



AUDIT COMMITTEE

Report to the
Board of Harbor Commissioners

FOR INFORMATIONAL PURPOSES ONLY

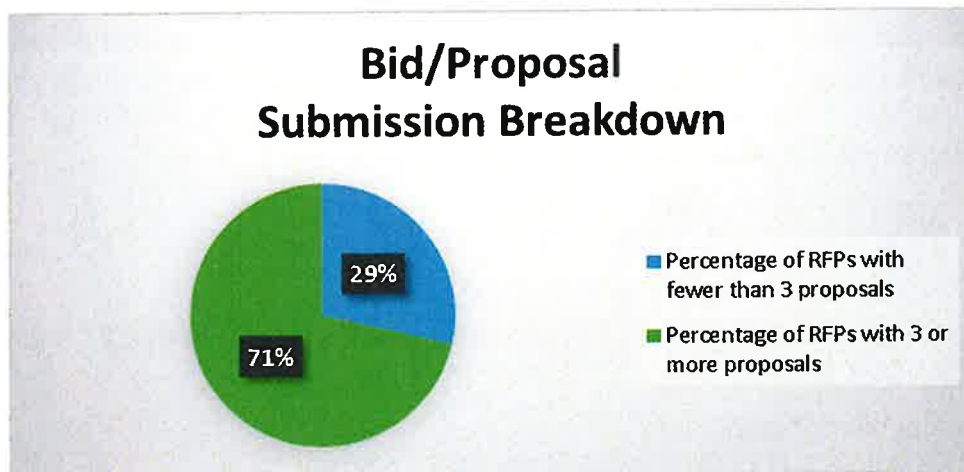
DATE: JANUARY 19, 2022

TO: AUDIT COMMITTEE OF THE BOARD OF HARBOR COMMISSIONERS

SUBJECT: CONTRACT OPPORTUNITIES OUTREACH

On July 15, 2021, the Board of Harbor Commissioners (Board) requested the Contracts and Purchasing Division (CPD) to report to the Audit Committee regarding outreach conducted when advertising contract opportunities and the number of bids received in response to the solicitations. All contracts in excess of one-year and/or \$150,000 require Board approval and are posted on the Harbor Department's website and the Los Angeles Business Assistance Virtual Network (LABAVN). LABAVN is a comprehensive online contractor/supplier registration and contract management system. LABAVN provides access to an industry specific contractor directory for researching, sourcing, and managing contract opportunities for large and small businesses, and for identifying potential sub-contracting opportunities associated with contract awards issued by the City of Los Angeles. Opportunities are posted by North American Industry Classification System (NAICS) Codes and when an opportunity matches a NAICS Code in a firm's profile, the firm is automatically notified of the opportunity.

Transmittal 1 is a listing of all Board approved contract opportunities that were advertised over the prior three fiscal years, the number of firms that received a notification of the opportunities, the number of bids/proposals received, and the number of non-responsive bids/proposals. Below is an illustration of the percentage of opportunities that received three or more responses and those that received less than three:



SUBJECT: CONTRACT OPPORTUNITIES OUTREACH

Firms are deemed non-responsive for failure to meet the opportunity's specifications or submit required forms. Transmittal 2 is a list of forms that are required depending on the value of the contract opportunity and a listing of the general Administrative Code Requirements. It should be noted that depending on the type of contract opportunity, there may be other requirements that are included e.g. prevailing wage, certified payroll, certain specifications for materials, proximity to the Harbor Department, etc.

There was some concern raised about whether the requirements involved with submitting bids/proposals were onerous. In order to assist firms with understanding the process and the importance of submitting required forms, CPD has prepared a "Tips for Successful Proposal Submission" PowerPoint presentation which is also included in the posting of the opportunity (Transmittal 3). Prospective proposers/bidders are also afforded a period in which questions may be submitted to staff regarding the opportunity.

