SAN FRANCISCO COMMUNITY COLLEGE DISTRICT

SMALL LOCAL BUSINESS ENTERPRISE (SLBE) PROGRAM

RULES, REGULATIONS, REQUIREMENTS, AND FORMS

FOR CONSTRUCTION-RELATED PROFESSIONAL SERVICES CONTRACTS
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SAN FRANCISCO COMMUNITY COLLEGE DISTRICT

SMALL LOCAL BUSINESS ENTERPRISE (SLBE) PROGRAM

RULES, REGULATIONS, AND REQUIREMENTS

For Construction-related Professional Services Contracts

PART 1. GENERAL

1.01 GENERAL INFORMATION

A. To be eligible for a professional services contract award, each consultant must agree to comply with the requirements of the SLBE Program authorized by the San Francisco Community College District, (SFCCD) Board of Trustees, Resolution No. 010426-P1, where applicable. The consultant is responsible for, and must comply with, all the details contained in the Resolution and Program Policies, as implemented through these Rules, Regulations and Requirements.

B. The SLBE Program are hereby incorporated by reference as fully set forth herein, and provide that the failure of any consultant or subconsultant to comply in good faith with these requirements shall be deemed a material breach of contract.

C. Copies of SFCCD SLBE Program Policies as adopted by the Board of Trustees are available upon request at the following locations:

   • Office of Facilities, Planning and Construction, 50 Phelan Avenue, B601, San Francisco, CA 94112; telephone no. (415) 239-3047

   • Contract Compliance Office: 33 Gough Street, San Francisco, CA 94103; telephone no. (415) 241-2284.

Please direct questions regarding Rules, Regulations, and Requirements and the accompanying forms for construction-related professional services contracts to the District Contract Compliance Office.

D. The SLBE subconsultant goal for this project is _____________ and will be discussed at the pre-submitttal conference.

E. SFHRC certified SLBE prime consultants will receive a 10% evaluation credit.

F. Finding Local and Small Local Consultants

   The following agency maintains a list of certified small local business enterprises.
1.02 FORMS REQUIRED TO BE SUBMITTED

Forms that the prime consultant must submit with the response to the RFQ:

1. Form 1: **SLBE EVALUATION CREDIT APPLICATION**
2. Form 2: **IDENTIFICATION LISTING OF PRIME AND SUBCONSULTANTS**
3. Form 3: **JOINT VENTURE PARTICIPATION SCHEDULE FOR SLBE.**
4. Form 4: **CONSULTANT’S GOOD FAITH EFFORT REPORT**
   *(Only required if the SLBE subconsulting goal is not met.)*
5. Form 5: **COMPLIANCE AFFIDAVIT**

Additional forms required to be submitted during the course of the contract:

6. Form 6: **MONTHLY PROGRESS REPORT**
7. Form 7: **EXIT REPORT AND AFFIDAVIT**
8. Form 8: **SUBCONSULTANT’S PAYMENT AFFIDAVIT**
9. Form 9: **PRIME AND SUBCONSULTANT’S WORKFORCE FORM**

1.03 INSTRUCTIONS FOR FORMS REQUIRED TO BE SUBMITTED

Form 1. **SLBE Evaluation Credit Application**

Prime consultants submitting a response to the RFQ who wish to benefit from the SLBE evaluation credits must submit this form. If this form is not completed and returned with the RFQ, the consultant submitting the response to RFQ shall not receive any evaluation credits.

Form 2. **Identification Listing of Prime and Subconsultants:**
Prime consultants must complete this form detailing how he/she will comply with the District’s requirements for SLBE subconsulting goals. The prime consultant must meet the SLBE subconsultant goals called for in the RFQ or meet the Good Faith Effort requirements; otherwise his/her statement of qualifications will be deemed non-responsive. The prime consultant must divide and identify the contract services into economically feasible units to facilitate SLBE participation in the contract.

The SLBE subconsultant goals must be met by subconsultant participation; the prime consultant cannot meet them.
The prime consultant may meet the District’s requirements by a good faith effort or SLBE subconsultant participation. The District will determine whether the consultant is in compliance with the SLBE requirements.

Form 3: Joint Venture Participation Schedule for SLBE

This form must be submitted, for joint ventures claiming SLBE participation. This form must be returned with the response to the RFQ. If this form is not returned with the response to the RFQ, the District will not give evaluation credit for SLBE joint venture participation.

