

**CITY OF LOS ANGELES
BUSINESS INCLUSION PROGRAM (BIP)
OUTREACH DOCUMENTATION & PROCESS**

It is the policy of the City of Los Angeles to provide Minority Business Enterprises (MBEs), Women Business Enterprises (WBEs), Small Business Enterprises (SBE), Emerging Business Enterprises (EBE), Disabled Veteran Business Enterprises (DVBE), and all Other Business Enterprises (OBEs) an equal opportunity to participate in the performance of City contracts. In order to maximize this participation the City of Los Angeles implemented the Business Inclusion Program (BIP).

The BIP requires City departments to set anticipated participation levels based on the opportunities presented in their advertised contracts and department's achievement of its annual goals. Bidders and proposers shall assist the City in implementing this policy by taking all reasonable steps to ensure that all available business enterprises, including MBEs, WBEs, SBEs, EBEs, DVBEs, and OBEs have an equal opportunity to compete for and participate in City contracts.

A prime bidder's BIP outreach to MBEs, WBEs, SBEs, EBEs, DVBEs, and OBEs shall be determined by their compliance with the following BIP outreach process which will be performed on the City's Business Assistance Virtual Network (LABAVN). The LABAVN can be accessed by going directly to www.labavn.org.

Failure to meet the anticipated MBE, WBE, SBE, EBE, and/or DVBE participation levels will not by itself be the basis for disqualification or determination of noncompliance with this policy. **However, failure to comply with the BIP outreach documentation requirements as described in this section will render the bid non-responsive and will result in its rejection.** *Compliance with the BIP outreach requirements is required even if the proposer has achieved the anticipated MBE, WBE, SBE, EBE, and DVBE participation levels.* Adequacy of a bidder's BIP outreach will be determined by the Awarding Authority after consideration of the indicators of BIP outreach as set forth below.

The BIP uses seven (7) indicators for evaluation. **Each indicator is evaluated and scored on a pass/fail basis. No partial credit is awarded.** Proposers shall complete each indicator on time. Some indicators need to be completed by a certain number of days before the bid due date.

All indicators (2-7) must be passed to be deemed responsive. Only BIP outreach documentation submitted under the bidders name will be evaluated. Therefore submission by a third party will result in the bidder being deemed non-responsive.

1	LEVEL OF ANTICIPATED PARTICIPATION
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The Awarding Authority sets the anticipated percentages for participation on LABAVN. The proposer/prime shall perform a BIP outreach in an attempt to obtain potential subcontractor or subconsultant (sub) participation by MBEs, WBEs, SBEs, EBEs, DVBEs and OBEs which could be expected by the City to produce a reasonable level of participation by interested business enterprises, including the MBE, WBE, SBE, EBE and DVBE.

2	ATTENDED PRE-BID MEETING
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The proposer/prime shall attend the pre-bid or pre-proposal meeting scheduled by Awarding Authority to inform all proposers of the requirements for the bid/project for which the contract will be awarded. This requirement may be waived if the proposer certifies it is informed as to those bid/project requirements and has participated in a City-sponsored or City-approved matchmaking event in the prior 12 months. **Failure to attend a meeting or obtain a waiver prior to the meeting will result in the bidder being deemed non-responsive.**

Required Documentation: An employee of the proposer's company must attend the pre-submittal meeting scheduled for this bid/project. Credit may not be given if the employee arrives late or fails to sign the pre-submittal meeting attendance roster. This requirement will be waived if the proposer both certifies in writing that it is informed as to the BIP outreach requirements and has participated in a City-sponsored or City-approved matchmaking event in the prior 12 months as is evidenced by the event attendance documents.

Important Note: If the RFQ/RFP states that the pre-submittal meeting is mandatory, then attendance at the pre-submittal meeting is the only way to pass this indicator.

3	SUFFICIENT WORK IDENTIFIED FOR SUBCONTRACTING/SUBCONSULTANTING
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The Awarding Authority must determine the potential work areas available for subcontracting/subconsulting on each bid/project by selecting the North American Industry Classification System (NAICS) codes. The prime automatically receives credit for this indicator once work areas are established. The prime can include additional NAICS codes as sees fit. This will ensure an opportunity for subs participation among MBEs, WBEs, SBEs, EBEs, DVBEs, and OBEs.