To increase participation for our contracting opportunities, CPD continues to network with the business community and encourages those businesses that desire Harbor Department contract opportunities to register with the LABAVN. Future projects, including information and resources for the Small Business Enterprise (SBE) Program, are posted on a monthly basis on the Port of Los Angeles' website. Interested contractors and consultants can view the status of upcoming projects and make necessary preparations for the release of upcoming opportunities. Prior to COVID-19, CPD staff would also attend monthly outreach events throughout the City of Los Angeles (City) and region where staff would meet with businesses to promote the SBE Program, encourage businesses to register on LABAVN, and provide information on the Harbor Department's upcoming construction, professional service, and procurement contract opportunities. Staff would attend events throughout the year in coordination with the Harbor Department's outreach partners, such as the National Association of Women Business Owners, Southern California Minority Business Development Council, Black Business Association, National Association of Minority Contractors, Greater Los Angeles African American Chamber of Commerce, Los Angeles Council of Black Professional Engineers, the Asian Business Association, and the Regional Hispanic Chamber of Commerce. While these events are not currently being held in person, similar events are being held virtually.

The Harbor Department, in coordination with the Department of Water and Power, the Los Angeles World Airports, and the Board of Public Works host a seven week annual Small Business Academy specifically aimed at educating small businesses on a variety of topics. Topics include how to do business with the City, obtain certifications, contract and project management, marketing, bonding, networking, health and safety standards, environmental compliance, and financial and audit requirements. For 2021, the Small Business Academy will virtually take place this fall. In light of COVID-19, staff has also put together a series of instructional videos covering various topics for the public to view at their convenience.



MARLA BLEAVINS
Deputy Executive Director & Chief Financial Officer

Attachments:

- Transmittal 1: Board Approved Opportunities
- Transmittal 2: Required Forms and Administrative Code Requirements
- Transmittal 3: Tips For Successful Proposal Submission

TRANSMITTAL 1

BAVN ID	Description of Service/Product	# of Firms sent to on LABAVN	Fiscal Year	Bid or RFP	# of Bids/Proposals Received	# of Non-Responsive Bids/Proposals Received	Notes
32737	Boat, Vessel	54	FY 18-19	Bid	2	1	
34117	HAB Garage Doors Replacement	15	FY 18-19	Bid	1	0	
34322	Two (2) Pilot Boats	13	FY 18-19	Bid	2	1	
34095	Air Quality Monitoring Services	1164	FY 18-19	RFP	3	0	
34412	Background Investigation Services	243	FY 18-19	RFP	3	0	
34619	As-Needed Water Quality, Sediment Quality, and Biological Resource Services	1192	FY 18-19	RFP	7	0	
34886	As-Needed Photography Services	184	FY 18-19	RFP	9	0	
35629	Badger Avenue Bridge Miter Joints	12	FY 19-20	Bid	1	0	
35629	Badger Avenue Bridge Miter Joints	12	FY 19-20	Bid	1	0	
37666	Timber Log Camels	15	FY 19-20	Bid	3	0	
38327	Carpet for HAB 4th Floor	33	FY 19-20	Bid	4	0	
35530	Media Monitoring Services	84	FY 19-20	RFP	3	0	
35751	Port Police Radio System Consulting Services	5582	FY 19-20	RFP	6	0	
35915	On-Call Engineering Services	212	FY 19-20	RFP	11	0	
35962	Emergency Response and Hazardous Waste Management Services	461	FY 19-20	RFP	7	0	
36040	Preparation Of California Environmental Quality Act And National Environmental Policy Act (Ceqa/Nepa) Documentation And Special Environmental Services	34	FY 19-20	RFP	15	0	
36202	Security System Maintenance, Repair, Installation, and Integration	263	FY 19-20	RFP	2	0	
36223	Employee Assistance Program	351	FY 19-20	RFP	1	0	
37370	Environmental Site Assessment and Restoration Services	302	FY 19-20	RFP	22	0	
37547	As-Needed Air Quality	1276	FY 19-20	RFP	4	0	
37711	K-9 Training and Certification Provider	16	FY 19-20	RFP	5	0	
37906	Occupational Medical Services	15	FY 19-20	RFP	1	0	
38522	SharePoint Online Migration Consulting Services (Re-issued)	113	FY 19-20	RFP	10	3	
38968	As-Needed Boat Tours and Youth Boat Tours	20	FY 19-20	RFP	2	0	
39174	Professional Writing and Editing Services	696	FY 19-20	RFP	7	0	
37607	Maintenance Service of Spray Park Equipment at Wilmington Waterfront Park	1264	FY 20-21	Bid	4	1	
38290	Mobile Audio In-Car Video System	492	FY 20-21	Bid	5	0	
38988	Portable Sanitation Facilities and Services	401	FY 20-21	Bid	8	2	
40444	Multi-Beam Sonar	341	FY 20-21	Bid	3	0	
40572	100 Swinford St, San Pedro - Fountain Waterproofing	2445	FY 20-21	Bid	9	0	
34562	Lease of Industrial Space for Commercial Fishing Operations Stall No. 9, Berth 72 San Pedro Municipal Fish Market 2208 Signal Place San Pedro, CA 9073	8	FY 20-21	RFP	2	0	
39049	Port of Los Angeles Cyber Resilience Center	2198	FY 20-21	RFP	12	2	RFP was released 3 times
39755	On-Call Transportation Engineering/Planning Consultant Service	2233	FY 20-21	RFP	10	0	
40869	Federal Legislative and Policy Advocacy Services	530	FY 20-21	RFP	10	0	
41208	Port Police IT Development Projects Consultant	5610	FY 20-21	RFP	4	0	

