



LOCAL BUSINESS OUTREACH PROGRAM
FOR
MINORITY-OWNED, WOMEN-OWNED &
SMALL BUSINESS

SEPTEMBER 2011

PROGRAM AND CONSTRUCTION MANAGEMENT BY:



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Attachments:

Document 00 42 13
Small & Disadvantaged Contractor Utilization Form

Document 00 42 19
Final Small & Disadvantaged Contractor Utilization Report

MINORITY-OWNED, WOMAN-OWNED & SMALL BUSINESS PROGRAM

1. OVERVIEW

The District's Measure G-2010 Small and Disadvantaged Business Enterprise Program reaffirms the District's commitment to increase the opportunities for and participation of small and disadvantaged businesses in its procurement of goods and services related to Construction Projects for The San Jose`Evergreen Community College District Measure G-2010 Bond Program. The District recognizes the importance of supplier diversity and by creating sound business relationships, seeks to strengthen the economic development and viability for minority/women businesses. Through value-added strategic initiatives, the District expects increased competition and additional opportunities. The Small and Disadvantaged Business Enterprise Program has instituted a variety of initiatives to identify and encourage small and disadvantaged businesses to participate in the District's procurement/bidding process in an effort to ensure continued growth of business opportunities for those business enterprises.

This program performs a key role by providing outreach, training, and educational programs. The Small and Disadvantaged Business Enterprise Program forms a connecting link between the District and the local small business community.

2. MISSION

Our mission is to deliver the best valued and highest quality products and services by encouraging competition among all contractors and suppliers. The District recognizes supplier diversity as an important component of its overall construction effort and will continue to foster relationships with small and disadvantaged business enterprises to increase their utilization in construction and construction related projects.

3. MINORITY OWNED, WOMAN OWNED, & SMALL BUSINESS QUALIFICATIONS

The San Jose Evergreen Community College District is not in the business of certifying companies for small or disadvantaged business enterprise status. In order to be considered as such by SJECCD, the company must be at least 51 percent (51%) owned, controlled and managed (*proven & demonstrated*) by a U.S. citizen(s) and must be certified by one of the following agencies:

Department of General Services Bureau of Minority & Women Business Opportunities (DGS BMWBO)

Federal Department of Transportation

National Minority Development Council (NMSDC) or its affiliates

Women Business Enterprise National Council (WBENC)

National Women Business Owners Corporation (NWBOC)

Minority Business Enterprise Council (MBEC)
State of California
San Francisco Human Rights Commission
City of Oakland
City of San Jose
County of Santa Clara
County of Alameda
County of San Mateo

Only Contractors and Suppliers certified by the agencies listed above are acceptable toward Small and Disadvantaged Business Participation. The District reserves the right to revise this list at its own discretion.

4. STRATEGIC DIVERSITY INITIATIVES

The Small and Disadvantaged Business Enterprise Program's intent is to ensure that small and disadvantaged businesses have optimum accessibility to procurement and contracting opportunities. SJECCD will proactively work to create mutually beneficial business relationships with small and disadvantaged contractors and suppliers. In support of our mission we have outlined strategic initiatives that will be implemented to support the success of this effort within the G-2010 Bond Program. Please refer to Figure 1, Program Strategic Initiatives, which outlines the four key initiatives. A description of each initiative is detailed further below in this program statement.

Figure 1. Program Strategic Initiatives

Minority-Owned, Woman-Owned & Small Business Program

- Community Outreach and Education
 - Partnering with appropriate groups
 - One-on-Ones with small and disadvantaged firms
 - Targeted Advertising
 - Business Seminars
- SJECCD Internal Coordination
 - Partnering with Purchasing Dept.
 - Goal of bidders lists to include 15% small and disadvantaged firms
 - Bid documents given to MBE/WBE firms
- Design-Bid-Build Projects
 - 15% Participation Goal for overall project (5% minimum participation expected)
 - Impact on Contractor Evaluation
 - Data submission requirement

- Construction Manager Projects
 - 15% Goal
 - Work Packaging focus
 - Increased solicitation requirements
 - Contractor Open House
 - Small and Disadvantaged Business Workshop(s)
 - Standard written procedure

A. OUTREACH and EDUCATION

The Outreach Coordinator will actively seek qualified small and disadvantaged contractors and suppliers through certification consortiums, business develop organizations, business trade shows, conferences, and seminars. The Outreach Coordinator will also focus on the education of the SJECCD internal community outlining the benefits of the Small and Disadvantaged Business Enterprise Program. Internal and external outreach focus areas are outlined below.

Internal Outreach

SJECCD Diversity Partnering: The Outreach Coordinator will partner with the SJECCD Purchasing Department on training efforts inside and outside The District.