Form 4: Prime Consultant Good Faith Effort Report

If the required SLBE subconsultant participation goals are not met, this form must be completed and submitted along with compelling documentation detailing the good faith efforts made, or the statement of qualifications will be deemed non-responsive and rejected. The consultant’s Good Faith Effort Report (Form 4) is evidence of taking the minimal steps to show his/her effort to meet the SLBE goal.

Responses to RFQ not meeting the following requirements shall be deemed non-responsive. In addition, any Statement of qualifications or proposal that fails to meet the specified SLBE participation goal will be considered non-responsive unless compelling documentation is submitted with Form 4 demonstrating why the goal cannot be met.

The prime consultant shall demonstrate in their response to RFQ that they have used good faith efforts to utilize HRC certified subconsultants. They must identify the particular SLBEs subconsultants to be used in performing the contract, specifying for each the minimum percentage value of the participation, the type of work to be performed and such information as may reasonably be required to determine the responsiveness of the response to RFQ.

The prime consultant shall complete Form 4 if compliance with the District's subconsultant participation requirements is met through a good faith effort. The prime consultant must comply with all the requirements of the Good Faith Effort Worksheet and District policy.

The prime consultant is responsible for contacting SFHRC certified subconsultants.

The prime consultant must divide and identify the contract services into economically feasible units to facilitate SLBE participation in the contract.

The prime consultant must document that he/she has contacted SLBE subconsultants, not less than ten (10) calendar days prior to the submission of statement of qualifications.

The prime consultant must provide documentation of follow-up to the subconsultants of their desire to submit statement of qualifications. The prime consultant must comply and...
provide documentation of compliance with the advertising requirements needed to meet the good faith effort.

"Good faith efforts", when required of a prime consultant or construction-related professional services provider, shall mean the steps undertaken to comply with the goals and requirements imposed by SFCCD, and shall include the following:

1. Contacting the District to identify SLBEs. This includes attending pre-proposal meetings to receive instruction on the District’s SLBE program.

2. Contacting the SFHRC to identify SLBEs.

3. Publishing advertisements in at least two trade papers, or papers focusing on SLBEs, two weeks prior to qualification/proposal submittal, unless the District waives the requirement because time limits imposed by the District do not permit that advertising.

4. Submitting request for qualifications/proposals to potential SLBEs. This level of effort must be sufficient to ensure that willing SLBEs, that perform services within the scope of the project, respond to the request. A sufficient effort includes:
   a. Identifying units of work that SLBEs have the capacity to perform;
   b. Contacting at least 50% of the list of identified SFHRC certified firms for a given profession or specialty;
   c. Having follow-up contact with a majority of the SLBE firms solicited.

5. Considering available SLBEs by contacting those willing and able to perform services within the scope of the project by:
   a. Directly negotiating with SLBE firms;
   b. Providing the scope of work and other documentation necessary in a timely manner for SLBEs to prepare a statement of qualifications.

Prime consultants should offer smaller portions of work or other assistance that could reasonably be expected to produce a level of SLBE participation sufficient to meet the goals. Prime consultants should utilize all available resources and methods to solicit SLBE subconsultant participation. This will help ensure that subconsulting goals are met in the most cost-effective and timely manner possible.

Form 5 Compliance Affidavit:

The affidavit must be completed and submitted with the response to RFQ; otherwise the response may be determined non-responsive and rejected.
Forms 6, 7, and 8 are for progress payment reporting by the prime consultant during the life of the project. These forms are provided herein, and the necessary instructions are contained on each form.

1.04 PRIME CONSULTANT’S CONTRACT REQUIREMENTS

Whenever contract supplements, amendments, or modifications that require Board approval are necessary, the consultant shall be required to comply with those participation goals that are applied to the original contract with respect to the supplement, amendment, or modification.

The prime consultant must include in any subcontract with a SLBE subconsultant, a provision that provides a remedy for the prime consultant’s noncompliance with the commitment to utilize SLBE subconsultants. This contractual provision shall include an agreement by the prime consultant to compensate any SLBE subconsultant if the prime consultant does not fulfill its commitment to utilize the SLBE subconsultant. This contractual provision shall also state that it is enforceable in a court of competent jurisdiction.

