Contracting 101
with the
Port of Oakland

Wednesday, January 14, 2015
Jack London Aquatic Center
8:30 a.m. – 11:30 a.m.

Agenda

8:30 a.m. – 8:45 a.m.  Registration

8:45 a.m. – 9:00 a.m.  Welcome & Introduction
J. Christopher Lytle, Executive Director
Amy Tharpe, Director of Social Responsibility
Chris Chan, Director of Engineering

9:00 a.m. - 10:15 a.m.  Contracting 101 at the Port
Steve Low - Capital Improvement Program/Procurement
Bill Russell - Accessing Public Works Projects Online
Lila Zinn - Non-Discrimination Small/Local Business Utilization Policy
Pamela Bell - Port Certification
Donna Cason - Maritime and Aviation Project Labor Agreement and Prevailing Wages
Betsy Ross – Risk Management and Insurance

10:15 a.m. – 10:45 a.m.  Questions

10:45 a.m. – 11:00 a.m.  Contractor Testimony

11:00 a.m. – 11:30 a.m.  Networking
Contracting 101 with the Port of Oakland

January 14, 2015

Five Year Capital Improvement Program

$570 Million worth of work in the next 5 years

5 Year Capital Improvement Program (Millions)

Airport: $434 M  Seaport: $128 M  Commercial Real Estate: $8 M

S. Low
$570 Million Plus

- Port continues to assess and explore alternative funding strategies for additional project dollars
  - Recent approval by voters of Measure BB may provide the necessary funding to add more $ for projects
  - Infrastructure Grants
  - Security Grants

Bid Requirements

- Valid State of California Contractor’s License
  - March 1, 2015: No contractor or subcontractor may be listed on a bid proposal for a public works project unless registered with Department of Industrial Relations (DIR)
  - April 1, 2015: No contractor or subcontractor may work on a public works project unless registered with DIR
- Bonds
- Insurance
- Security Badging
- List of Required Documents Specified in Document 00200
  1. Bid Form
  2. Surety Bond not less than 10% of Bid Amount
  3. Contractor Registration and Safety Experience Form
  4. Port of Oakland Subcontractor and Supplier List Form
  5. Construction and Demolition Debris Waste Reduction and Recycling Plan
  6. Regulatory Compliance Statement
  7. Non-collusion Declaration
  8. Bidder Certifications
  9. And others depending on contract requirements
Procurement Methods

What are the different ways that the Port procures for its Public Works projects?

• The Port contracts for public works services in two ways:
  
  1. Purchase Orders
  2. Construction Contracts

Purchase Orders

• Work between $10,000 and $50,000
  o 3 Quotes

• Work Under $10,000
  o 1 Quote

For more information regarding the Purchase Order Process, go to http://www.portofoakland.com/opportunities/purchasing.aspx

S.Low
Construction Contracts

- Work over $50,000 requires a formal bid process
- Typical Formal Bid Process includes:
  - Advertise in the newspaper, Port Website, and eBidboard
  - Award to the lowest responsible responsive bidder

S. Low

Port Public Works Projects Online

- How to Find Port Public Works Projects Online
  - Plans and specs for projects < $50,000
  - Plans and specs for projects > $50,000

B. Russell
1. Go to www.portofoakland.com

2. Hover cursor over “Business”

3. Click on “Bids/RFPs/RFQs”

4. Click here for public works projects > $50,000 (posted by Engineering Dept.)

5. Scroll down for public works projects < $50,000 (posted by Purchasing Dept.)
6. Click here to go to hosting website

Trouble downloading plans & specs? Click here for complete instructions

All current Port public works projects > $50,000 are listed on this page

Click on the project title for more information on the project and to download plans & specs:

- Basic Project Information
- Links to download plans & specs
- Plan holders list
Hosting Website: Project Page (Top)

General information about the project

Hosting Website: Project Page (Middle)

- List of project documents
  - Click on any link to (a) register as plan holder and (b) download project documents
  - See “Help File” for complete instructions
List of plan holders
Your firm will appear on the list when you register
List includes plan holders / builders exchanges/ other agencies

Bid results for public works projects > $50,000 are posted on the hosting website
- See the instruction manual for more information

Please contact Bill Russell (510.627.1439) for assistance in
- Downloading plans and specs
- Obtaining bid results

B. Russell
Non-Discrimination and Small Local Business Utilization Policy

• NDSLBP was adopted by Board Commissioners in 1997

• Basis for this policy to ensure non-discrimination:
  o Contracting
  o Create and grow businesses in the Port’s market area

• Applicable to all Port funded public works construction projects

• Maximum 10 point preference = Bid Discount!!!
  o Teaming with Port certified small/local businesses
  o Self performance by Prime General Contractor

L. Zinn

Preference Points

• The NDSLBP today:
  o Public Works Construction Projects
    1. 10 preference points maximum
    2. Base platform is the LIA/LBA
    3. Portwide application and support
    4. SBE set-aside program

• MUST be certified at bid opening for preference points
  o Submit complete application package 7 business days prior bid open

L. Zinn
NDSLBU Policy

• Support for the NDSLBUP
  o Prompt payment
  o Disputes
  o Labor

• Local Impact Area (LIA)
  o Cities of Oakland, Alameda, Emeryville and San Leandro

• Local Business Area (LBA)
  o Cities in Alameda and Contra Costa Counties

• Small and Very Small Business Enterprise (SBE/VSBE)

