)**
  - Dollar size cap is $5,000,000 of average annual gross revenue or less over the past 3 years
  - Must qualify for LIA status

- **Local Business Area (LBA)**
  - All other cities in Alameda and Contra Costa Counties

Certification Minimum Criteria

- **Business Must Be**
  - Located in Alameda County or Contra Costa County for at least 1 year
  - Located at a fixed commercial or residential address
  - Temporary or moveable office, a post office box, or a telephone answering service are not acceptable
  - Must submit application and all supporting documentation at least 7 business days prior to bid or due date
Required Documents

• **Professional License**
  o Valid current construction, professional or trade license, certificate or permit

• **Business License**
  o Current and prior year business license or tax certificate issued by the city or county the business is located in

• **Lease Agreement**
  o Current Rental or Lease Agreement
  o For home office, copy of Property Tax Statement, Grant Deed, or Federal Tax Form 8829

• **Tax Returns**
  o Submit most recent 3 years of Federal Tax Returns if applying for SBE/VSBE status, must be LIA certifiable

R. Dixon

Benefits of Becoming Certified

• Preference points

• Upon request, new or renewal certification application is shared with partnering agencies (Alameda County, Alameda CTC and City of Oakland)

• Certification approvals are valid for 2 years

• Receive notice of bid opportunities

• Inclusion in local certified database, 500+, teaming purposes

• Accessible by all contractors for project teaming purposes

• No cost and free web advertisement

R. Dixon
Online Certification Application

• How to become Port certified
  o Visit our website for certification at: http://srd.portofoakland.com/
  o Click on “Register a New Company”
  o Email address & company Fed Tax ID number required to register

R. Dixon

Kitty Creech

MAPLA Administration
## What is MAPLA?

- **Maritime and Aviation Project Labor Agreement (MAPLA) effective February 1, 2016**

- **Purpose:**
  - Maintain project stability, sufficient skilled workforce, and hiring from the local community
  - A vehicle for building the capacity of local residents and businesses

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## Coverage

- > $150k
- Capital Improvement Program funded projects and tenant improvement projects in the Maritime and Aviation areas
- Commercial Real Estate (CRE) not covered
- Includes on and off haul trucking
- There may be a MAPLA exclusion for projects placed in the Small Business Program

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K. Creech
Points of Interest

- Document 00823R1 in Port of Oakland’s standard contract provisions
- Core Worker Provision
  - Non-Union contractors can bring 5 of their own workers to the job
- Uniform Drug Testing
- Prevailing Wages
  - All public work projects (even non MAPLA) require payment of prevailing wages
- All contractors are required to sign a Letter of Assent (LOA)
- MAPLA Social Justice Trust Fund
  - For every hour worked, $0.30 is collected for workforce development and training

K. Creech

Hiring Goals

Contractors must make a good faith effort to ensure that:

Overall Goal (Journey + Apprentices)
- 50% of all hours are worked by Local Impact Area (LIA) residents, on a craft by craft basis, if workers are available, capable and willing
- Failing that, 50% of all hours are to be worked by Local Business Area (LBA) residents

Apprentice
- 20% of all hours to be worked by apprentices, if apprentices are available, capable and willing
- **100% of all apprentice hours to be worked by LIA residents**, if such apprentices are available, capable and willing
- 25% of apprentice hours shall be disadvantaged workers, if available
- Based on contract value, contractor will be required to employ new hire LIA apprentice(s)

K. Creech
Donna Cason  
Social Responsibility Division

## Monitoring

- Contractors enter prevailing wage and local hire data into a web accessed monitoring system.

- Elation Systems
  - Electronic Certified Payroll Reports (CPRs) are due weekly
  - No cost to contractor for using the system
  - Every contractor on the job is required to submit electronic CPRs
  - Details on how to use the system are supplied when Notice to Proceed is issued

- Data collected by the system, will determine if contractors are meeting the local hire and apprenticeship requirements.