Suggested language for the agreement between the prime consultant and the subconsultant is as follows:

"Prime consultant shall fulfill its commitment to utilize and compensate the SLBE subconsultant to the full extent agreed to by prime consultant. In the event SLBE subconsultant is not so utilized, prime consultant shall nonetheless compensate the subconsultant. This provision shall be enforceable in a court of competent jurisdiction."

1.05 SLBE QUALIFICATION REQUIREMENTS

The District will only accept firms certified with SFHRC. Upon proof of certification, firms are eligible for participation in the District’s SLBE Program as follows:

A. If the selected subconsultants are already listed in the HRC directory of certified firms, the District's Contract Compliance Office will proceed in evaluation of the qualification or proposal for award of contract;

B. District will not accept applications for SFHRC certification.

1.06 SUBSTITUTION, REMOVAL, OR CONTRACT MODIFICATION OF SLBE

No substitution can be made of a listed subconsultant without the prior written approval of the District. The subconsultant will be notified in writing of a substitution. In the event a SLBE subconsultant is to be replaced, the consultant shall be required to make good faith
efforts to replace the original SLBE firm with another SLBE firm. The procedures for reviewing the consultant’s good faith efforts will be as set out above.

During the term of the contract, any willful failure to comply with the participation goals agreed upon by the consultant in the response to RFQ shall be deemed a material breach of contract

1.07 WORKFORCE COMPLIANCE

Prior to being awarded a contract, each firm must submit to the District the following Equal Employment Opportunity Statement on the firm’s letterhead:

“____________________, agrees that it shall not discriminate against any employee in the workplace or against any applicant for such employment because of race, religion, sex, color, or national origin, handicap, age, gender identification, or sexual orientation.”

In addition, each firm must submit to the District FORM 9 as included herein. These workforce requirements shall be incorporated into the contract.

1.08 NONCOMPLIANCE AND SANCTIONS

A. Noncompliance with Board Resolution No. 010426-P1

A complaint of discrimination or noncompliance concerning SLBE participation initiated by any party after contract award will be processed in accordance with Board Resolution 010426-P1 and the following Rules and Regulations.

a. If the District's Contract Compliance Office determines there is cause to believe that a consultant has failed to comply with any of these requirements, the District's Contract Compliance Office shall attempt to resolve the noncompliance through conciliation.

b. If the noncompliance cannot be resolved, the District's Contract Compliance Office shall submit to the consultant a written Finding of Noncompliance. The consultant shall be given ten (10) calendar days to appeal the Finding of noncompliance, or otherwise it will be final.

B. Willful or Bad Faith Noncompliance

The Contract Compliance Office may require such reports, information, and documentation from consultants as are reasonably necessary to determine compliance with the requirements of Board Resolution No. 010426-P1, Program, and Rules and Regulations.
If the District's Contract Compliance Office determines that there is cause to believe that any construction-related professional service provider, consultant or subconsultant has failed to comply in good faith with any of these requirements of Board Resolution No. 010426-P1, or contract provisions pertaining to SLBE utilization, the District's Contract Compliance Office is empowered to conduct an investigation. After affording the consultant notice and an opportunity to be heard, the District's Contract Compliance Office may impose sanctions for each violation.

Such sanctions shall include but are not limited to the following actions:

1. Declaring the consultant to be non-responsive and ineligible to receive the award.

2. Declaring the consultant an irresponsible proposer and disqualifying the consultant from eligibility for providing goods or services to the District for a period of five (5) years. The consultant will have a right to review and reconsideration by the District after two (2) years upon a showing of corrective action, indicating that violations are not likely to recur.

3. Declaring that the consultant has willfully failed to comply with the provisions of Board Resolution No. 010426-P1 and imposing as liquidated damages whichever is the greatest:
   a) An amount equal to the consultant's net profit.
   b) Ten percent (10%) to the total amount of the contract.
   c) One thousand dollars ($1,000).

C. Appeal of Willful or Bad Faith Noncompliance Finding

1. Within ten (10) calendar days of the finding, the consultant or subconsultant may appeal the District's decision to sustain, reverse or modify the Contract Compliance Office's findings and sanctions imposed or take other action such as will effectuate the purpose of this program.

2. An appeal by an aggrieved business under this subsection shall not stay the Contract Compliance Office's finding.

3. The District's Contract Compliance Office shall send a written notice to the Office of Facilities Planning and Construction to advise the District's Controller that a determination of bad faith non-compliance has been made, and that payments due the consultant shall be withheld in accordance Section 1.07 of this document.