• On-line Certification Application Process

L. Zinn

Types of Certifications

• Local Impact Area (LIA)
  o Areas most impacted by Port projects
  o Cities of Oakland, Alameda, Emeryville and San Leandro

  o Small Business Enterprise (SBE)
    ▪ Dollar size cap is $14,000,000 of average annual gross revenue or less over the past 3 years
    ▪ Must qualify for LIA status

  o Very Small Business Enterprise (VSBE)
    ▪ Dollar size cap is $3,500,000 of average annual gross revenue or less over the past 3 years
    ▪ Must qualify for LIA status

• Local Business Area (LBA)
  o All other cities in Alameda and Contra Costa Counties

P. Bell
Certification Minimum Criteria

- **Business Must Be**
  - Located in Alameda County or Contra Costa County for at least 1 year
  - Located at a fixed commercial or residential address
  - Temporary or moveable office, a post office box, or a telephone answering service are not acceptable
  - Must submit application and all supporting documentation at least 7 business days prior to bid or due date

P. Bell

Required Documents

- **Professional License**
  - Valid current construction, professional or trade license, certificate or permit

- **Business License**
  - Current and prior year business license or tax certificate issued by the city or county the business is located in

- **Lease Agreement**
  - Current Rental or Lease Agreement
  - For home office, copy of Property Tax Statement, Grant Deed, or Federal Tax Form 8829

- **Tax Returns**
  - Submit most recent 3 years of Federal Tax Returns if applying for SBE/VSBE status, must be LIA certifiable

P. Bell
Benefits of Becoming Certified

• Preference points

• Upon request, new or renewal certification application is shared with partnering agencies (Alameda County, Alameda CTC and City of Oakland)

• Certification approvals are valid for 2 years

• Receive notice of bid opportunities

• Inclusion in local certified database, 500+, teaming purposes

• Accessible by all contractors for project teaming purposes

• No cost and free web advertisement

P. Bell

Online Certification Application

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

P. Bell
What is MAPLA?

- Maritime and Aviation Project Labor Agreement (MAPLA) was adopted in 2000

- Purpose:
  - Maintain project stability, sufficient skilled workforce, and hiring from the local community
  - A vehicle for building the capacity of local residents and businesses

D. Cason

### Coverage

- On-site construction, modifications, alterations, repair and demolition of Port Projects in the Maritime and Aviation areas
  - Maritime $> 50k$
  - Aviation $> 50k$

- Tenant Improvements
  - Maritime $> 150k$
  - Airport North Field $> 150k$
  - Airport South Field $> 50k$

- Commercial Real Estate (CRE) not covered

- There may be a MAPLA exclusion for projects placed in the Small Business Program

D. Cason
Points of Interest

- Document 00823 in Port of Oakland’s standard contract provisions
- Core Worker Provision
  - Non-Union contractors can bring their own workers to the job
- Uniform Drug Testing
- Prevailing Wages
  - All public work projects (even non MAPLA) require payment of prevailing wages
  - All contractors are required to sign a Letter of Assent (LOA)
- MAPLA Social Justice Trust Fund
  - For every hour worked, $0.15 is collected for workforce development and training

D. Cason

Hiring Goals

Contractors must make a good faith effort to ensure that:

Journey Workers
- 50% of all hours are worked by Local Impact Area (LIA) residents, on a craft by craft basis, if workers are available, capable and willing
- Failing that, 50% of all hours are to be worked by Local Business Area (LBA) residents

Apprentice
- 20% of all hours to be worked by apprentices, if apprentices are available, capable and willing
- 100% of all apprentice hours to be worked by LIA residents, if such apprentices are available, capable and willing

D. Cason
MAPLA and Monitoring

- Contractors enter prevailing wage and local hire data into a web accessed monitoring system
  
- Hill International – MyLCM
  - Electronic Certified Payroll Reports (CPRs) are due weekly
  - No cost to contractor for using the system
  - Every contractor on the job is required to submit electronic CPRs
  - Details on how to use the system are supplied when Notice to Proceed is issued
  
- Data collected by the system, will determine if contractors are meeting the local hire and apprenticeship requirements

D. Cason

Prevailing Wages

- Prevailing wages are located on the Department of Industrial Relations (DIR) website (dir.ca.gov or 415.703.4774)
  
  - If a wage increase negotiated in a local agreement becomes the prevailing wage, the contractor will pay that rate retroactive to the effective date of the locally negotiated wage increase
  
  - Wages are based on Alameda County

D. Cason
Insurance

• Owner Controlled Insurance Program – “OCIP”

• What is included in the OCIP?
  o Commercial General Liability, Contractor’s Pollution Legal Liability and Workers’ Compensation
  o Coverage Applies While On Project Site
  o Premium is paid by the Port of Oakland

• What separate insurance is required of Contractor?
  o Automobile Liability on and off the Project Site
  o Builders’ Risk/Equipment Installation Floater
  o Commercial General Liability and Workers’ Compensation Off of the Project Site

B. Ross

Insurance

• Enrollment Process
  o Contact the OCIP Administrator - Alliant Insurance Services, Inc.
  o OCIP Manual provides further description of the program and how to enroll, and is included in the bid documents

• Excluded Contractors
  o Although it is anticipated that most Contractor activities will be covered by OCIP, some Port projects involve specialty contractors that will be required to carry separate insurance. These situations will be called out in the bid documents

