



San Francisco Office of the City Administrator

LBEAC Director's Report

April 6, 2023

Agenda

- 1) What are the Listening and Discovery Tour takeaways?
- 2) What are priorities for the LBE Program?
- 3) What's done?
- 4) Standing Director Report Items

Stakeholders

CONTRACTING

LBEs - Micro, Small, SBA,
WBE, MBE, OBE
Non-LBE SF-Based Firms &
SBEs

International Companies
National Companies
California-Based Companies
Regional Companies
Regular Bidders
Potential Bidders
Non LBE DBEs, SBEs, etc.

Construction
Developers
Commodity Suppliers
Professional Services
General Services

CITY

Mayor
Board of Supervisors
City Administrator
Office of the City Attorney

Chapter 6
Chapter 21 and OCA
Chapter 23 and 56

OEWD
OLSE
Risk Management
Human Rights Commission
Office of Small Business

COMMUNITY / OTHER

Race & Ethnicity, Advocacy
Groups
Trade Organizations
Community-Based
Organizations
Technical Assistance
Providers
Financial Institutions
Issue-Based Organizations

54 Listening and Discovery Sessions

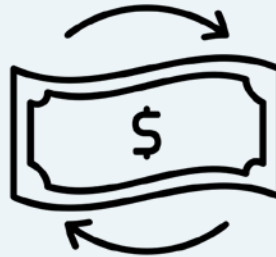
CMD Staff	5 group
City Departments	6 Chapter 6 6 Other Departments
LBEAC	8 individual
Community	12 individual 1 group
Primes	5 companies, 8 individuals
Former Staff	9 individuals
Technical Assistance	3

Listening Tour Takeaways

Value to San
Francisco



Economic
Vitality



Equity



With
Community



Priorities

Activate public purse and role to create economic opportunity

Nurture ecosystem of diverse local businesses

Lead equity in contracting practices

Activate public pursue to create economic opportunity

Work with public works (Chapter 6), public purchasing (Chapter 21), and private/public (Chapter 23/56) departments in maximizing LBE opportunity

Policy that advances the program for the community

Nurture ecosystems of LBEs

Full LBE pipeline

Healthy micro LBEs and inclusion, including larger LBEs and Non-LBEs support

Technical assistance – MPP, CAPP, CDP, Bonding Assistance, other support to businesses

Connections to City and Community partners that provide support

Leader in Equity Contracting Practices

Excellent in implementation

Effective enforcement

Clear and digestible reporting

What can you expect?

- Policy, opportunity information and reporting to support participation, Micro-LBE Set-Asides and Micro participation
- Development of tools and information for LBEs, Primes, and Departments on implementing the LBE program
- CMD systems improvement – e.g. enforcement process
- Opportunity information and integration of program in public and private-public projects

Deliverable 1: Changed implementation guidelines when there are Micro, Small and SBA goals

Issue

CMD can set a separate Micro, Small and SBA goal, but how to maximize smaller firm participation?

Implement

	Previous Policy	Current Policy
Micro-LBE Requirement	Micro Only	Micro Only
Small-LBE Requirement	Small Only	Micro or Small
SBA-LBE Requirement	SBA Only	Micro, Small, or SBA

Impact

Advances Micro LBE-Utilization

Ease for bidders and better for implementation by departments

Deliverable 2: Pilot Neighborhood Preference Program Tool

Issue

How can CMD drive implementation of the program?

Implement

The screenshot displays the 'CMD Frequently Asked Questions' document for the 'Chapter 148 - Pilot Neighborhood/Zip Code LBE Program'. The document is organized into two columns, each headed by an office name: 'City & County of San Francisco' on the left and 'Office of the City Administrator' on the right. A central logo for the City of San Francisco is positioned between the headers. The main title of the document is 'CMD Frequently Asked Questions Chapter 148 - Pilot Neighborhood/Zip Code LBE Program'. The content is structured into several sections, each with a bold heading followed by a question and a detailed answer. The sections include: 'What does the Pilot Neighborhood/Zip Code LBE Program do to help a San Francisco Micro or Small-Biz?', 'How do I know if a project and the Small/Biz/BMC are in the Pilot Neighborhood/Zip Code LBE Program and what happens if I'm not in the Pilot/Zip Code area?', 'How do I know if my business is qualified for the program?', 'Can I bid on projects outside the Pilot/Zip Code area?', 'Can I bid on projects outside the Pilot/Zip Code area?', 'What is the Pilot Neighborhood/Zip Code LBE Bid document?', and 'What is the Pilot Neighborhood/Zip Code LBE Bid document?'. The document provides specific details about the program's goals, eligibility criteria, and the bidding process.