D. Cason
Prevailing Wages

- Where to locate Prevailing Wages
  - Department of Industrial Relations (DIR)
    - Website: [http://www.dir.ca.gov/](http://www.dir.ca.gov/)
    - Phone: 415-703-4774
    - Director’s Office
    - Office of Policy, Research, and Legislation
    - View Prevailing Wages
    - Prevailing Wage Determinations, general
    - Alameda County
  - What is a prevailing wage and when does it apply?
  - Who sets the prevailing wage?
  - Federally Funded Projects

D. Cason

Registration and Reporting to DIR

- Who must register
  - Public Works Contractors

- Cost to register
  - $400 Annually

- Is reporting of Certified Payroll to the DIR required?
  - DIR on-line reporting

D. Cason
Josh Schultz
Risk Management

Insurance

• Owner Controlled Insurance Program – “OCIP”

• What is included in the OCIP?
  o Commercial General Liability, Contractor’s Pollution Legal Liability and Workers’ Compensation
  o Coverage Applies While On Project Site
  o Premium is paid by the Port of Oakland

• What separate insurance is required of Contractor?
  o Automobile Liability on and off the Project Site
  o Builders’ Risk/Equipment Installation Floater
  o Commercial General Liability and Workers’ Compensation Off of the Project Site

J. Schultz
Insurance

• Enrollment Process
  - Contact the OCIP Administrator - Alliant Insurance Services, Inc.
  - OCIP Manual provides further description of the program and how to enroll, and is included in the bid documents

• Excluded Contractors
  - Although it is anticipated that most Contractor activities will be covered by OCIP, some Port projects involve specialty contractors that will be required to carry separate insurance. These situations will be called out in the bid documents

J. Schultz

Presenters

• Steve Low  Engineering Administration  510.627.1890  sklow@portoakland.com
• Bill Russell  Engineering Administration  510.627.1439  brussell@portoakland.com
• Lila Zinn  Social Responsibility Division  510.627.1485  lzinn@portoakland.com
• Donna Cason  Social Responsibility Division  510.627.1252  dcason@portoakland.com
• Ramona Dixon  Social Responsibility Division  510.627.1634  rdixon@portoakland.com
• Kitty Creech  MAPLA Administration  510.835.7603  kitty@daviller-sloan.com
• Josh Schultz  Risk Management  510.627.1535  jschultz@portoakland.com
Port Contacts

• Steve Low  Engineering  510.627.1890  sklow@portoakland.com
• Bill Russell  Plans & Specifications  510.627.1439  brussell@portoakland.com
• Lila Zinn  Non-Discrimination Local Policy  510.627.1485  lzinn@portoakland.com
• Connie Ng-Wong  Non-Discrimination Local Policy  510.627.1390  cng-wong@portoakland.com
• Donna Cason  Prevailing Wage  510.627.1252  dcason@portoakland.com
• Ramona Dixon  Small/Local Business Certification  510.627.1634  rdixon@portoakland.com
• Kitty Creech  MAPLA Administration  510.835.7603  kitty@davillier-sloan.com
• Josh Schultz  Risk Management  510.627.1535  jschultz@portoakland.com
• Adrienne Massey  Risk Management  510.627.1445  amassey@portoakland.com
• Sarah Bahloul  OCIP Administrator  213.443.2445  sarah.bahloul@alliant.com