Project Manager Education: The Outreach Coordinator will educate the SJECCD community on the benefits of procuring goods and services from small and disadvantaged contractors and suppliers. A key component of this program will be the internal education of all Project Managers who will be instrumental in making this program a success. Early internal outreach efforts will center around communicating this program to the Project Managers.

External Outreach

Training:

1. Perform a minimum of two “How To Do Business With The District” seminars and continue to work with local outreach organizations on training/educational endeavors that benefit the small and disadvantaged community.
2. *Develop a series of short classes for the benefit of* small and disadvantaged businesses to assist them in understanding how to support their efforts to obtain work overall and in working for larger contractors. Topics would include Accounting, Bidding, Contracts, Insurance and Bonding, and Project Execution.

One-on-Ones: Arrange one-on-one meetings with promising small and disadvantaged firms.

Organizational Involvement: Forge relationships with small and disadvantaged organizations & groups to establish benchmarking opportunities and attend informational meetings and conferences.

Targeted Advertising: Advertise projects in designated small and disadvantaged agencies and organization publications.

Project Document Issuance: Upon request for a specific project, the District shall provide, free of charge, one set of drawings and specifications (and addenda when issued) to small and disadvantaged organizations/associations. A review of the bid activity by an association's members may be initiated to justify continuation of this service.

Although it is not always practical or feasible to establish a business relationship with every contractor/supplier, we are firmly committed to creating the means by which these businesses are given due consideration and a fair opportunity to participate in construction and construction related projects.

B. Approach for Design-Bid-Build Projects

Contract documents will establish an expected commitment towards small and disadvantaged business participation on all lump-sum bid projects. The contract documents will incorporate definitive language towards small and disadvantaged participation in an effort to increase participation. A 15% goal will be established for combined small and disadvantaged participation. For projects that include prequalification, the contractor evaluation process will include a section regarding evidence of performance related to small and disadvantaged business participation. If the 15% combined goal is not reached the Project Manager will indicate a below average score in regards to participation. For projects that do not prequalify, a Participation Sheet will be required as part of the Bid Submission to indicate the Bidder's intended small and disadvantaged business participation and will be considered in the award of the work. Further, the level of small and disadvantaged business participation will be tracked as the project progresses, and if contractors consistently miss the 15% combined goal and are unable to provide reasonable justification, appropriate steps will be taken relative to the contractor's status within the District. Please refer to the sample contract language below.

Sample Language

"Notice to Bidders

SMALL AND DISADVANTAGED BUSINESS ENTERPRISES

- A. The District has set a goal of **15%** combined utilization of small and disadvantaged contractors & suppliers on all projects unless otherwise noted.
- B. The District recognizes small and disadvantaged contractor and supplier certifications granted to firms by any of the following agencies:

Department of General Services Bureau of Minority & Women Business Opportunities (DGS BMWBO)
Federal Department of Transportation

National Minority Development Council (NMSDC) or its affiliates
Women Business Enterprise National Counsel (WBENC)
National Women Business Owners Corporation (NWBOC)
Minority Business Enterprise Council (MBEC)
State of California
San Francisco Human Rights Commission
City of Oakland
City of San Jose
County of Santa Clara
County of Alameda
County of San Mateo

The District reserves the right to revise this list at its own discretion

- C. Document 00 42 13 - Small and Disadvantaged Contractor/Supplier Utilization Form (attached) is required to be submitted with each bid.

- E. If there is less than 15% or no anticipated participation of small and disadvantaged businesses on this project, a Justification Letter must be submitted with the bid for SJECCD's review.

Statement within the Form of Proposal

“We, the undersigned, agree to provide small and disadvantaged business participation on this project to the extent practical and have submitted the Small and Disadvantaged Contractor/Supplier Utilization Form with our bid. If no small and disadvantaged participation is anticipated, we agree to write a Justification Letter and submit it along with our bid for SJECCD's review. Immediately following substantial completion of this project we agree to submit to the Outreach Coordinator Document 00 42 19 - Final Small and Disadvantaged Contractor/Supplier Utilization Report. It is understood that final payment on this contract will not be processed until Document 00 42 19 - Final Small and Disadvantaged Contractor/Supplier Utilization Report is received by SJECCD. If a Justification Letter is not submitted at time of bid, anticipated small and disadvantaged participation will be expected.”