Impact

Improve opportunity and potential work for hyper-local LBEs to be used towards 50% local/neighborhood inclusion

Educate non-LBE bidders on incentives to team with hyper-local LBEs

Secure bidding process with clarity on rules and process

Deliverable 3: Forecast of Projects

Issue

How to ensure LBEs know about future bidding opportunities?

Implement

sf.gov/contracting

Impact

Forecast information is needed for LBEs to plan, strategize, and network

Part of contracting with the City and County of San Francisco

Future contracting opportunities

Explore, plan, and prepare for future opportunities.

Many announcements share contracting forecasts to help businesses plan for future opportunities. Please note: Forecasts are only projections, are not guaranteed, and are subject to change without notice. Forecasts are not intended to be complete lists of all contracting opportunities with the City.

[To learn about what you can find on our website, visit this page.](https://sf.gov/contracting)

Resources

<p>Department of Public Works Forecast</p> <p>We are one of the largest municipal operations in the City, with a \$284 million annual operating budget.</p>	<p>Office of Contract Administration Forecast</p> <p>We help the City procure goods and services to provide residents with essential government services.</p>
<p>SF Purchased Transportation Authority Forecast</p> <p>We manage Port, as well as bus rapid transit, parking, traffic, walking, and more.</p>	<p>SF Fuel Forecast</p> <p>We manage SF's fuel trucks and address environmental and financial sustainable objectives.</p>
<p>SF International Airport Forecast</p> <p>We offer the most complete services from SF and the Bay Area to the rest of the U.S. and the world.</p>	<p>SF Public Utilities Commission Forecast</p> <p>We provide drinking water and wastewater services for SF and Palo Alto, and sewerage for the Alameda Corridor.</p>

What does the Office of Contract Administration purchase for the City and County of San Francisco?

\$260,000,000+

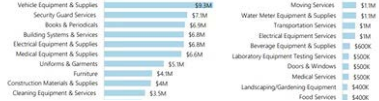
The total amount our office purchased in goods and services on behalf of the City in the last fiscal year.

About 60% of our spending goes to 5 categories of goods and services.



Even if you don't do business in one of our top spending categories, we have opportunities for many types of businesses.

Here's a look at what else we purchased in the last fiscal year:



Deliverable 4: Enforcement Intake

Issue

What is CMD process for collecting, analyzing and acting on enforcement concerns?

Implement

sf.gov/report-14b-local-business-enterprise

Report 14B Local Business Enterprise (LBE) program concerns
Tell the Contract Membership Division if you have 14B issues or concerns.

What to do
Fill out the form
The 14B program supports contracting opportunities for local business enterprises and small business subcontractors through the 14B program. Reporting concerns helps maintain the integrity of the program.

Related
14B and Restricted Enterprise LBE Program

Report Concern

* Purchase or lease with a minority-owned or a woman-owned business enterprise or small business enterprise (WBE) status is not required for this form.

14B Local Business Enterprise Program Concern, Violation, or Challenge

Please be aware that any information you provide to the City and County of San Francisco will be used, disseminated, and retained as needed in conducting the City's official business and may be subject to disclosure in accordance with the California Public Records Act.

Use this form to report a 14B concern, violation, or challenge you are having with the program.

* Required

Please provide your contact information.
Contact information is necessary for us to follow-up and investigate concerns, violations, or challenges.

1. What is your name? *
Enter your answer

2. What is the best phone number for our staff to reach you? *
Enter your answer

Impact

Responsive to LBE Community

Maintain integrity of program

System for analysis of data to ensure prevention and accountability

Deliverable 5: Treasurer and Tax Collector Financial Referral Program

Issue

How to ensure that LBEs have access to credit and to use the relationships of the CCSF? Strategy beyond CDFIs?

Implement

Work with the CCSF Treasurer and Tax Collector's [Office of Financial Empowerment](#) and OEWD [San Francisco Business Development Center](#) in a program to provide credit and lending programs.

Impact

CMD harnessing power of CCSF relationships towards LBE benefit
Access to capital allows for LBEs to grow

Deliverable 6: Communicating LBE Certification and PLA impact

Issue

Do LBEs in construction understand how a lapse in certification impacts the PLA and the need for a Letter of Assent?

Implement

CMD certification letter reminders now include language to explain:

“Expiration of your certification may affect your rights under the PLA agreement”

Impact

Provides information to LBEs



Ensure loud stakeholder voice
between meetings

Seeking assistance with:

- Micro-LBE Opportunity policy
and implementation champions
- Access to Capital thinking

Where do I need help?