Questions
## PORT OF OAKLAND

### ANTICIPATED CONSTRUCTION PROJECTS NEAR TERM

<table>
<thead>
<tr>
<th>PROJECT TITLE</th>
<th>Preliminary Construction Estimate</th>
<th>Scheduled Advertise CY - Qtr *</th>
</tr>
</thead>
<tbody>
<tr>
<td>Demolition of Cranes X402/X403/X404 at Berths 20-21</td>
<td>$750,000</td>
<td>2019 2nd Qtr</td>
</tr>
<tr>
<td>Installation of Power Factor Correction at SS-C-50 and SS-C-51</td>
<td>$4,800,000</td>
<td>2019 2nd Qtr</td>
</tr>
<tr>
<td>31 Webster Street Exterior Renovations</td>
<td>$537,000</td>
<td>2019 2nd Qtr</td>
</tr>
<tr>
<td>FITS (Freight Intelligent Transportation System) - Radio Frequency Identification</td>
<td>$1,400,000</td>
<td>2019 2nd Qtr</td>
</tr>
<tr>
<td>FITS - Joint Transportation Management Center and Emergency Operations Center</td>
<td>$1,000,000</td>
<td>2019 2nd Qtr</td>
</tr>
<tr>
<td>Nutter Terminal Pavement Repairs</td>
<td>$1,700,000</td>
<td>2019 3rd Qtr</td>
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<tr>
<td>Berths 20-24 Pavement Repairs</td>
<td>$1,000,000</td>
<td>2019 3rd Qtr</td>
</tr>
<tr>
<td>Nutter Terminal Chassis Shop Roof</td>
<td>$300,000</td>
<td>2019 3rd Qtr</td>
</tr>
<tr>
<td>North Driveway for 800 Series Warehouses</td>
<td>$1,500,000</td>
<td>2019 4th Qtr</td>
</tr>
</tbody>
</table>

### Aviation

<table>
<thead>
<tr>
<th>PROJECT TITLE</th>
<th>Preliminary Construction Estimate</th>
<th>Scheduled Advertise CY - Qtr *</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building M103 AP12E and AP15E Ejector Replacement</td>
<td>$1,300,000</td>
<td>2019 2nd Qtr</td>
</tr>
<tr>
<td>Sanitary Sewer Lift Station #2 Improvements</td>
<td>$1,300,000</td>
<td>2019 2nd Qtr</td>
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<tr>
<td>Improvements to Airport Perimeter Dike, OIA</td>
<td>$14,300,000</td>
<td>2019 3rd Qtr</td>
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<tr>
<td>Airport Surveillance (CCTV) Installation</td>
<td>$5,000,000</td>
<td>2019 3rd Qtr</td>
</tr>
<tr>
<td>Airport Drive Pavement Improvements</td>
<td>$3,400,000</td>
<td>2019 3rd Qtr</td>
</tr>
<tr>
<td>Rehabilitation of Lift Stations AP06/AP08</td>
<td>$1,250,000</td>
<td>2019 4th Qtr</td>
</tr>
<tr>
<td>Earhart Road Sanitary Sewer Rehabilitation</td>
<td>$4,500,000</td>
<td>2020 1st Qtr</td>
</tr>
<tr>
<td>Airport Drive Sanitary Sewer Rehabilitation</td>
<td>$2,000,000</td>
<td>2020 1st Qtr</td>
</tr>
</tbody>
</table>

### Upcoming Requests for Proposals for Professional Services Issued by the Port of Oakland Engineering Department:

- FEMA/North Field Vulnerability Study | 2019 1st Qtr |
- On-Call Crane Structural Inspections (3 years; up to 3 contracts) | $225,000/yr | 2019 1st Qtr |
- Storm Drain Master Plan | 2019 1st Qtr |

*NOTE: Schedule Based on Calendar Year (CY) Starting January 1st
1st Quarter = January, February, March
2nd Quarter = April, May, June
3rd Quarter = July, August, September
4th Quarter = October, November, December

For on-call/maintenance contracts with more than one contract awardee, the estimated annual $ amount is the combined total for all contracts.