B. Ross
Presenters

- Steve Low  Engineering  510.627.1890  sklow@portoakland.com
- Bill Russell  Engineering  510.627.1439  brussell@portoakland.com
- Lila Zinn  Social Responsibility Division  510.627.1485  lzinn@portoakland.com
- Pamela Bell  Social Responsibility Division  510.627.1419  pbell@portoakland.com
- Donna Cason  Social Responsibility Division  510.627.1252  dcason@portoakland.com
- Betsy Ross  Risk Management  510.627.1535  bross@portoakland.com
- OCIP Administrator  415.403.1445  OCIP@portoakland.com

Questions
Contractor Testimony

- Beci Electric       Rebecca Anderson
- TDW Construction   Edmundo Alire
- Turner Group Construction Len Turner
### PORT OF OAKLAND

**ANTICIPATED CONSTRUCTION PROJECTS NEAR TERM**

<table>
<thead>
<tr>
<th>SEQ #</th>
<th>PROJECT TITLE</th>
<th>Preliminary Construction Estimate</th>
<th>Scheduled Advertise CY - Qtr*</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Runway 10R-28L Shoulder Rehabilitation, North Field, Oakland International Airport (OIA)</td>
<td>$260,000</td>
<td>2015, 1st Qtr</td>
</tr>
<tr>
<td>2</td>
<td>AOA Security Fence Installation at Cargo Building M-112, South Field, OIA</td>
<td>$275,000</td>
<td>2015, 1st Qtr</td>
</tr>
<tr>
<td>3</td>
<td>Rehabilitation of Lift Station 1</td>
<td>$360,000</td>
<td>2015, 1st Qtr</td>
</tr>
<tr>
<td>4</td>
<td>Site Preparation for New Restroom Facility at Taxi Cab Parking Lot, North Field, OIA</td>
<td>$130,000</td>
<td>2015, 1st Qtr</td>
</tr>
<tr>
<td>5</td>
<td>Annual Contract for Inspecting and Cleaning Port of Oakland Sanitary Sewers</td>
<td>$100,000 per year</td>
<td>2015, 1st Qtr</td>
</tr>
<tr>
<td>6</td>
<td>On-call Contract for Material Crushing Services</td>
<td>$250,000 per year</td>
<td>2015, 1st Qtr</td>
</tr>
<tr>
<td>7</td>
<td>Replacement of EBMUD Water Meter at Oakland International Airport</td>
<td>$550,000</td>
<td>2015, 2nd Qtr</td>
</tr>
<tr>
<td>8</td>
<td>Replacement of Checked Baggage Explosive Detection System, OIA</td>
<td>$5,200,000</td>
<td>2015, 2nd Qtr</td>
</tr>
<tr>
<td>9</td>
<td>Improvement to Airport Perimeter Dike, OIA</td>
<td>$5,000,000</td>
<td>2015, 2nd Qtr</td>
</tr>
<tr>
<td>10</td>
<td>Demolition of Pump House No. 3 &amp; Storm Drainage Improvements, North Field, OIA</td>
<td>$440,000</td>
<td>2015, 3rd Qtr</td>
</tr>
<tr>
<td>11</td>
<td>North Field Vehicle Service Road Paving, OIA</td>
<td>$1,300,000</td>
<td>2015, 3rd Qtr</td>
</tr>
<tr>
<td>12</td>
<td>Air Cargo Road Rehabilitation, OIA</td>
<td>$2,000,000</td>
<td>2015, 3rd Qtr</td>
</tr>
<tr>
<td>13</td>
<td>Runway 12-30 Overlay, South Field, OIA</td>
<td>$18,000,000</td>
<td>2016, 2nd Qtr</td>
</tr>
</tbody>
</table>

**Upcoming Requests for Proposals for Professional Services Issued by the Port of Oakland Engineering Department:**

(Please check Port of Oakland website as indicated below for professional services opportunities from other Port Departments)

<table>
<thead>
<tr>
<th>SEQ #</th>
<th>PROJECT TITLE</th>
<th>Estimate</th>
<th>Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Design of Maritime Security System Expansion to Oakland Army Base</td>
<td>$300,000</td>
<td>Proposals Due Jan 20, 2015</td>
</tr>
<tr>
<td>2</td>
<td>On-call Engineering Design Services - (multiple contracts, 3 year max term)</td>
<td>$2 million per year</td>
<td>2015, 1st Qtr</td>
</tr>
<tr>
<td>3</td>
<td>On-call Hydrographic Surveying and Mapping Services - (3 year max term)</td>
<td>$150 million per year</td>
<td>2015, 1st Qtr</td>
</tr>
<tr>
<td>4</td>
<td>On-call Construction Management (CM) Services - (multiple contracts, 3 year max term)</td>
<td>$1 million per year</td>
<td>2015, 1st Qtr</td>
</tr>
<tr>
<td>5</td>
<td>On-call Land Surveying &amp; Mapping Services (3 year max term)</td>
<td>$200 million per year</td>
<td>2015, 1st Qtr</td>
</tr>
</tbody>
</table>

*NOTE: Schedule Based on Calendar Year (CY) Starting January 1st
1st Quarter = January, February, March
2nd Quarter = April, May, June
3rd Quarter = July, August, September
4th Quarter = October, November, December

To determine which projects are currently out to bid or to obtain the Bidding Documents go to the Port of Oakland website at [http://www.portofoakland.com/Bids](http://www.portofoakland.com/Bids) for construction projects and to [http://www.portofoakland.com/opportunities/bidsrfpsrfqs.aspx](http://www.portofoakland.com/opportunities/bidsrfpsrfqs.aspx) for professional services projects. Detailed instructions on downloading the Bidding Documents are available at the following web address: [http://www.portofoakland.com/DownloadInstructions](http://www.portofoakland.com/DownloadInstructions).