C. Construction Management Projects

Projects utilizing a Construction Manager delivery method (such as CM At Risk and Design-Build) will adhere to the following:

1. It is anticipated that the CM will attain a 15% combined utilization of small and disadvantaged contractors & suppliers for the project.
2. The Outreach Coordinator and Project Manager shall work with the project's architect, along with any other individuals who could provide assistance, to determine small and disadvantaged capacity for the work required, appropriate bid packages, and expected small and disadvantaged participation for each specific bid package.
3. For each bid package, consideration should be given to maximize small and disadvantaged participation wherever possible. This would include a review and analysis of the potential known certified small and disadvantaged firms capable of performing the work as prime contractors, subcontractors and/or suppliers for each specific bid package.
4. The Outreach Coordinator shall track and monitor the small and disadvantaged participation and shall submit quarterly updates throughout the project. At project completion, the Outreach Coordinator shall submit a final report detailing the names of each small and disadvantaged contractor & supplier, contact information, original contract amount, change orders, and the participation percentage for the final project construction cost(s).
5. The Construction Management Firm is required to hold a project Open House which shall cover the project schedule, construction package information, bidding schedule and requirements, small and disadvantaged participation goals and any other specific SJECCD/CM requirements. Small and disadvantaged businesses are to be targeted for attendance at this initial networking event. The Outreach Coordinator is required to document the attendee list with small and disadvantaged businesses noted.
6. Following the Open House, the Construction Management firm is required to conduct a "workshop" specifically for small and disadvantaged companies to assist them with any issues that may specifically impact their ability to bid or contract on the project. All potential prime trade subcontractors shall also be invited to attend for networking purposes. The Outreach Coordinator is required to document the attendee list with small and disadvantaged businesses noted.
7. The Construction Management Firm is required to notify designated small and disadvantaged agencies and organizations identified by the owner regarding the release of project packages for bid.
8. The Construction Management firm is to continue follow-up with all potential small and disadvantaged businesses throughout the bidding process.

5. MBE/WBE PARTICIPATION TRACKING

- A. The Outreach Coordinator shall maintain all small and disadvantaged participation data required for this program. These records shall include by project:
 - (a) The contractor report submitted at the completion of the project;
 - (b) The type of work performed;
 - (c) The actual dollar value of the work, services, supplies or equipment; and
 - (d) The percentage of the total contract.
- B. The Outreach Coordinator shall track and monitor participation for all construction related projects and maintain such records as are necessary to confirm compliance with its small and disadvantaged Business Enterprise Program goals.
- C. Please refer to attached Final Small and Disadvantaged Contractor/Supplier Utilization Report. This report will be required to be submitted on all Contract Administration projects.

6. ENFORCEMENT

- A. The Outreach Coordinator shall verify that the certified small and disadvantaged businesses listed in the Final Small and Disadvantaged Business Contractor/Supplier Utilization Report have actually performed the work and have been paid in full. At a minimum, (3) projects shall be randomly selected for review each year.
- B. The Outreach Coordinator and/or designated representative will conduct reviews as deemed necessary to confirm program compliance and monitor progress towards increasing the small and disadvantaged business participation with emphasis on continuous improvement and reporting those findings to District management.
- C. The Outreach Coordinator shall solicit feedback from contractors/suppliers and internal employees on program satisfaction and continually look for creative methods to improve the small and disadvantaged business participation including (but not limited to) advertising, business development mentoring, contractor monitoring, and designing bid packaging to promote rather than discourage small and disadvantaged business participation.

7. KEY PERFORMANCE MEASURES

Performance measures have been established to help to monitor outreach efforts and participation levels. The following five (5) performance measures will be updated quarterly by the Outreach Coordinator throughout the year.

1. Number of small and disadvantaged businesses pre-qualified.
2. Number of small and disadvantaged businesses attending conferences, workshop, and seminars.

3. Number of One-on-One's with small and disadvantaged businesses.
4. Number of small and disadvantaged businesses bidding projects as primes.
5. Overall small and disadvantaged business project participation (prime contractors, subcontractors, and vendors).

The results of measurements above will be reviewed quarterly with District management to assess the program. Additional details on all measures above will accompany the next program update.

8. DEFINITIONS

Small and Disadvantaged Business

For the purposes of this program a small or disadvantaged business enterprise is a “Small Business”, a “Minority Business Enterprise”, a “Woman-Owned Business Enterprise” or a “Disabled Veteran Business Enterprise” recognized as such by one or more of the following agencies:

Department of General Services Bureau of Minority & Women Business Opportunities (DGS BMWBO)
Federal Department of Transportation
National Minority Development Council (NMSDC) or its affiliates
Women Business Enterprise National Counsel (WBENC)
National Women Business Owners Corporation (NWBOC)
Minority Business Enterprise Council (MBEC)
State of California
San Francisco Human Rights Commission
City of Oakland
City of San Jose
County of Santa Clara
County of Alameda
County of San Mateo

Outreach Coordinator

Gilbane Employee designated to administer the Small and Disadvantaged Business Enterprise Program.

Project Manager

Gilbane Employee designated to manage the project. They shall be an advocate for the Small and Disadvantaged Business Enterprise Program and shall be responsible for explaining the Program documentation and its relationship to the bidder's responsiveness in the absence of the Outreach Coordinator.

END OF DOCUMENT