To determine which projects are currently out to bid or to obtain the Bidding Documents go to the Port of Oakland website at http://www.portofoakland.com/Bids for construction projects and to http://www.portofoakland.com/opportunities/bidsrfpsrfqs.aspx for professional services projects. Detailed instructions on downloading the Bidding Documents are available at the following web address: http://www.portofoakland.com/DownloadInstructions

Last updated on: April 4, 2019
Address questions regarding above lists to Engineering Services, (510) 627-1439
NON-DISCRIMINATION AND SMALL LOCAL BUSINESS UTILIZATION POLICY (NDSLBUP)

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 what efforts the prime and sub-consultants make to assist in the community, e.g., assigning meaningful work to small and/or very small local sub-consultants, participation in job/trade fairs, hiring interns, pro bono work, working with local schools, etc.

In evaluating public works construction projects, up to 10 points will be allocated for local and small local participation as follows:

- Bidders may be awarded up to a maximum of four (4) preference points depending on the proportionate share of work, calculated based on the contract amount, to be done by LBABE and LIABE certified prime contractor(s) and subcontractors;

- Bidders may also be awarded up to a maximum of two (2) preference points depending on the proportionate share of prime work to be done by LBABE and LIABE certified prime contractor(s);

- Bidders may also be awarded up to a maximum of four (4) preference points depending on the proportionate share of work, to be done by SBE and VSBE contractor(s) and subcontractors.
NDSLBUP Overview

1. **Non Discrimination in Construction and Consultant Contracts:** The Port requires all contractors to not discriminate against individuals in protected classes.

2. **Construction Preference Points:** The Port allots preference points for the percentage of work being performed by construction contractors located in either the Local Business Area (Alameda and Contra Costa County) or the Local Impact Area (Oakland, San Leandro, Emeryville and Alameda) for a maximum total of 10 points. These points are then translated into a bid discount, to be applied when determining the lowest responsible bidder.

3. **Consultant Preference Points:** The Port allots preference points for the percentage of work being performed by consultants located in either the Local Business Area (Alameda and Contra Costa County) or the Local Impact Area (Oakland, San Leandro, Emeryville and Alameda) and for community involvement for a maximum total of 15 points. These points are added to a maximum of 85 technical points for a composite maximum of 100 points in evaluating consultant proposals.

4. **Small and Very Small Business Projects:** Specific construction contracts are placed into a selective bidding process comprised of small and/or very small businesses. These projects are selected by the Director of Engineering and approved by the Board of Port Commissioners.

5. **Informal Bid:** The Port holds managers accountable for providing non-discrimination in selecting informally bid contracts.

6. **Purchasing:** Purchasing will continue to operate as usual, selecting vendors from Oakland when available and ensuring that the vendors reflect the diversity of Oakland.

7. **Technical Assistance:** The Port will arrange a technical assistance program that will assist small and/or local contractors in contracting with the Port.

8. **Tenant Construction:** The Port will require tenants to follow the non-discrimination in construction contracting regulations.

9. **Federal Money:** The Port will adhere to the Federal guidelines when administering projects funded with Federal monies.

10. **Prompt Payment Plan:** The Port will make every effort to pay prime contractors within ten (10) business days of receipt of properly documented invoices which have been reviewed and approved for payment.
What are the major requirements for Port of Oakland certification eligibility?

The business must:
- be located at a fixed commercial or residential address;
- located within the Local Impact Area (LIA) or Local Business Area (LBA) at least one (1) year;
- be economically independent and perform commercially useful function(s);
- be currently licensed, where applicable, in the type of work in which it conducts business

What types of certifications does the Port of Oakland offer?

The Port offers four (4) types of certification status:
- Local Impact Area Business Enterprise (LIABE)
- Local Impact Area Business Enterprise/Small Business Enterprise (LIABE/SBE)
- Local Business Area Business Enterprise (LBABE)

What is LIABE/LBABE?

LIABE = Local Impact Area Business Enterprise represent the area most impacted by Port projects. The LIA includes the cities of Oakland, Alameda, San Leandro and Emeryville.

LBABE = Local Business Area Business Enterprise, inclusive of all the cities within Alameda and Contra Costa Counties.

What are the definitions/qualifications for a Small Business Enterprise (SBE) and Very Small Business Enterprise (VSBE)?