List Updated on: 1/6/2015
Address questions regarding above lists to: Ana Ward, Engineering Services, (510) 627-1253
Bidding documents for Port of Oakland public works projects are currently being distributed exclusively\(^1\) in digital (PDF) format, via a hosting website. The hosting website is accessible through a link on the Port of Oakland website. There is no charge for downloading when you access the documents via the link on the Port website.

There are four steps involved in downloading the digital plans and project manual for a public works project:

(I) navigating to the hosting website;
(II) locating the "Project Information" page for the project;
(III) registering as a plan holder; and
(IV) downloading the digital files.

(RFPs/RFQs for engineering consulting services are also posted to the same hosting website. See pp. 11 ff., below, for details.)

(I) NAVIGATING TO THE HOSTING WEBSITE

(a) Go to the Port website (www.portofoakland.com) and hover your cursor over "Business" at the top of the home page.

\(^1\) Except for projects whose plans and project manual contain security-sensitive information. Security-sensitive projects are listed on the Web page shown in Figure 5, but portions of the bidding documents are distributed only in hard-copy format.
(b) Select “Bids/RFPs/RFQs” from the “Opportunities” section of the popup menu.

(c) On the Bids/RFPs/RFQs page, click on the link for “Engineering Bids”.

FIGURE 2A: PORT WEBSITE – “BUSINESS” MENU

FIGURE 3A: PORT WEBSITE – “BIDS/RFPs/RFQS” PAGE
(d) On the Current Engineering Bids page, click on this link.

![Current Bids: Port of Oakland Engineering Department](image)

**FIGURE 4A: PORT WEBSITE – “CURRENT BIDS: ENGINEERING” PAGE**

The steps illustrated in Figures 1-4A, above, will take you to the eBidboard.com website, which hosts the Port’s bidding documents.

**(II) THE “PROJECT INFORMATION” PAGE OF eBIDBOARD**

All Port public works projects currently out to bid will be listed on the Port’s eBidboard home page, as shown below:

![Port of Oakland Projects](image)

**FIGURE 5: HOSTING WEBSITE – CURRENT PORT PROJECTS PAGE**

When you click on a *project title*...

...a new page will open, containing general information about the project, as shown on the following page:
As you scroll down this “Project Information” page, you will find a list of downloadable project documents (project-specific Plans and Project Manual, the Port’s Standard Contract Provisions Manual, hazmat reports, etc.) as shown below in Figure 6b. Clicking on any document title in this list will take you to a page where you can either register as a plan holder or, if you are already registered as a plan holder, you can proceed directly to the document download page. See Section III, Registering as a Plan Holder, for further details.
Plan holders for the project are listed at the very bottom of the Project Information web page, along with their contact information. (Incidentally, between the document list and the plan holder list, you will find a list of bid items [not shown in the screen shots herein].)

(III) REGISTERING AS A PLAN HOLDER

To download any portion of the bidding documents, you must register as a project plan holder. Registering as a plan holder, and providing a fax number, will ensure that you receive timely notification of any addenda modifying the plans and project manual. Any such addenda will be posted to the same hosting website as the original plans and project manual.

As noted on page 4, above, you can register as a plan holder via the project document title links on the Project Information page shown in Figure 6b.

Although the Port makes every effort to ensure that all registered plan holders will receive fax notification (and, for those bidders who provide an e-mail address, e-mail notification) of addendum issuance, it is nonetheless advisable for bidders to monitor the website periodically, in case there might be a glitch in the addendum notification process. “Each Bidder is responsible for ascertaining, prior to submitting a Bid, that it has received all issued Addenda” (project manual, Document 00200, paragraph titled “ADDENDA”).

Note that although the links shown in Figure 6b appear to be document download links, they aren’t. The actual download links are on the document download page, shown in Figures 12a and 12b, below. The links shown in Figure 6b take you to the plan holder list page, where you can start the process of registering as a plan holder.
When you click on one of the document titles / links circled in Figure 6b, the web page in Figure 7 will appear, prompting you to register as a plan holder.

![Figure 7: Hosting Website – Plan Holder List Page](image)

To register as a plan holder for the project, click on the blue link that reads “Click here to be added as a plan holder”.

The next screen prompts you to enter your company information.

If you’ve already registered as a plan holder for the project, you can proceed directly to the document download page shown in Figures 12a and 12b, below, by clicking on the double-arrow next to your company’s name.

![Figure 8: Hosting Website – Plan Holder Registration Form](image)
To use the Lookup button, enter part of your company’s name in the “Company” field and click the button. A pop-up window will appear, listing all companies in the eBidboard database with a name similar to the one you entered.

For example, if you enter the word “Port” in the “Company” field, the list shown in Figure 9 (next page) will appear:

![Figure 9: Hosting Website – Look Up Company Information](image)

When you click on the double-arrow next to your company’s name, the eBidboard database record for your company will be displayed, as shown in Figure 10, below. If the information is correct, click the “Accept” button.

![Figure 10: Hosting Website – Review/Confirm Company Information](image)
If your company is not in the eBidboard database, enter all of the required information in the Plan Holder Registration Form shown in Figure 8, above. Note that the fax number and/or email address you enter when you register as a plan holder will be the destination(s) to which the Port will send addendum notifications.