1.09 RFQ/RFP PROTEST PROCEDURES

Any consultant or subconsultant who has submitted a response to a RFQ or RFP for a particular project and who has knowledge of or suspects a violation by, another prime
consultant or subconsultant and feels that such statement of qualifications should be rendered non-responsive because of violations of District’s SLBE policy, may file a formal protest by identifying in writing the violation, particular project, and the date statement of qualifications was received.

The protest must be received by the Contract Compliance Office within ten (10) calendar days after the response to the RFQ due date. All notice of protests must be sent to the following address: San Francisco Community College, Contract Compliance Office, 33 Gough Street, San Francisco, CA 94103.
1.10 FREQUENTLY ASKED QUESTIONS

A. **What are the subconsultant goals for this project?**

   The subconsultant goal for this project is included in the RFQ announcement and the general information section of this appendix.

B. **If I am a SLBE prime consultant, can I count myself toward the SLBE subconsulting goals?**

   No, a prime consultant cannot be counted toward a subconsulting goal.

C. **Do I have to meet the SLBE goals if I do not plan to use any subconsultants?**

   If there is a subconsultant goal indicated for this project, the prime consultant *must* meet the subconsultant goal. Therefore, the prime contractor will have to divide the work into economically feasible units to make SLBE subconsultant opportunities available.

D. **What is considered proof of certification?**

   Certification documents include the letter or certificate from the SFHRC stating the expiration date, and the type of goods or services the firm is certified to provide. Proof of certification for each SLBE used to meet the goals must be attached to Form 2.

E. **Where can I find qualified SLBEs?**

   The San Francisco Human Rights Commission makes their listings of certified companies available on the Internet at http://www.ci.sf.ca.us/sfhumanrights/.

F. **Who do I contact to get more information?**

   For more information, contact the District's Contract Compliance Office at (415)241-2284.

G. **If I do not meet the SLBE goal, what should I do?**

   Complete and submit Form 4, describing your good faith efforts. If you are using a good faith effort to meet the subconsulting goals, you *must* complete Form 4 to be considered responsive.

H. **If the consultant is a certified local business, must Forms 2, 3 and 4 be submitted with the statement of qualifications?**

   All consultants must submit the required Form 2. This form *must* be included with the statement of qualifications in order for it to be considered responsive.
PART 2. FORMS

FORM 1  SLBE EVALUATION CREDIT APPLICATION

This form is to be completed and returned with your statement of qualifications. If you fail to do so, you will be denied the evaluation credits on this contract. The District’s Contract Compliance Officer will make the determination.

Evaluation credits are for District-funded construction professional services projects:

1. Are you certified with the San Francisco Human Rights Commission?
   □ Yes  □ No
   □ Pending: Application Submittal Date _______________________

2. Project name: ____________________________________________________

3. Statement of qualifications date:
   ________________________________________________________________

4. Prime consultant:
   Name: __________________________________________________________
   Address: ________________________________________________________
   City: ____________ State: ___ Zip:_______ County: _________________
   By: _____________________________________________________________
   Signature of authorized person

Please type or print name

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<th>PLEASE CHECK THE APPROPRIATE BOXES (for tracking purposes)</th>
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<td>Filipino American</td>
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<tr>
<td>Caucasian</td>
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<td>SLBE= Local Business Enterprise</td>
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Page 2 SFCCD - SLBE EVALUATION CREDIT APPLICATION

Note: Joint venture evaluation credits will not be granted unless this portion is completed. Allocated contract percentage (%) must be filled in.

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<tr>
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<th>Partner No. 1</th>
<th>Partner No. 2</th>
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<td>Allocated contract percentage</td>
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<td>Allocated contract percentage</td>
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Signature: ____________________________________________
Date: _______________________________________________
Joint venture: _________________________________________
Date: _______________________________________________
Partner (If Applicable): ___________________________________
**FORM 2  IDENTIFICATION LISTING OF PRIME AND SUBCONSULTANTS**

In accordance with the request for qualifications, each consultant shall complete and submit identification information listed below with his/her statement of qualifications:

<table>
<thead>
<tr>
<th>NAME OF PRIME CONSULTANT</th>
<th>ADDRESS OF BUSINESS AND TELEPHONE</th>
<th>*ETHNICITY OF OWNER</th>
<th>*GENDER OF OWNER</th>
<th>CERTIFICATION AS SLBE (YES OR NO)</th>
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Each consultant must complete this form and submit with the statement of qualifications. All other information required on the form should be filled out. List all the SLBE and non-SLBE subconsultants, if any. Attach proof of certification for each of the SLBE subconsultant. If there are no subconsultants state “NONE”.

