**FEDERAL & CITY OF BURBANK BID SUBMITTAL REQUIREMENTS**

Bids received not including the documents required below (Bid forms and Evidence of “Good Faith Effort”) will be declared non-responsive and cannot be considered for contract award.

1. **SUBMIT: BID FORMS**
2. Complete and sign **HUD form 4010**, Federal Labor Standards Provisions. Details and instructions are available online at: <https://www.hudexchange.info/programs/davis-bacon-and-labor-standards/>
3. Completed City of Burbank Contractor Questionnaire
4. Completed City of Burbank Minority and Woman Business Enterprise Eligibility Questionnaire, if applicable
5. **SUBMIT: EVIDENCE (DOCUMENTS) OF “GOOD FAITH EFFORT” TO SOLICIT MINORITY (MBE), WOMEN (WBE), DISABLED (DBE), DISABLED- VETERAN (DVBE) BUSINESS ENTERPRISES**

Solicitation should commence after the project’s mandatory pre-bidder’s or two weeks prior to the bid due date. Refer to the City’s Bid Solicitation Policy for specific instructions and minimum threshold requirements.

1. City of Burbank- Federal Fund Contracts
2. City of Burbank- Federal Fund Contracts Bid Solicitation Policy, “Good Faith Effort”

Each bid submittal must include evidence (documents) that support the company’s efforts to comply with the solicitation of MBE, WBE, DBE, and DVBE concerns and meet the minimum threshold of at least 70 points. Any combination or sole method of soliciting MBE, WBE, DBE, and DVBE’s is acceptable, as long as the aggregate score is 70 points.

It is strongly suggested that each bid include a cover letter detailing what “good faith effort” solicitation was used to meet the minimum threshold requirement.

1. FEDERAL REGULATIONS

The award of this contract is subject to Federal Prevailing Wages and Davis/ Bacon Act provisions among other federal regulations [Refer to HUD from 4010]. The Davis/ Bacon Act covers any contract work greater than $2,000.

**City of Burbank**

**Contractor/Subcontractor Questionnaire**

Firm Name Date

Business Address City State Zip Phone

Mailing Address City State Zip Phone

Type of Organization (please check one)

🞎 Individual Name of Owner

🞎 Corporation State of Incorporation

🞎 Partnership (indicate General “G”, Limited “L”)

🞎 Joint Venture Name of Partners

 Joint Venture Participants

**Ownership Interest**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **Black** | **Hispanic** | **Alaskan Native or American Indian** | **Asian or Pacific Islander** | **White** | **Women** |
| Number |  |  |  |  |  |  |
| % of Assets owned |  |  |  |  |  |  |

**Ethnic Composition of Employees**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **Black** | **Hispanic** | **Alaskan Native or American Indian** | **Asian or Pacific Islander** | **White** |
| Number |  |  |  |  |  |
| % of total employed at bidders address |  |  |  |  |  |

**Disabled/Disabled Veteran Composition**

|  |  |  |
| --- | --- | --- |
|  | **Disabled** | **Disabled Veteran** |
| Number |  |  |
| % of total employed at bidders address |  |  |

**CITY OF BURBANK (SCHEDULE A)**

**MINORITY AND WOMEN BUSINESS ENTERPRISE ELIGIBILITY QUESTIONNAIRE**

Name of Firm

Address of Firm City State Zip

Phone/Fax

Is your company certified as a MBE/WBE/DBE/DVBE: 🞎 Yes 🞎 No

If you answered “yes”, please indicate where:

Please mark the following:

🞎Sole proprietorship 🞎Partnership 🞎Joint venture 🞎Corporation 🞎Other business

If other business, please specify:

Nature of Firm’s Business:

Year(s) firm has been in business under present ownership:

Ownership of Firm: Identify below those who own 5 percent or more of the firm’s ownership. Columns E and F need to be filled out only if the firm is less than 100 percent minority.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| A | B | C | D | E | F |
| Name | Race | Sex | Years of ownership | Ownership Percentage | Voting Percentage |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

With firm’s less than 100 percent minority or women ownership, list the contributions of money equipment, real estate, or expertise of each of the owners on a separate sheet.