When you have entered all of the required information, scroll down to the bottom of the Plan Holder Registration Form and click on the “Add” button.

![Add button](image1)

FIGURE 11: HOSTING WEBSITE – ADD NEW COMPANY TO DATABASE

(IV) DOWNLOADING PLANS AND SPECIFICATIONS

When you have completed the registration process described above, you will be taken to the document download page, as shown below. The documents are downloaded from the links in the second column, headed “File Name”.

![Download page](image2)

FIGURE 12A: HOSTING WEBSITE – DOCUMENT DOWNLOAD PAGE
There are two ways to download a file from the document download page.

(1) By double-clicking on a file name, you can open the corresponding document in your web browser’s Acrobat plug-in window [not shown herein]. Once the document has opened, you can save it to your hard drive by clicking on the “Save a Copy” button in the plug-in window. However, it may take some time for the document to open in the browser’s plug-in window; we do not advise using this method if you have a slow Internet connection.

(2) The easiest way to download a file is to right-click on the file name (instead of double-clicking) and select “Save Target As…” from the pop-up menu, as shown below:

![Figure 12B: Hosting Website – Document Download Page](image)

When you use the “Save Target As…” command to download the file to your hard drive, the download will run in the background; it won’t tie up your PC.

You only need to complete the registration process once for each project. If you need to return to the hosting website at a later date to re-download any of the project documents, or to download any documents that you skipped on your first visit, you will find that your company name now appears on the project plan holder list page shown in Figure 7, above, and (as noted in Figure 7) you will be able to proceed directly to the download page by clicking on the double-arrow next to your company’s name.

(V) ADDENDA / BID RESULTS / CONTRACT AWARD INFORMATION:

Addenda

As noted in passing above, all addenda are posted to the hosting website. When you receive fax (or e-mail) notification that an addendum has been issued, simply follow the procedure described in Section I to navigate back to the document download page shown in Figures 12a and 12b. The newly-issued addendum will appear at the bottom of the list. (For some projects,

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4 Unless you’re an eBidboard subscriber, you can’t access the addenda directly via the eBidboard website; you have to use the links on the Port website to navigate to eBidboard.
the Project Engineer will issue a “Log of Responses to Bidder Questions”; this document will also be posted to the hosting website, and you will receive fax/e-mail notification.

**Bid Results**

The bid results for recent bids (including bid totals, line items, and subcontractor lists) are posted to the hosting website. Bid results can be accessed via a link on the “Bids/RFPs/RFQs” page of the Port website.

![Figure 3B: Port website – “Bids/RFPs/RFQs” page [recent bid results]](image)

The above link will take you to the “Bid Results” page, shown below, from which you can access the bid results posted on the hosting website:

![Figure 14: Port website – “Bid Results” page](image)
Bid results are normally posted within a few days of bid opening date (after any arithmetical errors in the bid forms have been corrected). There are a couple of exceptions: (a) for projects earmarked for Small Business Enterprises, bid results may not be posted for a week or more (in order to confirm the SBE status of the bidders); and (b) for percentage markup maintenance contracts, the bid results may not be posted at all. If you do not see bid results for a particular project within a week of bid opening, feel free to contact Bill Russell at the number/email address below for an update on the status of the bids.

**Contract Award Information**

As you can see from the screen shot of the “Bid Results” page (Figure 14), reports listing contract awardees for all public works contracts awarded within the current fiscal year and the previous fiscal year are available for download in pdf format. (Right-click the pertinent download link and use “Save Target As…”.) The current FY contract awards list is normally updated whenever another contract is awarded, and within a week or less of the contract award date.

**Need help?**

If you experience any technical problems in downloading, you can reach the eBidboard customer support line at:

1.800.479.5314 or 1.858.643.9050

Also, please feel free to contact Bill Russell at 510.627.1439 or brussell@portoakland.com with any questions or feedback.

**DOWNLOADING RFPs / RFQs [Engineering Consulting Services]**

In addition to bidding documents for Port of Oakland public works projects, Requests for Proposals and Requests for Qualifications that originate with the Port’s Engineering Department are also posted to the eBidboard website.

The Engineering RFP/RFQ page of the Port website can be accessed via the Bids/RFPs/RFQs page by selecting “Engineering RFPs/RFQs”.

![Figure 3c: Port website – “Bids/RFPs/RFQs” page [RFP/RFQ link]](image-url)
Note that any Bids, RFPs and RFQs issued by other Port departments will be posted at the bottom of the Bids/RFPs/RFQs web page shown in Figure 3c. Digital distribution of these RFPs/RFQs is handled by the consultant who maintains the Port website, not by eBidboard. Distribution of the documents will not necessarily be tracked, and you will not necessarily receive fax/e-mail notification of addenda; the exact details of the digital distribution system are determined by the arrangements made between the issuing department and the Port’s web consultant. If you have any questions about distribution of these documents, please contact the issuing department.

The screen shot below shows the RFP/RFQ page of the eBidboard website (which opens when you click the “Engineering RFPs/RFQs” link shown above in Figure 3c):

The process of registering as a “plan holder” for an RFP or RFQ and downloading documents is identical to the process for registering/downloading bidding documents for public works projects, (as described in Sections II – IV, above), with one exception:

When you get to the eBidboard download page, the document download links will be in the first column, not the second column.
NON-DISCRIMINATION AND SMALL LOCAL BUSINESS UTILIZATION POLICY (NDSLBUP)

Non-Discrimination: Port policy prohibits discrimination or preferential treatment because of race, color, religion, sex, national origin, ancestry, age (over 40), physical or mental disability, cancer-related medical condition, a known genetic pre-disposition to a disease or disorder, veteran status, marital status, or sexual orientation.