Required Documentation: Outreach via e-mail in the selected potential work areas. This outreach must be performed using the LABAVN's BIP outreach system. The outreach must be to potential MBE, WBE, SBE, EBE, DVBE, and OBE subs that are currently registered on the LABAVN. Failure of the proposer to outreach in all of the potential work areas selected by the City as potential subcontracting work areas may result in the RFQ/RFP response being deemed non-responsive.

Important Note: City staff will access the LABAVN and verify compliance with this indicator after the RFQ/RFP submission deadline.

All notifications must be provided utilizing LABAVN, and made not less than fifteen (15) calendar days prior to the date the prime's bid/proposal is required to be submitted. In all instances, proposers must document that invitations for subcontracting bids were sent to available MBEs, WBEs, SBEs, EBEs, DVBEs and OBEs for each item of work to be performed.

Required Documentation: E-mail notification in each of the selected potential work areas to potentially available MBEs, WBEs, SBEs, EBEs, DVBEs and OBEs for each anticipated work area to be performed. The notification must be performed using the LABAVN's BIP outreach system. The notification must be to potential subs currently registered on the LABAVN. If the proposer is aware of a potential sub that is not currently registered on the LABAVN, it is the proposer's responsibility to encourage the potential sub to become registered so that the proposer can include them as part of their outreach.

Letters must contain areas of work anticipated to be subcontracted, City of Los Angeles bid name, name of the prime/proposer, and contact person's name, address, and telephone number. When utilizing the notification function, the LABAVN automatically creates a template that contains all these information. At the same time, proposers will be given the opportunity to use their own customized statements when utilizing the notification function. However, the City will take into consideration the wording and may deem a proposer non-responsive if the wording seriously limits potential subs' responses.

Proposers are encouraged to print their BIP outreach summary sheet prior to logging out as documented proof of their progress. The written notice can be used to satisfy Indicators 3, 5, and 7 if the prime uses LABAVN's template or ensures that their customized statements provides all appropriate information.

Proposers are required to send notifications to a sufficient number of firms comprised of MBEs, WBEs, SBEs, EBEs, DVBEs and OBEs in each potential work area chosen, as determined by the City. What is considered sufficient will be determined by the total number of potential subs in each specific work item.

The City will determine each work area by selecting NAICS codes. The following table shows the sufficient number of MBE, WBE, SBE, EBE, DVBE and OBE subs that need to be notified for each work area.

# of Subcontractors in NAICS Code	% Prime Must Notify	Number Prime Must Notify
1-10	100%	1-10
11-20	80%	9-16
21-50	60%	13-30
51-100	40%	21-40
101-200	25%	26-50
>200	10%	20+

A proposer's failure to utilize this notification function will result in their RFQ/RFP response being deemed non-responsive. The Awarding Authority is responsible for adjusting the minimum number of subs requirement in each work area as applicable.

Important Note: Proposers will not be able to utilize the LABAVN's BIP outreach notification function (they will get locked out) if there are less than fifteen (15) calendar days prior to the RFQ/RFP response submittal deadline. In utilizing the LABAVN's notification function, proposers will receive a message (pop-up window warning) if they have failed to outreach to a sufficient number of firms when they go to view their summary sheet.

Important Note: City staff will access the LABAVN and verify compliance with this indicator after the RFQ/RFP submission deadline.

5	PLANS, SPECIFICATIONS AND REQUIREMENTS
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The proposer shall provide interested potential subs with information about the availability of plans, specifications, and requirements for the selected work areas.

Required Documentation: Include in Indicator 4, information detailing how, where and when the proposer will make the required information available to interested potential subs. The notification must be performed using the LABAVN's BIP outreach system.

Important Note: For purposes of RFQ/RFPs, making a copy of the RFQ/RFP available to potential subs will meet this requirement. At the time a proposer utilizes the LABAVN's BIP outreach notification function, the required information will automatically be included in the notification. Proposers will not be able to utilize the LABAVN's BIP outreach notification function if there are less than fifteen (15) calendar days prior to the RFQ/RFP response submittal deadline.

Important Note: City staff will access the LABAVN and verify compliance with this indicator after the RFQ/RFP submission deadline.

