




Non-Discrimination and Small Local Business Utilization Policy / Certification Session for Public Works Contractors

October 26, 2016



Non-Discrimination and Small Local Business Utilization Policy

- NDSLBP 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



- **Public Works Construction Projects:**

1. 10 preference points maximum
2. MUST be Port certified prior to bid due date for preference points
3. Submit complete Certification application 7 business days prior bid open
4. Preference points are awarded to Port certified contractors located in LIA/LBA area
5. Preference points modify the bids for comparison purposes
6. Applies to bidders within \$1 mil or 10% whichever is less of apparent low bidder's total bid price
7. Bids more than \$1 mil or 10% over the low bid, NO adjustment will be made
8. Port will pay entire bid amount

NDSLBU Policy



Definition:

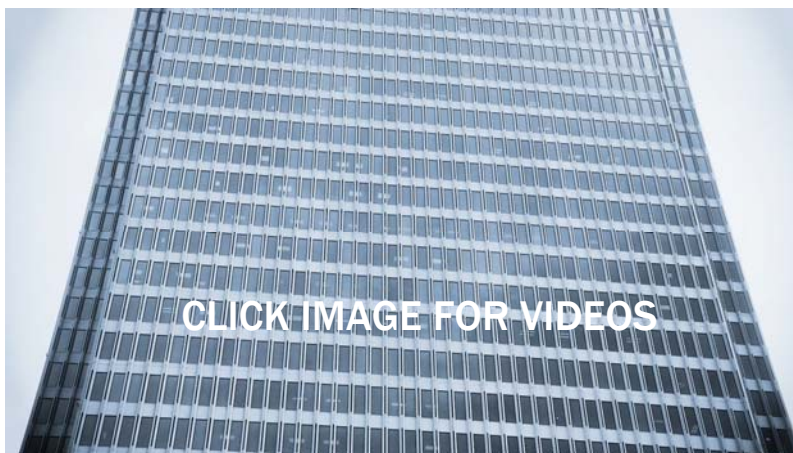
- **Local Impact Area (LIA)**
 - Cities of Oakland, Alameda, Emeryville and San Leandro
- **Local Business Area (LBA)**
 - All other cities in Alameda and Contra Costa Counties
- **Small and Very Small Business Enterprise (SBE/VSBE)**
 - Must be located in the LIA area



Port On - Line Certification Application Process

Lets Watch 3 Short Videos

Video #1



CLICK IMAGE FOR VIDEOS

Video #2



Video #3



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 \$14,000,000 of average annual gross revenue or less over the past 3 years
 - Must be in the LIA area
- **Very Small Business Enterprise (VSBE)**
 - Dollar size cap is \$3,500,000 of average annual gross revenue or less over the past 3 years
 - Must be in the LIA area
- **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
 - Must be certified by bid opening or submit application and all supporting documentation at least 7 business days prior to bid due date

Required Documents



- **Professional License**
 - Valid current construction, professional or trade license, certificate or permit
- **Business License**
 - Current and prior year business license or tax certificate issued by the City or County the business is located in
- **Lease Agreement (where office is located)**
 - Current Rental or Lease Agreement
 - For home office, copy of Property Tax Statement, Grant Deed, or Federal Tax Form 8829

(These documents must cover 12 consecutive months)
- **Tax Returns**
 - Submit most recent 3 years of Federal Tax Returns if applying for SBE/VSBE status, must be in the LIA area

Required Documents (con't)



- **Non-Profit**
 - Letter of Determination by IRS and Federal Tax Returns Form 990
- **Trucking**
 - Current copies of DMV Motor Carrier Permit
 - CHP Inspection Form or Safety Report
 - DOT-FHWA Random Drug & Alcohol Testing Program Certificate
 - Automobile registrations and proof of liability insurance
- Additional supporting documents maybe requested to further show evidence of location status

Eligibility Requirements



- **Site Visit Requirement**
 - Required for all LIA businesses
 - Will consist of on-site interview, review of executed contracts, and photos of office space and equipment

- **Business Must be Located**
 - where administrative, clerical, professional, or other productive work is continuously performed relative to its commercial contracts

Not - Eligible



- In business less than 1 year
- Outside of the LIA or LBA certifiable areas
- A temporary or moveable office
- Project work station
- Post office box
- Telephone answering and/or forwarding service

Benefits of Becoming Certified




- Preference points
- Share application 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 of 600(+) local certified firms
 - Most useful for teaming purposes which is accessible by all contractors
- No cost and free web advertisement

Certification Reciprocity

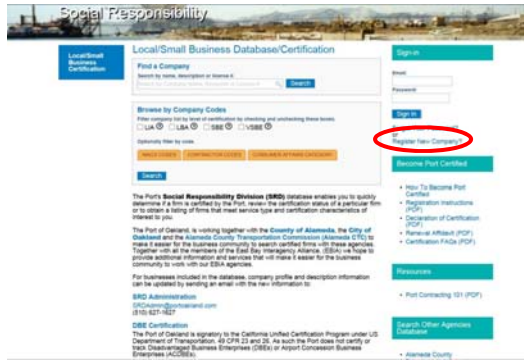


- The Common Application and Recertification applications is for *sharing of information between agencies only*
- Port of Oakland does not reciprocate certification with any agency
 - Required documentation is specific for each agency
 - Agency policy and certification regulations differ
 - Site visit requirements
 - Certification with other agencies **DOES NOT** automatically certify your firm with the Port of Oakland


Online Certification Application



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



Preference Points



- **Allocation of Points – Maximum 10 Points Preference:**
 1. Maximum 4 points – location of prime and subs (4 LIA, 2 LBA) counting the whole team
Bidder will be awarded proportionate shares of 4 LIA or 2 LBA points depending on the percentage of total work being done by prime contractors and subcontractors in each area
 2. Maximum 2 points – certified prime only (2 LIA, 1 LBA)
Bidders will be awarded additional 2 LIA or 1 LBA points
 3. Maximum 4 points – certified small/very small local (4 VSBE, 2 SBE)
Proportionate share of 4 VSBE or 2 SBE points depending on the percentage of total work being done by prime contractor(s) and subcontractors

Preference Points



- **Bids based on Percentage of Direct Labor Costs:**

- Preference points *will only be credited* for participation by prime bidders that satisfy the requirements for LIA and/or LBA and SBE and/or VSBE
- Preference points *will not be credited* (nor bids modified) for participation by LIA, LBA, SBE or VSBE *subcontractors or truckers*

Social Responsibility Division



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Questions



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