Local Business Utilization: On October 7, 1997, the Board of Port Commissioners initiated a formal policy to encourage full participation of firms from its Local Business Area, the counties of Alameda and Contra Costa (“LBA”), particularly those in its Local Impact Area (“LIA”), in its work. The LIA includes the cities of Oakland, Alameda, Emeryville and San Leandro. The Port will also take into consideration what efforts the prime and sub-consultants make to assist in the community, e.g., assigning meaningful work to small and/or very small local sub-consultants, participation in job/trade fairs, hiring interns, pro bono work, working with local schools, etc.

In evaluating public works construction projects, up to 10 points will be allocated for local and small local participation as follows:

- Bidders may be awarded up to a maximum of four (4) preference points depending on the proportionate share of work, calculated based on the contract amount, to be done by LBABE and LIABE certified prime contractors(s) and subcontractors;

- Bidders may also be awarded up to a maximum of two (2) preference points depending on the proportionate share of prime work to be done by LBABE and LIABE certified prime contractors(s);

- Bidders may also be awarded up to a maximum of four (4) preference points depending on the proportionate share of work, to be done by SBE and VSBE contractors(s) and subcontractors.
1. **Non Discrimination in Construction and Consultant Contracts:** The Port requires all contractors to not discriminate against individuals in protected classes.

2. **Construction Preference Points:** The Port allots preference points for the percentage of work being performed by construction contractors located in either the Local Business Area (Alameda and Contra Costa County) or the Local Impact Area (Oakland, San Leandro, Emeryville and Alameda) for a maximum total of 10 points. These points are then translated into a bid discount, to be applied when determining the lowest responsible bidder.

3. **Consultant Preference Points:** The Port allots preference points for the percentage of work being performed by consultants located in either the Local Business Area (Alameda and Contra Costa County) or the Local Impact Area (Oakland, San Leandro, Emeryville and Alameda) and for community involvement for a maximum total of 15 points. These points are added to a maximum of 85 technical points for a composite maximum of 100 points in evaluating consultant proposals.

4. **Small and Very Small Business Projects:** Specific construction contracts are placed into a selective bidding process comprised of small and/or very small businesses. These projects are selected by the Director of Engineering and approved by the Board of Port Commissioners.

5. **Informal Bid:** The Port holds managers accountable for providing non-discrimination in selecting informally bid contracts.

6. **Purchasing:** Purchasing will continue to operate as usual, selecting vendors from Oakland when available and ensuring that the vendors reflect the diversity of Oakland.

7. **Technical Assistance:** The Port will arrange a technical assistance program that will assist small and/or local contractors in contracting with the Port.

8. **Tenant Construction:** The Port will require tenants to follow the non-discrimination in construction contracting regulations.

9. **Federal Money:** The Port will adhere to the Federal guidelines when administering projects funded with Federal monies.

10. **Prompt Payment Plan:** The Port will make every effort to pay prime contractors within ten (10) business days of receipt of properly documented invoices which have been reviewed and approved for payment.
What are the major requirements for Port of Oakland certification eligibility?

The business must:
- be located at a fixed commercial or residential address;
- located within the Local Impact Area (LIA) or Local Business Area (LBA) at least one (1) year;
- be economically independent and perform commercially useful function(s);
- be currently licensed, where applicable, in the type of work in which it conducts business.

What types of certifications does the Port of Oakland offer?

The Port offers four (4) types of certification status:
- Local Impact Area Business Enterprise (LIABE)
- Local Impact Area Business Enterprise/Small Business Enterprise (LIABE/SBE)
- Local Business Area Business Enterprise (LBABE)

What is LIABE/LBABE?

LIABE = Local Impact Area Business Enterprise represent the area most impacted by Port projects. The LIA includes the cities of Oakland, Alameda, San Leandro and Emeryville.

LBABE = Local Business Area Business Enterprise, inclusive of all the cities within Alameda and Contra Costa Counties.

What are the definitions/qualifications for a Small Business Enterprise (SBE) and Very Small Business Enterprise (VSBE)?

SBE – The business must be certifiable as LIABE and must not exceed an average gross revenue of $14,000,000 over the past three (3) consecutive years.

VSBE – The business must qualify for SBE and must not exceed an average gross revenue of $3,500,000 over the past three (3) consecutive years.
Is there a fee to register my business for Port certification?

No fee is charged for registration or certification on the SRD Certification Application.

How do I register to become Port certified?

You may register your business for Port certification on the online SRD Certification Application website at http://www.portofoakland.com/srd/. To get started, click on the link “Register New Company.”

What is the Port of Oakland certification time period?

Port of Oakland certified businesses may be certified for up to two (2) years.

How may I verify that I am certified?

You may search and view your firm’s current certification status and business profile by visiting the Port’s Local / Small Business Database / Certification webpage at http://www.portofoakland.com/srd/.

What if the information on my firm is incorrect or outdated?

Once you register your business in the online SRD Certification Application, you will be able to self update your firm’s contact information. You may also contact Port Social Responsibility Division representative, Pamela Bell by phone at (510) 627-1419 or email pbell@portoakland.com.

How may I reach other certified firms? Do you have a directory?