SBE – The business must be certifiable as LIABE and must not exceed an average gross revenue of $36,000,000 over the past three (3) consecutive years.

VSBE – The business must qualify for SBE and must not exceed an average gross revenue of $5,000,000 over the past three (3) consecutive years.
Is there a fee to register my business for Port certification?

No fee is charged for registration or certification on the SRD Certification Application.

How do I register to become Port certified?

You may register your business for Port certification on the online SRD Certification Application website at http://www.portofoakland.com/srd/. To get started, click on the link “Register New Company.”

What is the Port of Oakland certification time period?

Port of Oakland certified businesses may be certified for up to two (2) years.

How may I verify that I am certified?

You may search and view your firm’s current certification status and business profile by visiting the Port’s Local / Small Business Database / Certification webpage at http://www.portofoakland.com/srd/.

What if the information on my firm is incorrect or outdated?

Once you register your business in the online SRD Certification Application, you will be able to self update your firm’s contact information. You may also contact the Port Social Responsibility Division by phone at (510) 627-1634 or email rdixon@portoakland.com OR (510) 627-1627/srdadmin@portoakland.com.

How may I reach other certified firms? Do you have a directory?

You may refer to the Website www.portofoakland.com, Business/Local/Small Business Database/Certification, to conduct a search of the database and download lists of Port of Oakland certified firms.

Do I have to be certified to contract with the Port?

No. However, certification enables firms to receive preference points for being certified under one or more of the certification categories mentioned. A completed Common Application, Supplemental Questionnaire and supporting documents must be received by the Social Responsibility Division (SRD) seven (7) business days prior to submittal or bid due date.
Does the Port accept any other agencies’ certification?

No. Local agency certifications are NOT reciprocal and separate supplemental documents are necessary for certification with each agency. However, the Common Application for Local Certification is accepted by each of the East Bay Interagency Alliance (EBIA) partner agencies for the purpose of sharing information between agencies. The agencies involved include The Port of Oakland, the City of Oakland, Alameda County and the Alameda County Transportation Commission.

How long will it take to get certified?

The certification process can take up to 30 business days to complete once all required documents are received.

How do I ensure my certification application is processed timely when it is related to an upcoming Port project?

You must submit a completed Common Application and all of its required documents to our office seven (7) business days prior to the bid due date. You must also acknowledge the project name and bid date on the Supplemental Questionnaire in order to receive priority processing.

My certification is expiring, how soon can I submit my certification renewal form and paperwork?

Certification renewals are accepted three (3) months prior to a firm’s expiration date.

Will I be notified before my certification expires?

Yes. Firms receive reminder notifications via email 60 and 30 days prior to expiration. However, it is your responsibility to request recertification in a timely manner. It is also your responsibility to alert our office of updates/changes to your email address and other firm related information.

What is the basis for certification denial?

- Failure to submit required supporting documents
- Inability to establish firm’s location in LIABE/LBABE
- Inability to demonstrate firm is serving a commercially useful function
- Invalid professional licenses, permits and/or certifications
If I am denied certification, what are my rights?

You may appeal in writing within 30 business days and provide additional information to the Port’s Certification/Contract Compliance Department for further review and consideration.

How else may I contact certification staff?

You may also contact Port certification representative by emailing us from the Port’s “Contact Us” link found at the bottom of each web page.

I have a Port vendor number, is this number the same as being Port certified?

No. A Port vendor number is assigned by the Port’s Purchasing Department for purposes of payment and is not reflective of Port certification.
The Port of Oakland strongly urges all contractors working under the Maritime and Aviation Project Labor Agreement (MAPLA) 2016 to thoroughly review the full text of the MAPLA 2016 and to become familiar with all of its provisions. The complete MAPLA may be found at [http://www.portofoakland.com/files/PDF/MAPLA_Agreement_2016.pdf](http://www.portofoakland.com/files/PDF/MAPLA_Agreement_2016.pdf) and is also included in the Port’s project manual. The following list summarizes some of the most important MAPLA provisions, with special focus on those which differ significantly from the corresponding provisions in previous versions of MAPLA.