6	NEGOTIATED IN GOOD FAITH
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The proposer shall respond to every unsolicited offer sent by a registered sub using LABAVN and evaluate in good faith bids or proposals submitted by interested MBEs, WBEs, SBEs, EBEs, DVBEs, and OBEs. Proposers must not unjustifiably reject as unsatisfactory a bid or proposal offered by a registered sub, as determined by the Awarding Authority. The proposer must submit a list of all subs for each item of work, including dollar amounts of potential work for MBEs, WBEs, SBEs, EBEs, DVBEs, and OBEs, and a copy of any and all bids or proposals received. This list must include an explanation of the evaluation that lead to the bid or proposal being rejected and the explanation must have been communicated to the sub using LABAVN.

Required Documentation:

- a) Schedule A, MBE/WBE/SBE/EBE/DVBE/OBE Subconsultants/Subcontractors Information Form;
- b) An online Summary Sheet organized by work area, listing the following:
 - 1) The responses and/or bids received;
 - 2) The name of the sub who submitted the bid/quote;
 - 3) A brief reason given for selection/non-selection as a sub;
- c) Copies of all potential MBE/WBE/SBE/EBE/DVBE/OBE bids or quotes received must be submitted prior to award of a contract by the City;

The reasons for selection/non-selection should be included in the notes section of the online Summary Sheet. If the proposer elects to perform a listed work area with its own forces, they must include a bid/quote for comparison purposes and an explanation must be provided and included on the summary sheet.

All bids/quotes received, regardless of whether or not the proposer outreached to the sub, must be submitted and included on the on-line Summary Sheet. To that extent, the City expects the proposer to submit a bid from each sub listed on the online Summary Sheet, including those listed on the proposer's Schedule A. **All potential subs with which the bidder has had contact outside of the LABAVN must be documented on the online Summary Sheet.**

The summary sheet must be performed using LABAVN's BIP outreach system and must be submitted by 4:30 p.m. on the first calendar day following the day of the RFQ/RFP response submittal deadline. If a bid/quote is submitted by a firm that is not registered with the LABAVN, the proposer is required to add that firm to their summary sheet. A proposer's failure to utilize the LABAVN's summary sheet function will result in their RFQ/RFP response being deemed non-responsive.

Important Note: Staff will request copies of all bids/quotes received as part of the BIP outreach evaluation process. Proposers must have a bid/quote from each potential sub listed on their Schedule A prior to submission of the Schedule A. Proposers must include all subs that submitted a response and include their response dates, bid amounts, or submitted letters of interest. Proposers are encouraged to submit all of their bids/quotes with their RFQ/RFP response submittal. Proposers will not be able to edit their summary sheet on the LABAVN's BIP outreach summary sheet function (they will get locked out) after 4:30 p.m. on the first calendar day following the day of the RFQ/RFP response submittal deadline.

Important Note: City staff will access the LABAVN and verify compliance with the summary sheet provision of this indicator after the RFQ/RFP submission deadline.

7	BOND, LINES OF CREDIT, AND INSURANCE ASSISTANCE
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Each notification by the proposer shall also include an offer of assistance to interested potential MBEs, WBEs, SBEs, EBEs, DVBEs, and OBEs in obtaining bonds, lines of credit, and insurance required by the Awarding Authority or proposer.

Required Documentation: Include in Indicator 4, information about the proposer's efforts to assist with bonds, lines of credit and insurance. The notification must be performed using the LABAVN's BIP outreach system.

Important Note: At the time a proposer utilizes the LABAVN's BIP outreach notification function, the required information will automatically be included in the notification. Proposers will not be able to utilize the LABAVN's BIP outreach notification function (they will get locked out) if there are less than fifteen (15) calendar days prior to the RFQ/RFP response submittal deadline. Proposers will be given the opportunity to include their own customized statements when utilizing the notification function. However, the City will take into consideration the wording and may deem a proposer non-responsive if the wording seriously limits potential subs' responses or is deemed contrary to the intent of this indicator.

Important Note: City staff will access the LABAVN and verify compliance with this indicator after the RFQ/RFP submission deadline.

The proposer shall submit completed BIP outreach documentation either via the LABAVN's BIP outreach system or prior to award, as specified for each indicator. The Awarding Authority in its review of the BIP outreach documentation may request additional information to validate and/or clarify that the BIP outreach submission was adequate. Any additional information submitted after the response due date and time will be treated at a higher level of scrutiny and may require third Party documentation in order to substantiate its authenticity. Such information shall be submitted promptly upon request by the Awarding Authority.