You may refer to the Website www.portofoakland.com, Business/Local/Small Business Database/Certification, to conduct a search of the database and download lists of Port of Oakland certified firms.

Do I have to be certified to contract with the Port?

No. However, certification enables firms to receive preference points for being certified under one or more of the certification categories mentioned. A completed Common Application, Supplemental Questionnaire and supporting documents must be received by the Social Responsibility Division (SRD) seven (7) business days prior to submittal or bid due date.
Does the Port accept any other agencies’ certification?

No. Local agency certifications are NOT reciprocal and separate supplemental documents are necessary for certification with each agency. However, the Common Application for Local Certification is accepted by each of the East Bay Interagency Alliance (EBIA) partner agencies for the purpose of sharing information between agencies. The agencies involved include The Port of Oakland, the City of Oakland, Alameda County and the Alameda County Transportation Commission.

How long will it take to get certified?

The certification process can take up to 30 business days to complete once all required documents are received.

How do I ensure my certification application is processed timely when it is related to an upcoming Port project?

You must submit a completed Common Application and all of its required documents to our office seven (7) business days prior to the bid due date. You must also acknowledge the project name and bid date on the Supplemental Questionnaire in order to receive priority processing.

My certification is expiring, how soon can I submit my certification renewal form and paperwork?

Certification renewals are accepted three (3) months prior to a firm’s expiration date.

Will I be notified before my certification expires?

Yes. Firms receive reminder notifications via email 60 and 30 days prior to expiration. However, it is your responsibility to request recertification in a timely manner. It is also your responsibility to alert our office of updates/changes to your email address and other firm related information.

What is the basis for certification denial?

- Failure to submit required supporting documents
- Inability to establish firm’s location in LIABE/LBabe
- Inability to demonstrate firm is serving a commercially useful function
- Invalid professional licenses, permits and/or certifications
If I am denied certification, what are my rights?

You may appeal in writing within 30 business days and provide additional information to the Port's Certification/Contract Compliance Department for further review and consideration.

How else may I contact certification staff?

You may also contact Port certification representative by emailing us from the Port's “Contact Us” link found at the bottom of each web page.

I have a Port vendor number, is this number the same as being Port certified?

No. A Port vendor number is assigned by the Port’s Purchasing Department for purposes of payment and is not reflective of Port certification.
Contractors working under the Maritime and Aviation Project Labor Agreement (MAPLA) should be especially aware of some important traditional and non-traditional components of the MAPLA, which include the Social Justice Program (SJP) as discussed below. The complete MAPLA may be found at [http://portofoakland.com/pdf/responsibility/busi_maplaAgreement.pdf](http://portofoakland.com/pdf/responsibility/busi_maplaAgreement.pdf). The Port of Oakland urges contractors working under the MAPLA to review the MAPLA and to become familiar with its provisions.

The following are important traditional and non-traditional MAPLA components that contractors should be aware of and comply with:

1. **Local Hiring**

   Part of the SJP includes local workforce hiring goals for the hiring and retention of local area residents on MAPLA covered projects. Contractors are required to make a good faith effort to reach the following hiring goals:

   - 50% of all hours are to be worked by Local Impact Area (LIA) residents, on a craft by craft basis, if workers are available, capable and willing to work on covered projects. The LIA covers the cities of Oakland, Alameda, San Leandro and Emeryville.
   - Failing that, 50% of all hours are to be worked by Local Business Area (LBA) residents, on a craft by craft basis, if workers are available, capable and willing to work on covered projects. The LBA covers all cities not mentioned above in Alameda and Contra Costa Counties.
   - 20% of all hours, on a craft by craft basis, are to be worked by apprentices and 100% of all apprentice hours are to be worked by LIA residents, if such apprentices are available, capable and willing to work on covered projects. Failing that, 100% of all the apprentice hours are to be worked by LBA apprentices.
   - Contractors can obtain partial credit for utilizing LIA resident apprentices on non-MAPLA projects. Contractors utilizing LIA resident apprentices on non-MAPLA projects can receive credit for 50% of the hours worked by such LIA resident apprentices.

   Contractors using lower tiered subcontractors are responsible for ensuring their compliance with the local workforce hiring goals. The goals apply to contractors at all tiers who work on MAPLA covered projects. Davillier-Sloan, Inc., the MAPLA administrator, uses a Web Access Monitoring System (WAMS) to monitor compliance with the local hiring goals.

   **Davillier-Sloan, Inc. (DSI) requests a local hiring compliance plan prior to the pre-construction meeting;** please contact DSI for a copy of the local hiring compliance plan form.

2. **Social Justice Trust Fund**

   All general contractors and subcontractors must make a contribution of $0.15 cents per craft hour worked on a monthly basis to the Social Justice Trust Fund as provided for in the bid specifications. The prime contractor is responsible for submitting a copy of the transmittal as proof of payment by the 20th day of the following month. This money will be used to support programs that assist LIA residents to eliminate employment barriers and gain entry into and remain in the building trades.

3. **Prevailing Wages**

   All employees covered by the MAPLA shall be classified in accordance with work performed and paid the hourly wage rates for those classifications in compliance with the applicable prevailing rate determination. On contracts federally funded or assisted, the contractors shall pay California and/or Federal prevailing wages, whichever is higher. For current information on the prevailing wage for each craft go to the Department of Industrial Relations at [www.dir.ca.gov](http://www.dir.ca.gov). In accordance with MAPLA Article XI, Wages and Benefits, Section 1, if a wage increase negotiated in a local agreement becomes the prevailing wage under state law, the Contractor will pay that rate retroactive to the effective date of the locally negotiated wage increase.