1. **Letter of Assent**

All general contractors and all sub-contractors, regardless of tier, must sign a Letter of Assent (LOA) and agree to be a party to and to be bound by the total content of the MAPLA. The LOA binds the contractor to the terms of the MAPLA for the awarded project only, and does not bind any contractor to any union agreement. The original executed LOAs must be filed with the Port Attorney, with a copy sent to DSI prior to the commencement of work. It is imperative that a contractor working under MAPLA execute the LOA because the unions will not conduct a pre-job meeting or dispatch workers until a copy of the LOA is on file. The LOA applicable to the project can be found in the project manual or contact the general contractor.

2. **Local Hiring Provisions**

Contractors are required to make a good faith effort to reach the following hiring goals.

- **Overall**: 50% of all hours are to be worked by Local Impact Area (LIA) residents, on a craft by craft basis, if workers are available, capable and willing to work on covered projects. The LIA consists of the cities of Oakland, Alameda, San Leandro and Emeryville.
  - Failing that, 50% of all hours are to be worked by Local Business Area (LBA) residents, on a craft by craft basis, if workers are available, capable and willing to work on covered projects. The LBA includes all cities not mentioned above in Alameda and Contra Costa Counties.
- **Apprentice**: 20% of all hours, on a craft by craft basis, are to be worked by apprentices;
  - 100% of all apprentice hours are to be worked by LIA residents, if such apprentices are available, capable and willing to work on covered projects. Failing that, 100% of all the apprentice hours are to be worked by LBA apprentices.
  - 25% of apprentice hours shall be worked by Disadvantaged Workers\(^1\), if available.
- **New Hire**: General contractor and/or its subcontractor must hire at least 1 New Hire Apprentice\(^2\) (NHA) for the first $1M of construction bid value. For each additional $5M (beyond the first $1M), at least 1 additional New Hire Apprentice shall be hired. Each NHA must work at least 500 hours, unless waived by Social Justice Committee.
  - Contractors can obtain up to half credit towards the above goals by utilizing LIA apprentices “off-site” (i.e. non-MAPLA projects).

Contractors using lower tiered subcontractors are responsible for ensuring their compliance with the local workforce hiring goals. The goals apply to contractors at all tiers who work on MAPLA covered projects.

**Davillier-Sloan, Inc. (DSI) requests a local hiring compliance plan prior to the pre-construction meeting.** If you do not have a copy, please contact the general contractor for the local hiring compliance plan form.

3. **Social Justice Trust Fund**

On a monthly basis, all general contractors and subcontractors must make a contribution of $0.30 cents per craft hour worked to the Social Justice Trust Fund. This money will be used to support programs that assist LIA residents to eliminate employment barriers and gain entry into and remain in the building trades. This fund is not the union’s trust funds. If contracted directly with the Port, the general contractor shall make its contributions through the progress payment application process, using the form provided in the

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\(^1\)“Disadvantaged Workers” shall mean those LIA residents, prior to commencing Covered Project(s), who meet at least one of the following barriers to employment: (1) is currently homeless; (2) is currently a custodial single parent; (3) is currently receiving public assistance; (4) has a criminal record or other criminal justice system involvement; (5) has been continuously unemployed for the previous one year; (6) has been emancipated from the foster care system; (7) is a veteran of the U.S. military; or (8) resides in an Economically Disadvantaged Area. “Economically Disadvantaged Area” means a zip code within the LIA and that includes a census tract or portion thereof in which the median household income is less than $40,000 per year, as measured and reported by the U.S. Census Bureau in the 2010 U.S. Census, and as updated by the U.S. Census Bureau in its Median Annual Household Income data by census tract in the American Community Survey.