**City of Burbank**

**Federal Fund Contract Instructions**

If the Notice Inviting Bids covers a project(s) that is federally funded, the bid documents, contract documents, certifications, forms, bid procedure, and contract award shall comply with all applicable federal regulations as authorized by, among others, Title I of the Housing and Community Development Act of 1974 and 1987, 42 U.S.C. 5304-5320, Title II of the National Affordable Housing Act, 42 U.S.C. 12741-12839, and Section 3 of the Housing and Community Development Act of 1968 and 1992, 12 U.S.C. 1701 u. The regulations and requirements include, but are not limited to 24 CFR Part 570, Subparts A-O; 24 CFR Part 135; 24 CFR Part 85; 24 CFR Part 91; 24 CFR Part 92; 29 CFR Parts 1, 3, 5, 6, 7 and 30; and 41 CFR Part 60.

If the project or program to which the construction work applies is financed or assisted with applicable federal funds, then Federal Labor Standards Provisions [U.S. Department of Housing and Urban Development, HUD-4010 Form] shall apply. This form covers requirements under the Davis-Bacon Act, the Copeland Act, and the Contract Work Hours and Safety Standards Act. Other documents contained in the Bid schedule include bidder certifications and forms, and City of Burbank policies in compliance with federal regulations to promote contract and equal employment opportunities for minority, women, and disadvantaged enterprises and individuals (“good faith effort”). Bidders or the agency shall notify minority, women, disadvantaged and disabled veteran enterprises, contractor/ trade associations, business development centers, and section 3 business concerns and residents, if applicable, of their intention to solicit participation commencing after the project mandatory pre-bidder’s conference for a period of two weeks and expiring before the bid due date. Such notification shall be by registered or certified mail and bidders must submit evidence of this outreach with their proposals.

All documents, certifications, and forms included in the Bid Schedule or provided as an attachment, addendum or amendment must be appropriately completed, signed by an authorized person and returned with your bid proposal(s). Bid proposals must also include the submission of documents/ evidence indicating compliance with federal regulations encouraging participation by minority/ women/ disadvantaged enterprises and the City of Burbank’s policy of “good faith effort”. Proposals that do not include all the required documents as described above will be deemed non- responsive and will not receive consideration for contract award.

**City of Burbank**

**Federal Fund Contracts**

**Bid Solicitation Policy**

**“Good Faith Effort”**

In the award of contracts or agreements involving federal funds and the award of contracts or agreements in response to advertised requests for bids or proposals, entitlement cities are bound by federal regulations and requirements to encourage contract participation by small/minority/women/disadvantaged enterprises and require equal employment opportunity for all individuals [24 CFR 570.904, 24 CFR Part 135, 24 CFR 85.36(e), and Executive Orders 11625, 12432 and 12138]. In compliance with these regulations the City of Burbank has adopted a policy for the solicitation of bids and meeting a standard of “good faith effort”. The City requires strict adherence to this policy and will not fund any project or award any contract/agreement that fails to comply with this submission requirement as described in City of Burbank Federal Fund Contract Instructions.

Compliance with the City’s policy requires a minimum score of 70 points from the alternatives listed below. Any combination of outreach totaling at least 70 points will be sufficient to constitute “good faith effort”. Written evidence or verification of compliance with this effort must be submitted as part of the subject bid proposal and by the appropriate deadline date. Failure to submit such evidence and/or failure to meet the minimum score of 70 points may disqualify the notice of intent to bid or your bid submittal.

Documentation includes, but is not limited to, proof of advertisement, certified mail receipts, registered mail receipts, signed contracts and/or agreements, logs and journals. Logs/journals must list the date and time of contract, name of the company/organization solicited, type of entity (MBE/WBE/DBE/DVBE), directory and/or journal where the company/organization is listed as a certified MBE/WBE/DBE/DVBE, and the company/organization’s response to the solicitation, if any, and a copy of the bidder’s original letter or notice.

**Solicitation: Newspaper Advertisement 5 points per occurrence**

 **(general circulation)**

 **Newspaper Advertisement 10 points per occurrence**

 **(local circulation)**

 **MBE/WBE/DBE/DVBE Owned Enterprises 2 points per occurrence**

 **Trade Publication Advertisement 5 points per occurrence**

 **Employment Opportunities 5 points per occurrence**

 **(City Personnel Dept.)**

**Prime Contractor is a MBE/WBE/DBE/DVBE 10 points (total)**

**Owned Enterprise:**

**Subcontractor is a MBE/WBE/DBE/DVBE 10 points (per subcontractor hired)**

**Owned Enterprise:**

**Section 3 Business Enterprise (Applicable at time of contract award)**

**A Section 3 Business Enterprise in Used:**

 **(Minimum 10% of the overall contract price): 20 points per occurrence**

 **(Minimum 5% of the overall contract price): 10 points per occurrence**

**Employment of Section 3 residents:**

**(5 jobs provided): 30 points**

**(4 jobs provided): 25 points**

**(3 jobs provided): 20points**

**(2 jobs provided): 10points**

**(1 job provided): 5 points**

**CITY OF BURBANK GOOD-FAITH EFFORT COMPLIANCE**

**EVALUATION SCORE SHEET**

**DATE: ­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**PROJECT: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**BID SCHEDULE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**DUE DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