   The Port of Oakland uses a Web Access Monitoring System (WAMS) to monitor compliance with federal and state prevailing wage laws.

   All firms doing business with the Port on construction and applicable professional services contracts must register with Hill International. To get information on how to register or to ask questions concerning the Hill International System contact the
4. **Letter of Assent**

All general contractors and all sub-contractors, regardless of tier, must sign a Letter of Assent (LOA) and agree to be a party to and to be bound by the total content of the MAPLA. The LOA binds the contractor to the terms of the MAPLA for the awarded project only and does not bind any contractor to any union agreement. The original executed LOAs must be filed with the Port Attorney with a copy sent to DSI prior to the commencement of work. It is imperative that a contractor working under MAPLA execute the LOA because the unions will not conduct a pre-job meeting or dispatch workers until a copy of the LOA is on file. The LOA applicable to the project can be found in the project manual. Please do not use the sample on the Port’s website.

5. **Using Non-Union Workers**

A non-signatory contractor may use up to ten (10) of its own “core” employees, provided that the first worker hired comes from the applicable union. The second worker will be a core, the third worker from the union, fourth worker will be a core worker, and so forth. Lay-offs will be in the reverse order. All core employees are required to pay union initiation fees and representation fees.

To be considered as a Core Employee under the MAPLA, the following requirements must be met:

- Possession of any license required by the state or federal law for the project work performed.
- Have worked a total of at least one thousand (1,000) hours in the applicable construction craft during the prior three (3) years.
- Been on the contractor’s active payroll for at least sixty (60) days out of the one hundred eighty (180) calendar days prior to the contract award date.
- Have the ability to perform safely the basic functions of the applicable trade.

Non-signatory contractors should note that they are required to make payment on behalf of core employees into the established labor-management vacation, pension or other forms of deferred compensation plans, apprenticeship, and health benefit funds for each hour worked.

6. **Trucking**

Any trucking on a construction site is covered by the MAPLA and this coverage includes Owner-Operators. Trucking to and from the site is also covered if it is to/from a site specific to that covered MAPLA project only. Certified payrolls must be submitted for each vehicle hauling to, from and on the site.

7. **Soils and Material Testing/Inspection**

Soils and materials testing work performed at the site of construction is a classification on which a California prevailing wage determination has been published and, as such, is covered by the MAPLA.

8. **Substance Abuse Testing**

Contractors should be aware that the cost of substance abuse testing should be factored into the bid. The MAPLA has a uniform substance abuse policy. **All craft employees, including your core employees, must be tested for controlled substances before they start work at the job site.** Testing is done through DISA, Inc. For information, contact Pamela Juan: (707) 750-5218 or pamela.juan@disa.com.

9. **Pre-Job Conferences**

The general contractor and all subcontractors working on-site shall attend a pre-job conference with the Building and Construction Trades Council of Alameda County prior to start of construction. Participation in the pre-job meeting is mandatory.

**MAPLA Administration Team**

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Port of Oakland

Bonding and Financing Assistance Agencies

Alameda County
Barbara Lubbin & Karen Caoile
125 - 12th Street, 3rd Floor
Oakland, CA  94607
(510) 272-3871
Barbara.lubben@acgov.org
Karen.caoile@acgov.org

Alameda County Small Business Development Center
1330 Broadway, Suite 705
Oakland, CA 94612
(510) 208-0412
rick@acsbdc.org
www.acsbdc.org

City and County of San Francisco
Human Rights Commission
Theresa Sparks
25 Van Ness Ave., 8th Floor
San Francisco, CA  94102
(415) 252-2500
Theresa.Sparks@sfogov.org

Financial Assistance Programs
Carrolyn Kubota
(Small Business Transportation Resource Center)
275 Fifth Street, Suite 404
San Francisco, CA  94103
(415) 348-6262
carrolyn@uspaacc.com
www.uspaacc.com/sbtrc/index.html

SBA's Surety Bond Guarantee Program
1-800-U ASK SBA
www.sba.gov/osg/

Small Business Administration
Frank Lalumiere
(202) 401-8275
frank.lalumiere@sba.gov

Small Business Development Center
John Smith
Website:  www.sbdc.com

US Dept. of Transportation
DBE ARRA and Reinvestment Act
Bonding Assistance Reimbursable Fee Program
1-800-532-1169
bap.arrar@dot.gov
Websites:
www.dot.gov/recovery/ost/osdbu/index.htm or www.dot.gov/recovery/ost/osdbu
Website Information

Port of Oakland Website:
http://portofoakland.com/

Non-Discrimination and Small Local Business Utilization Policy:
http://portofoakland.com/responsibility/

Small/Local Business Certification:
http://portofoakland.com/srd/

Local/Small Business Database:
http://portofoakland.com/srd/

DBE Certification:
http://portofoakland.com/responsibility/index.aspx#DBECert

Projects Out to Bid:

Current RFP’s / RFQ’s:
http://portofoakland.com/opportunities/bidsrfpsrfqs.aspx

Business Events:
http://portofoakland.com/opportunities/events.aspx
Thank you for attending Contracting 101 with the Port of Oakland.

We hope that you found this workshop informative and worthwhile.

Our primary goal was to increase your understanding of how to do business with the Port, and to introduce and provide resources that will support your success towards securing contracts with the Port of Oakland.