\(^2\)“New Hire Apprentice” means a LIA resident who, on the date that such individual is hired or assigned to perform the applicable Covered Project(s), is newly enrolled (for fewer than two years for List Trades and fewer than one year for all other non-List Trades) in a Joint Labor-Management apprenticeship program that is currently registered with the State of California’s Division of Apprenticeship Standards.
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pamela.juan@disa.com

factors into the bid. The MAPLA has a uniform substance abuse policy. All craft employees, including your core employees, must be tested for controlled substances before they start work at the job site. Testing is done through DISA, Inc. For information, contact Pamela Juan: (707) 750-5218 or pamela.juan@disa.com.

8. 

Pre-Job Conferences

The general contractor and all lower tiered subcontractors working on-site shall attend a pre-job conference with the Building and Construction Trades Council of Alameda County prior to start of construction. Participation in the pre-job meeting is mandatory. Working with the MAPLA Administrator, the general contractor will schedule the pre-job conference at least 3 weeks prior to work beginning on-site.

MAPLA Administration Team

Jake Sloan, Davillier-Sloan, Inc.  Kitty Creech, Davillier-Sloan, Inc.
T: (510) 385-1242 / F: (510) 835-7613  T: (510) 835-7603x24 / F: (510) 835-7613
jake@davillier-sloan.com  kitty@davillier-sloan.com
Bonding and Financing Assistance Agencies

Alameda County Contractor Bonding Assistance Program
Joan Quillio
1401 Lakeside Drive., 10th Fl.
Oakland, CA 94612
(510) 208-9584
Joan.Quillio@acgov.org
Website: https://www.acgov.org/cao/rmu/programs/bonding.htm

Alameda County Small Business Development Center
2101 Webster Street, Suite 1200
Oakland, CA 94612
(510) 208-0410
Website: https://www.acsbdc.org/

City and County of San Francisco
Contractor Development & Bonding Program
Matt Hansen & Kelly Hines-Hernandez
25 Van Ness Ave., Suite 750
San Francisco, CA 94102
(415) 554-2300
(415) 554-2301
matt.hansen@sfgov.org
kelly.hernandez@sfgov.org
Website: https://sfgov.org/cmd/contractor-development-bonding-program

U.S. Small Business Administration Surety Bond Guarantee
Kevin Valdes, Catharine Powers
(206) 553-7277
(202) 816-0137
(206) 553-8541
(206) 319-3007
kevin.valdes@sba.gov
catharine.powers@sba.gov
Website: https://www.sba.gov/osg

U.S. Dept. of Transportation Bonding Education Program (BEP) Financial Assistance Division
1-800-532-1169
Website: https://www.transportation.gov/osdbu/financial-assistance/bonding-education/bonding-education-program
Website Information

Port of Oakland Website:
https://www.portofoakland.com/

Non-Discrimination and Small Local Business Utilization Policy:
https://www.portofoakland.com/port/social-responsibility/programs/

Small/Local Business Certification:
https://www.portofoakland.com/port/social-responsibility/certified/

Local/Small Business Database:
https://srd.portofoakland.com/

DBE Certification:
http://www.dot.ca.gov/hq/bep/business_forms.htm

Projects Out
https://www.portofoakland.com/business/bids-rfps/bid-engineering/

Current RFP’s / RFQ’s:
https://www.portofoakland.com/business/bids-rfps/RFQ-engineering/

Register for Bid/RFP/RFQ Notifications:
https://www.portofoakland.com/business/bids-rfps/

Business Events:
https://www.portofoakland.com/business/bids-rfps/bid-engineering/events/
Thank you for attending the Non-Discrimination and Small Local Business Utilization Policy/Certification Session, Contracting 101 with the Port of Oakland.

We hope that you found this workshop informative and worthwhile.

Our primary goal was to increase your understanding of how to do business with the Port, and to introduce and provide resources that will support your success towards securing contracts with the Port of Oakland.