<table>
<thead>
<tr>
<th>NAME, ADDRESS AND TELEPHONE NUMBER OF SUBCONSULTANT</th>
<th>TYPE OF SERVICE</th>
<th>MINIMUM PERCENT OF CONTRACT</th>
<th>*ETHNICITY OF OWNER</th>
<th>*GENDER OF OWNER</th>
<th>CERTIFICATION AS SLBE (YES OR NO)</th>
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**Ethnicity Code**

- CH = Chinese American  
- AF-AM = African American  
- NA = Native American  
- FI = Filipino American  
- H = Hispanic American  
- JA = Japanese American  
- CA = Caucasian  
- EI = East Indian American

**Gender Codes**

- M = Male  
- F = Female

**Certification Codes for tracking purposes**

SLBE = Local Business Enterprise

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SLBE Rules, Regulations, and Forms for Construction-Related Professional Services  
June 28, 2001 – Revised 03/01/02
**FORM 3 - JOINT VENTURE (JV) PARTICIPATION SCHEDULE FOR SLBE**

The consultant must submit this form if it is a joint venture claiming an SLBE ratings preference based on SLBE participation in a joint venture. This form must be returned with the statement of qualifications. If the form is not returned with the statement of qualifications, the statement of qualifications may not receive evaluation credit for SLBE joint venture participation. Attach proof of SLBE certification for each JV partner.

1. Name of project: ____________________________________________

2. Name(s) of all JV Partners: (Check if SLBE is applicable)

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<th>SLBE</th>
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1. Number of personnel that will be assigned to this project by each JV Partner.

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<th>Name of JV Partner</th>
<th>Number of Personnel</th>
<th>Job Title</th>
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1. Location of JV office(s):

:____________________________________________________________________________

2. Describe the JV’s insurance:

____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________

3. Describe profit and loss distribution among JV Partners, unless included in the joint venture agreement:

____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
4. Describe the management of the JV:

<table>
<thead>
<tr>
<th>Name of each person performing management roles</th>
<th>Name of JV Partner employing each person</th>
<th>Describe management role of each person</th>
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1. Describe any management or incentive fees not included in the JV agreement:

______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________

2. Names of persons that will be authorized to sign checks for the JV. Include any restrictions on such authorization, such as limitations to checks below a specified dollar amount, or checks for certain uses, or checks with a co-signer:

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<th>Names</th>
<th>Conditions</th>
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1. Attach copy of JV Agreement.

2. Attach copy of bank signature cards for the joint venture and indicate bank name and address.

Distribution of tasks among the JV Partners:

<table>
<thead>
<tr>
<th>Description of prime tasks</th>
<th>Task as % of all prime tasks</th>
<th>% Of task by non-SLBE</th>
<th>% of task by SLBE</th>
<th>SLBE prime consultant work</th>
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<td>%</td>
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a. Percentage of all JV partner tasks performed by SLBE JV partners:

b. The ratings preference is awarded based on the SLBE tasks calculated as a percentage of the prime consultant work:

Total contract tasks          100%
Percentage of total work to be performed by subconsultants -____
Percentage of prime joint venture work          =____

JV partners are encouraged to gain approval of their joint venture by the SFCCD Contract Compliance Officer prior to submitting their statement of qualifications.

Firm (Print)                  Firm (Print)
__________________________________________________________
Owner/Authorized Representative (Signature) Owner/Authorized Representative (Signature)
__________________________________________________________
Name and Title (Print)         Name and Title (Print)
__________________________________________________________
Date                          Date

All joint venture partners are to sign this form.
Form 4  **CONSULTANT’S GOOD FAITH EFFORT REPORT**

If the required SLBE subconsultant participation goal is not met, this form must be completed and submitted along with compelling documentation detailing the good faith efforts made, or the statement of qualifications will be deemed non-responsive and rejected.