In response to the City’s bid procedural requirements for the above referenced project, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, is submitting the following as evidence of its good-faith (Company/Organization Name)

effort in compliance with offering contract opportunities to minority, women, disabled, and disabled-veteran enterprises:

**Prime Contractor is a MBE/WBE/DBE/DVBE \_\_\_\_\_\_\_\_\_**

**Owned Enterprise [Proof of Certification]**

**Subcontractor is a MBE/WBE/DBE/DVBE \_\_\_\_\_\_\_\_\_**

**Owned Enterprise [Contract Letter/Proof of Certification]**

**Newspaper Advertisement [Proof of Publication] \_\_\_\_\_\_\_\_\_**

**(General Circulation)**

**Newspaper Advertisement [Proof of Publication] \_\_\_\_\_\_\_\_\_**

**(Local Circulation)**

**Trade Publication Advertisement [Proof of Publication] \_\_\_\_\_\_\_\_\_**

**MBE/WBE/DBE/DVBE Owned Enterprises \_\_\_\_\_\_\_\_\_**

**[Certified/Registered Mail Receipts or Fax Log Journal]**

**Employment Opportunities [Opportunity Notice for Posting] \_\_\_\_\_\_\_\_\_**

**Section 3 Business/Employment Opportunities \_\_\_\_\_\_\_\_\_**

 **Total Score: [Minimum Requirement: 70 POINTS] \_\_\_\_\_\_\_\_\_**

**GOOD FAITH EFFORT**

**FAX LOG JOURNAL**

**(Contractor to Provide Information)**

INTENTIONALLY LEFT BLANK

**GOOD FAITH EFFORT**

**LIST OF CONTRACTOR AND SUBCONTRACTOR’S TO PERFORM THE WORK**

**(Contractor to Provide Information)**

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**QUESTIONS & ANSWERS**

1. Regarding the requirement for “good faith effort,” assuming the prime contractor can complete all necessary bid work (tasks) with only his paid employees without the use of any subcontractors or any contract work greater than $2,000, does the prime contractor need to complete the City of Burbank’s “good faith effort” requirement? [Answer: No. the prime contractor may submit on company letterhead an explanation which states that company paid employees can complete all necessary work without the use of ANY subcontractor, other company, vendor or supplier. However, caution should be exercised, since any contracted work exceeding Davis/Bacon Act requirements is subject to the bid document provisions and “good faith effort”].
2. How can I access directories or listings of “certified” MBEs, WBEs, DBEs, and DVBEs? [Answer: There are several lists available in hard copy or via the internet. These include Cal- Trans, the City of Los Angeles, County of Los Angeles, and State of California. It is recommended that you contact the office administering this bid schedule].
3. If the prime contractor is a MBE, WBE, DBE or DVBE, or if the prime contractor intends to contract with a subcontractor who is a MBE, WBE, DBE or DVBE, what documentation must the prime submit to qualify for “good faith effort” points? [Answer: The prime or subcontractor needs to include a signed letter (on company letterhead) asserting they are a MBE, WBE, etc., and include proof that they are on “certified” list. If they are not on a certified list, the City of Burbank can provide a letter (form) that must be signed and acknowledged in the presence of a Notary Public and submitted with the bid].
4. If the prime contractor is a MBE, WBE, DBE, or DVBE, is the “good faith effort” still required? [Answer: Yes, the “good faith effort” is still required. For example, if the prime is a MBE/WBE and he/she also plans to use one subcontractor who is also an MBE/WBE, that only qualifies for 20 points, which is short of the “good faith effort” requirement. An exception would be if in the above example, the MBE/WBE prime was to contract with at least six subcontractors who are MBE, WBE, etc.].
5. For direct solicitation of MBE, WBE, DBE, and DVBE contractors via mail of fax, what documentation must be included with the bid submittal? [Answer: For solicitation by certified or registered mail contractors must submit proof of mailing, a copy of the letter or solicitation notice, any reply or response to the mailing, and a listing or explanation of what category the subcontractor meets (i.e. MBE, WBE, DBE, DVBE) and where the individual subcontractor is shown