Future Deliverables

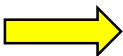
- Map out Chapter 23 and 56 Private-Public Partnership guidelines. Future LBEAC meeting where these entities explain their jurisdiction and program
- Review of LBE Annual Report
- LBEAC - Director's Report & Policy agenda item
- Publication of tools, resources, administrative alerts for LBEs, Bidders, departments on explaining the LBE program

Standing Director's Report Items

1) Pilot Program Updates – see attachment

LAST UPDATED 4.5.23

City Department	Name of project	Type of Project A/E, PS, CONST, GI	Delivery Method (i.e. Low Bid, Best Value, DB, CMGC)	Location (i.e. 94124, 94134, 94110, 94103)	Proposed Bid/RFP/RFPQ Advertising Date	Contract Advertisement Number	Bid/RFP/RFP Q Due Date	Separate Goals (micro, small, and/or SBA LBB)	Neighborhood Preference Program ("New")	Micro-LBB Trucking	Comments
PW	Baltimore Way Median Improvement	Construction	Low Bid-IOC	94124	TBD?						REMOVED
PW	SOMA Arts Cultural Center - ADA Barrier Removal	Construction	Low Bid	94103	TBD				X		
PW	1399 Marin	Construction	CMGC	94124	2/3/2023			X			REMOVED Project on Hold
PRT	Pier 70 Shore and Sediment Remediation May advertise as soon as late FY 22-23	Construction	Low Bid	94107	FY22/23				X		
PW	Ingliside Police Station renovation	Construction	CMGC	94112	10/27/2022		1/19/2023	X			3/11/23: Clark Construction High Scoring Firm
PW	SFMTA Parking Enforcement Headquarters	Construction	CMGC	94124	9/11/2022		11/1/2023	X		X	
PUC	PRD 0230 Bay Corridor Transmission As-Needed CM Services	Professional Services	Highest score	94124	Jan-23				X		
PUC	WW718A Folsom Area Stormwater Improvements - SOMA (Mission Sewer Replacement Program)	Construction	Low Bid	94110 and 94103	11/17/2022	WW-718A	3/2/2023		X		In Review
PUC	WW736 Castro & Mission Districts Sewer Improvement Project	Construction	Low Bid	94110 and 94114	2/1/2023	WW-736	3/23/2023		X		In Review
PW	10037391 Various Locations Pavement Renovation No. 60	Construction	Low Bid	Various: 94115, 94116	11/9/2022	0000007995	4/12/2023	X			Rebid with reinterpretation of Micro and Small Language
PW	PW Minna Natoma Streetscape (PW Minna Stcp Pij)	Construction	Low Bid	94103	5/27/2023	0000005008		X	TBD		
PW	Potrero Bus Yard and Housing Development Project	Construction	Design/CMGC	94107				X		X	
PUC	WD-2879R City Distribution Division Campus at 2000 Marin Street	Construction	CMGC	94124	12/22/2021	WD-2879R	3/23/2022	X		X	Voluntary participation for concept which means minimal enforcement.
RPD	Gene Friend Recreation Center	Construction	CMGC	94103	3/16/2022		3/30/2022	X		X	Voluntary participation for concept which means minimal enforcement.
PW	Hunters Point, Central Waterfront and Potrero and Street Pavement	Construction	Low Bid	94124, 94103	Apr-23	0000007433			X		NEW
PW	Various Locations Pavement Renovation No. 61 and Sewer Replace	Construction	Low Bid	Districts: 9	4/1/2023	0000005575			X		NEW



Excerpt from PLA

<https://sfgov.org/cmd/sites/default/files/PLACitywide%20Fully%20Executed%207.14.2020.pdf>

- 3.5 **Local Business Enterprises.** Contractors certified as LBEs under Administrative Code Chapter 14B that are unwilling to execute the Letter of Assent before commencement of work shall be exempt from the terms of this Agreement, except as set forth herein.
- 3.5.1 The exemption in Section 3.5 shall apply until such time that the certified LBE Contractor has received an amount exceeding five million dollars (\$5,000,000) for work on a Covered Project(s) cumulatively over the entire duration of this Agreement (“LBE Threshold”). The City Administrator shall establish a process to track the value LBE Contractors have received for work on Covered Projects. Notwithstanding the foregoing, a certified LBE Contractor exempt from the terms of this Agreement may nonetheless choose to sign a Letter of Assent and comply with this Agreement.
- 3.5.2 When the amount an LBE Contractor has received exceeds the LBE Threshold, the LBE Contractor shall sign a Letter of Assent and comply with this Agreement for all current, ongoing, and subsequent Construction Contracts. For current and ongoing Construction Contracts, an LBE, after exceeding the LBE Threshold, shall have a reasonable amount of time, not to exceed thirty (30) calendar days, to comply with this Agreement.
- 3.5.3 The City Administrator, or designee, shall track the LBE Threshold and shall provide documentation regarding the value LBE Contractors have received on Covered Projects to the Council and shall provide a report at each regularly scheduled JAC meeting.

Thank you to LBEAC & Listening Tour
Participants & LBE Community & CMD Staff &
City Admin Staff

Questions