Even if the consultant’s Form 2 Identification Listing of Prime and Subconsultants indicates that the SLBE goal will be met, consultants should submit the following information to protect their eligibility for the contract. Form 4 could be used as a tracking record during statement of qualifications preparation. This is important. SFCCD may determine after analyzing a submittal that a consultant did not meet the goal because, for example, a subconsultant listed by the prime was not certified. Consultants therefore should not rely on having submitted Form 2, because that form will not normally provide sufficient information to demonstrate that the consultant made good faith efforts. A consultant may not meet the SLBE goal after the submittal is analyzed for various reasons, e.g. if a subconsultant listed by the consultant was not certifiable on the due date for statement of qualifications.

Please submit the following information:

1. The names and date on which all certified SLBEs were solicited by direct mail for this project and the dates and methods used for following up initial solicitations to determine with certainty whether the SLBEs were interested. Attach copies of any related correspondence.

2. Services for which SLBE subconsultant services were solicited: the RFQ and other relevant information furnished by interested SLBEs in response to the solicitation; and any breakdown of items into economically feasible units to facilitate SLBEs’ participation. *Where there are SLBEs available for doing portions of the project normally performed by the consultant with his/her own staff, the consultant will be expected to make such portions available for SLBEs.*

3. Provide the information requested on Form 4:
   
   i. The name, address, contact person, and date of contact for any SLBEs who submitted a statement of qualifications that was not accepted.
   
   ii. A summary of any discussions or negotiations with the name of the rejected company.
   
   iii. The reason for rejecting an SLBE. If that reason was price, provide the rejected SLBE’s statement of qualifications and a copy of the selected firm’s statement of qualifications.

Provide any additional data to demonstrate your good faith efforts, including copies of advertisements from trade publications and/or newspapers and contacts made with SLBE assistance agencies.
### Form 4

<table>
<thead>
<tr>
<th>Consultant’s good faith effort</th>
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<tbody>
<tr>
<td><strong>i. Name, address, contact person, and date of contact for rejected SLBEs</strong></td>
</tr>
<tr>
<td><strong>ii. Summary of negotiations with rejected SLBEs</strong></td>
</tr>
<tr>
<td><strong>iii. Reason for rejection of any SLBE</strong></td>
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</table>

**Note:** Use additional sheets of paper if necessary for your response.

Signature of Consultant

Title

Name of Company

Address

Telephone Number
FORM 5 COMPLIANCE AFFIDAVITS
CONSTRUCTION-RELATED PROFESSIONAL SERVICE CONTRACTS

This affidavit must be completed and signed under penalty of perjury by the consultant.

The completed affidavits must be returned with the statement of qualifications or the statement of qualifications will be determined non-responsive and rejected.

1. I will ensure that my firm complies fully with the provisions of SFCCD SLBE Program, its implementing Rules, Regulations and Requirements and Board of Trustee’s Resolution No. 010426-P1.

2. I acknowledge and am hereby advised that upon a finding of noncompliance with the provisions of the program and/or Resolution No. 010426-P1, SFCCD is authorized to impose penalties that may include any of the following:
   a. Refusal to certify the award of a contract;
   b. The suspension of a contract;
   c. The withholding of funds;
   d. The revision of a contract for material breach of contract;
   e. Disqualification of my firm from eligibility for providing goods and services to the SFCCD for a period not to exceed five (5) years.

3. I acknowledge and have been advised, and hereby agree, that if my firm fails to comply in good faith with the provisions of Resolution No. 010426-P1, my firm shall be liable for liquidated damages for each violation in an amount equal to my firm's net profit on the contract, or ten percent (10%) of the total amount of the contract, or one thousand dollars ($1,000), whichever is the greatest. The SFCCD Contract Compliance Office will determine the amount of liquidated damages imposed after investigation pursuant to Resolution No. 010426-P1.

4. I acknowledge and agree that any liquidated damages assessed against me by SFCCD shall be payable to SFCCD upon demand. I further acknowledge and agree that any liquidated damages assessed may be withheld from any monies due to me on any contract with the SFCCD.

5. A signature by the consultant affixed to this affidavit constitutes an agreement with SFCCD to comply with the provisions of Resolution No. 010426-P1.

6. I attest that the Equal Opportunity Commission, State of California Department of Fair Employment and Housing, or the U. S. Department of Labor Contract Compliance Program has taken no adverse action against my firm. Otherwise, an explanation is attached.