on a “certified” list. To satisfy this last part, a contractor can submit pages of a certified directory or listing with the company name highlighted. For fax solicitations, contractors must submit a copy of the solicitation notice or letter and a machine generated summary of the subcontractors solicited by name, fax phone number, business category (MBE, WBE, DBE, or DVBE), the name of the directory where the subcontractor is certified, and any response received. Fax journals (machine generated) must at minimum list the time and date of the call, the phone number, and the fact that the fax was completed. An entry of “busy, no, not completed” or anything other than “ok or yes” is not acceptable and will NOT be credited with “good faith effort” points. Where the fax journals lists only the minimum information, other supporting documents listing subcontractors solicited by company name, phone number, business category (MBE, WBE, etc.), certifies directory, and any response received must be separately submitted].

1. Is there a ownership percent requirement to qualify as an MBE, WBE, etc? [Answer: Yes, 51 percent or higher controlling interest in the specific company].
2. For newspaper advertisements or trade publication advertisements, what needs to be submitted to meet “good faith effort”? [Answer: Proof of publication from the newspaper or trade publication].
3. What if the nature of the project or specialized tasks involved make it difficult to attain the minimum “good faith effort” score? [Answer: In these situations a determination must be made by the City of Burbank prior to the time bids are due.

For other questions regarding the bid submittal requirements, documents, or “good faith effort”, please contact Marcos Gonzalez, Grants Coordinator. Questions regarding project requirements, plans or specifications should be addressed to following departments:

Planning and Transportation Division: 818-238-5250

Building Division: 818-238-5220

Economic Development & Housing Division: 818-238-5180

Public Works Division: 818-238-3915

Burbank Water and Power: 818-238-3700

**MBE/WBE/DBE/DVBE AGENCY LISTING**

1. National Association of Women Business Owners

900 Wilshire Blvd., #204

Los Angeles, CA. 90017

Attn: Helen Han

(800) 266-8762

Fax: (213) 622-6659

1. Asian Business Association

1111 Corporate Center Dr.

Monterey Park, CA. 91754

Attn: Jonathan Hou – President

(213) 628-1222

Fax: (213) 628-3222

1. Black Business Association

5444 Crenshaw Blvd. – 2nd Floor

Los Angeles, CA. 90043

Attn: Earl “Skip” Cooper II

(323) 291-9334

Fax: (323) 291-9234

1. Latin Business Association

120 S. San Pedro St., #530

Los Angeles, CA. 90012

Attn: Ernesto Morales, Executive Director

(213) 628-8519 or 8510

Fax: (213) 628-8509

1. Nation Center for American Indian Enterprise Development

11138 Valley Mall, #200

El Monte, CA. 91731

Attn: Dan Lucero, Management Consultant

(626) 442-3701

Fax: (626) 442-7115

1. Minority Business Opportunity Committee

200 N. Spring St., M-180

Los Angeles, CA. 90012

Attn: Karen Blackwell, Director

(213) 978-0671

Fax: (213) 978-0690

1. The Voice

3816 Beethoven St., #204

Los Angeles, CA. 90066

(310) 390-8214

Fax: (310) 390-8214

1. California Daily Bid Advisor

1276 Lincoln Ave., #203

San Jose, CA. 95125

(408) 998-0241

Fax: (408) 998-2534

1. Association for Services Disabled Veterans

P.O. Box 2312

Stanford, CA. 94305

(650) 949-3751

Fax: (650) 949-0336

1. Contractor’s Assistance Center

P.O. Box 894

Alta Loma, CA. 91701

(800) 742-4124

Fax: (800) 742-4125

1. The National Association of Minority Contractors of Southern California

P.O. Box 43307

Los Angeles, CA. 90043

Attn: Kevin Ramsey, President

(323) 296-8005

Fax: (323) 296-8381

1. City of Los Angeles

Bureau of Contract Administration

<https://bca.lacity.org/content/bureau-contract-administration>

1. California Unified Certification Program (CUCP)

[www.dot.ca.gov/ucp/GetLicenseForm.do](http://www.dot.ca.gov/ucp/GetLicenseForm.do)