AWARD OF CONTRACT

The Awarding Authority reserves the right to reject any and all RFQ/RFP responses. The award of a contract will be to the responsive, responsible proposer whose proposal complies with all requirements prescribed herein. This includes compliance with the required BIP Outreach. A positive and adequate demonstration to the satisfaction of the Awarding Authority that a BIP outreach to include MBE/WBE/SBE/EBE/DVBE/OBE subs' participation was made is a condition for eligibility for award of the contract.

SUBMITTAL DOCUMENTS

1. **MBE/WBE/SBE/EBE/DVBE/OBE Subs Information Form (Schedule A)**
Proposers shall submit with their proposal the MBE/WBE/SBE/EBE/DVBE/OBE Subcontractors Information form, provided here in as Schedule A. The proposer shall list itself and the names and addresses of all firms to be used with a complete description of work or supplies to be provided by each, and the description of work to be performed.
2. **MBE/WBE/SBE/EBE/DVBE/OBE Utilization Profile (Schedule B)**
During the term of the contract, the consultant must submit the MBE/WBE/SBE/EBE/DVBE/OBE Utilization Profile (Schedule B) when submitting an invoice to the City.
3. **Final Subcontracting Report (Schedule C)**
Upon completion of the contract, a summary of these records shall be prepared on the "Final Subcontracting Report" form (Schedule C) and certified correct by the contractor or its authorized representative. The completed form shall be furnished to the Awarding Authority within 15 working days after completion of the contract.

If the above procedures are not followed as stipulated, incomplete outreach and/or incomplete documentation may not be accepted.

SUPPORT CONTACT INFORMATION

Any technical difficulties while utilizing LABAVN should be reported immediately. To report such difficulties and to ask for technical assistance please email:

1. LABAVN Support at support@labavn.org
2. ITA at ita.bavn@lacity.org
3. The specified Procurement Analyst (only to report)

For bid-specific issues:

Please contact the specified Procurement Analyst

For general BIP issues:

Please contact:

1. Isaac Ike via email at: isaac.ike@lacity.org or via phone at: (213) 928-9502
2. Farshid Yazdi via email at: farshid.yazdi@lacity.org or via phone at: (213) 928-9541

SUPPORT DOCUMENTS

For a comprehensive step-by-step instruction on how to utilize LABAVN to complete BIP outreach please use the following link:

http://www.labavn.com/misc/docs/BAVN_BIP_walkthrough.pdf

This 33-page document (BAVN BIP Walk-through) includes detailed instructions and screen shots.

**SCHEDULE A
CITY OF LOS ANGELES
MBE/WBE/SBE/EBE/DVBE/OBE SUBCONTRACTORS INFORMATION FORM**

(NOTE: COPY THIS PAGE AND ADD ADDITIONAL SHEETS AS NECESSARY, SIGN ALL SHEETS)

Project Title

Proposer	Address
Contact Person	Phone/Fax

LIST OF ALL SUBCONSULTANTS (SERVICE PROVIDERS/SUPPLIERS/ETC.)				
NAME, ADDRESS, TELEPHONE NO. OF SUBCONSULTANT	DESCRIPTION OF WORK OR SUPPLY	MBE/WBE/SBE/EBE/DVBE/OBE	CALTRANS/CITY/MTA CERT. NO.	DOLLAR VALUE OF SUBCONTRACT

PERCENTAGE OF MBE/WBE/SBE/EBE/DVBE/OBE PARTICIPATION		
	DOLLARS	PERCENT
TOTAL MBE AMOUNT	\$	%
TOTAL WBE AMOUNT	\$	%
TOTAL SBE AMOUNT	\$	%
TOTAL EBE AMOUNT	\$	%
TOTAL DVBE AMOUNT	\$	%
TOTAL OBE AMOUNT	\$	%
BASE BID AMOUNT	\$	

Signature of Person Completing this Form

Printed Name of Person Completing this Form

Title Date

MUST BE SUBMITTED WITH PROPOSAL

**SCHEDULE B
CITY OF LOS ANGELES
MBE/WBE/SBE/EBE/DVBE/OBE UTILIZATION PROFILE**

Project Title	Contract No.
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Consultant	Address
Contact Person	Phone/Fax

CONTRACT AMOUNT (INCLUDING AMENDMENTS)	THIS INVOICE AMOUNT	INVOICED TO DATE AMOUNT (INCLUDE THIS INVOICE)