7. I declare that the above provisions are attested to under penalty of perjury under the laws of the State of California.

_____________________________   _______________ _____________
Owner/Authorized Representative      Date
(Signature)

_____________________________   _______________ _____________
Owner/Authorized Representative     Name of Firm
(Print)           (Print)
FORM 6  MONTHLY PROGRESS REPORT

This prime consultant and subconsultant participation report is to be completed by the prime consultant and submitted to SFCCD with its monthly progress payment application.

TRANSMITTAL  To: Project Manager  Copy: SFCCD Contract Compliance Office

From: Consultant_________________________________________  Date Transmitted: ____________________

PART 1: Fill in all blanks.

Contract Number: ______________________  Contract Title: __________________________________

Reporting Period (Month and Year): _______________  Corresponding Progress Payment No. _______________

The information submitted on Parts 1 and 2 of this form is accurate for the progress payment period immediately preceding that of the current payment application attached herewith.

1. Amount of Prime Contract: $ ___________________________

2. Amount of Amendments and Modifications to Date: $ ___________________________

3. Total Contract to Date including Amendments, and Modifications (Line 1 + Line 2): $ ___________________________

4. Amount Invoiced this Reporting Period: $ ___________________________

5. Total Amount Paid to Date including Retention (excluding Line 4): $ ___________________________

6. Amount of Progress Payments Requested to Date (Line 4 + Line 5): $ ___________________________

7. Percent Complete (Line 6 + Line 3):       _________________________%

8. Reporting Period – From (date): _________________________  To (date): ___________________________

Prime consultant, including each joint venture partner, must execute this form.

Owner/Authorized Representative (Signature)  Owner/Authorized Representative

Name & Title (Please Print)  Name & Title (Please Print)

Firm Name  Firm Name

( ) ______________________________  ( ) ______________________________
Telephone       Date  Telephone       Date

APPROVED BY: ______________________________  Date Approved: ______________________________

Contract Compliance Officer

SLBE Rules, Regulations, and Forms for Construction-Related Professional Services
June 28, 2001 – Revised 03/01/02
Form 6- PART 2: Provide complete information in the following table for the prime consultant, each SLBE joint venture partner, and all subconsultants. Make copies of this sheet as needed. Attach copies of all invoices from SLBE subconsultants supporting the information tabulated on this form, and consultant’s invoice, and Contract Payment Authorization for the immediately preceding progress payment period.

Note: Failure to submit all required information may lead to partial withholding of progress payment.

<table>
<thead>
<tr>
<th>Name of Firm (List prime consultant, each joint venture partner, and all subconsultants. Indicate if the firm is a SLBE)</th>
<th>Amount of subconsultant purchase order</th>
<th>Amount of amendments to date</th>
<th>Total amount subconsultant purchase order to date + amendments</th>
<th>Amount invoiced this reporting period</th>
<th>Amount of progress payments paid to date</th>
<th>Percent complete to date</th>
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SLBE Rules, Regulations, and Forms for Construction-Related Professional Services
June 28, 2001 – Revised 03/01/02
FORM 7  EXIT REPORT AND AFFIDAVIT

To be completed by prime consultant, including all joint venture partners if any, and submitted to SFCCD with the final progress payment application.

TRANSMITTAL  To: Project Manager  Copy: SFCCD Contract Compliance Office

From: Consultant_________________________________________  Date Transmitted: ____________________

Reporting Date: ___________________

I/We declare, under penalty of perjury under the laws of the State of California, that the information on Page 2 of this form is complete, that the tabulated amounts paid to date are accurate and correct, and that the tabulated amounts owing will be paid within a reasonable time after the date of SFCCD’s final payment under the Contract.

Prime consultant, including each joint venture partner, must sign this form.

___________________________________________  __________________________________________
Owner/Authorized Representative (Signature)  Owner/Authorized Representative (Signature)

Name & Title (Please Print)  Name & Title (Please Print)

Firm Name  Firm Name

___________________________________________  __________________________________________
(       ) ______________________________________ (       )_____________________________________
Telephone    Date  Telephone    Date

___________________________________________  __________________________________________
Owner/Authorized Representative (Signature)  Owner/Authorized Representative (Signature)

Name & Title (Please Print)  Name & Title (Please Print)

Firm Name  Firm Name

___________________________________________  __________________________________________
(       )_______________________________________ (       )_____________________________________
Telephone    Date  Telephone    Date

Note: Failure to submit all required information may lead to partial withholds of progress payment.
## Final Progress Payment Application

<table>
<thead>
<tr>
<th>Name of Firm (List prime consultant, each joint venture partner, and all subconsultants, and indicate if the firm is a SLBE)</th>
<th>Amount of progress payments paid to date</th>
<th>Amount owing under the contract including all amendments, and modifications</th>
<th>Owner/Authorized Representative Signature (prime consultant, each joint venture partner, and all subconsultants)</th>
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**SLBE Rules, Regulations, and Forms for Construction-Related Professional Services**

June 28, 2001 – Revised 03/01/02
FORM 8  SUBCONSULTANT’S PAYMENT AFFIDAVIT

To be completed and submitted by the prime consultant, including all joint venture partners if any, and submitted to SFCCD within ten (10) working days following receipt of each progress payment from the District.

TRANSMITTAL

To: Project Manager

Copy: SFCCD Contract Compliance Office

From: Consultant ________________________________________ Date Transmitted: ____________________

Provide the following information for each progress payment received from SFCCD. Use additional sheets to include complete payment information for all subconsultants utilized on this Contract. Failure to submit all required information may lead to partial withholding of progress payment, delays and/or finding of non-compliance.

Contract No.: ___________________ Contract Title: _____________________________________________________

Contract Award Department: _____________________________________________________________________

Progress Payment No. _____________________________ Period Ending: _______________________________

Amount Received: $ ______________________Date: __________________ Warrant/Check No: ______________

<table>
<thead>
<tr>
<th>Subconsultant’s Name</th>
<th>Business Address</th>
<th>Amount Paid</th>
<th>Payment Date</th>
<th>Check Number</th>
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<tbody>
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I/We declare, under penalty of perjury under the laws of the State of California, that the above information is complete, that the tabulated amounts paid to date are accurate and correct.

Prime consultant, including each joint venture partner, must sign this form

Owner/Authorized Representative (Signature)  Owner/Authorized Representative (Signature)

Name (Please Print/Type)  Name (Please Print/Type)

Title (Please Print/Type)  Title (Please Print/Type)

Firm Name

(   )_________________ (   )_________________ (   )_________________ (   )_________________

APPROVED BY: ________________________________ Date Approved: _____________________________

Contract Compliance Officer
FORM 9   PRIME AND SUBCONSULTANT’S WORKFORCE COMPLIANCE FORM

1. Company Name __________________________________________________

   Address  __________________________________________________

   City ______________________  State  _____  ZIP  ____________

2. Official responsible for recruitment and hiring at the establishment who can provide information concerning this matter.

   Name __________________________________________________

   Title __________________________________________________

   Phone (________) ________________________________________

3. If the bidder has completed a similar questionnaire and submitted this data to City College with a previous contract proposal within the past year, please indicate:

   Contract Proposal # ___________________________________________

   Date Submitted ___________________________________________

   You may omit questions 4-8.

4. Senior Managing Official, if different from #2 above.

   Name __________________________________________________

   Title __________________________________________________

   Phone (________) ________________________________________

5. Describe briefly the basic business activity at the establishment, i.e., identify the product supplied or the service performed.

6. Describe briefly how employees at various levels are hired. (See workforce breakdown #8 on reverse).

7. Describe in full the affirmative action programs in past two years which serve to increase number of underrepresented minorities. Attach any written programs.

NOTE: The term "minority" refers to the following groups: American Indian or Alaskan Native; Asian or Pacific Islander; Black; Filipino; and Hispanic. A minority business enterprise is at least 51% owned and/or controlled by minority groups members. The percentages for a woman-owned business are the same.

(over)
Form for Construction-related Professional Services

**WORKFORCE DATA**


Name of company or organization ________________________________

<table>
<thead>
<tr>
<th>EMPLOYEE CATEGORIES</th>
<th>Total Employees</th>
<th>Black</th>
<th>Hispanic</th>
<th>Asian, Pacific Isl.</th>
<th>Filipino</th>
<th>Amer. Ind., Alaska Ntv.</th>
<th>Total Minority</th>
<th>Total White</th>
<th>% White</th>
<th>% Minority</th>
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Completed by: Name ________________________________ Title ____________________________ Date ____________________