MBE/WBE/SBE/EBE/DVBE/OBE SUBCONTRACTORS (LIST ALL SUBS)					
NAME OF SUBCONTRACTOR	MBE/WBE/ SBE/EBE/ DVBE/OBE	ORIGINAL SUBCONTRACT AMOUNT	THIS INVOICE (AMOUNT NOW DUE)	INVOICED TO DATE (INCLUDE THIS INVOICE)	SCHEDULED PARTICIPATION TO DATE

CURRENT PERCENTAGE OF MBE/WBE/SBE/EBE/DVBE/OBE PARTICIPATION TO DATE			Signature of Person Completing this Form: _____
	DOLLARS	PERCENT	
TOTAL MBE PARTICIPATION	\$	%	Printed Name of Person Completing this Form: _____ Title: _____ Date: _____
TOTAL WBE PARTICIPATION	\$	%	
TOTAL SBE PARTICIPATION	\$	%	
TOTAL EBE PARTICIPATON	\$	%	
TOTAL DVBE PARTICIPATION	\$	%	
TOTAL OBE PARTICIPATION	\$	%	

SUBMIT WITH EACH INVOICE SUBMISSION

**SCHEDULE C
CITY OF LOS ANGELES
FINAL SUBCONTRACTING REPORT**

Project Title		Contract No.
Company Name	Address	
Contact Person		Phone

Name, Address, Telephone No. of all Subconsultants Listed on Schedule B	Description of Work or Supply	MBE/WBE/SBE/EBE/DVBE/OBE	Original Dollar Value of Subcontract	Actual Dollar Value of Subcontract*

* If the actual dollar value differs from the original dollar value, explain the differences and give details.

	Total Dollars	Achieved Levels	Pledged Levels		Total Dollars	Achieved Levels	Pledged Levels
MBE Participation				WBE Participation			
SBE Participation				EBE Participation			
DVBE Participation				OBE Participation			

Signature of Person Completing this Form _____ Printed Name _____ Title _____ Date _____

SUBMIT WITHIN 15 DAYS OF PROJECT COMPLETION

DEFINITIONS

1. **Minority or Women Business Enterprise (MBE or WBE):** For the purpose of this program, Minority or Women Business Enterprise shall mean a business enterprise that meets both of the following criteria:
 - a. A business that is at least 51 percent owned by one or more minority persons or women, in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more minority persons or women; and
 - b. A business whose management and daily business operations are controlled by one or more minority persons or women.
2. **Small Business Enterprise (SBE):** For the purpose of this program, Small Business Enterprise shall mean a business enterprise that meets the following criteria:
 - a. A business (personal or professional services, manufacturer, supplier, and vendor) whose three (3) year average annual gross revenues does not exceed \$7 million.
 - b. A business (construction contractors) whose three (3) year average annual gross revenues does not exceed \$14 million.
3. **Emerging Business Enterprise (EBE):** For the purpose of this program, Emerging Business Enterprise shall mean a business enterprise whose three (3) year average annual gross revenues do not exceed \$3.5 million.
4. **Disabled Veteran Business Enterprise (DVBE):** For the purpose of this program, Disabled Veteran Business Enterprise shall mean a business enterprise that meets the following criteria:
 - a. A business that is at least 51 percent owned by one or more disabled veterans.
 - b. A business whose daily business operations must be managed and controlled by one or more disabled veterans.
5. **Other Business Enterprise (OBE):** For the purpose of this program, Other Business Enterprise shall mean any business enterprise which either does not otherwise qualify or has not been certified as a Minority, Women, Small, Emerging, and/or Disabled Veteran Business Enterprise.
6. **Minority person:** For the purpose of this program, the term "Minority person" shall mean African Americans; Hispanic Americans; Native Americans (including American Indians, Eskimos, Aleuts, and Native Hawaiians); Asian-Pacific Americans (including persons whose origins are from Japan, China, Taiwan, Korea, Vietnam, Laos, Cambodia, the Philippines, Samoa, Guam, the United States Trust Territories of the Pacific, Northern Marianas); and Subcontinent Asian Americans (including persons whose origins are from India, Pakistan and Bangladesh).
7. **Disabled Veteran:** For the purpose of this program, the term "Disabled Veteran" shall mean a veteran of the U.S. military, naval, or air service; the veteran must have a service-related disability of at least 10% or more; and the veteran must reside in California.