Required Document
Affidavit of Company Status
Consultant Description Form
City Ethics Commission Form 50
City Ethics Commission Form 55
Insurance Verification Letter
Iran Contracting Act of 2010

Standard Administrative Code Requirements
Affirmative Action
Business Tax Registration Certificate
Living Wage
Equal Benefits Policy
Municipal Lobbying/Campaign Contributions Prohibition

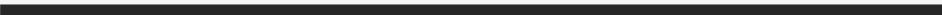
TRANSMITTAL 2

Requirement Source
Harbor Department; Small Business Enterprise Program and Local Business Preference Program
Harbor Department; Small Business Enterprise Program and Local Business Preference Program
Los Angeles Municipal Code § 48.09(H), Los Angeles Administrative Code § 10.40.1
Los Angeles City Charter § 470(c)(12), Los Angeles Municipal Code §§ 49.7.35(B)(3), (4)
Harbor Department; Risk Management
State of California Public Contract Code (PCC § 2201(q), PCC § 2203(a))



*TIPS FOR A
SUCCESSFUL
PROPOSAL
SUBMISSION*

The following tips are to help proposers avoid common administrative mistakes when submitting a proposal for personal services to the Harbor Department.



Read the Checklist carefully



- Make sure that you refer to the Proposal Submission Checklist in the Request for Proposals (RFP) document, so that all of the required documents and/or areas are addressed.
- Do not assume that an administrative form does not apply to your firm. Everything on the checklist is required!
- It is the proposer's responsibility to review their proposal before submission to ensure that all required administrative documents are included, and complete.

Small Business Enterprise Program Requirement



- If the opportunity has a 25% Small Business Enterprise (SBE) mandatory participation requirement, and the Prime consultant is a certified SBE on LABAVN (www.labavn.org), the mandatory SBE requirement will be deemed as met. You must indicate your firm's SBE status on both the Affidavit of Company Status and Consultant Description Form.
- If the Prime consultant is not a certified SBE, the Consultant Description Form must indicate that 25% of the project will be awarded to a certified SBE subconsultant (or multiple SBEs, for a total of 25%). Complete the requested information for the subconsultant(s) on the Consultant Description Form.

Small Business Program Requirement (continued)



Important note:

If your firm is a certified SBE but is not **also** a certified Very Small Business Enterprise (VSBE), and the opportunity has a 5% VSBE mandatory participation requirement, you must utilize LABAVN to find a certified VSBE firm, and you should complete the requested information for that firm on your Consultant Description Form.

If your firm is not a certified VSBE, you must award 5% of the project to a certified VSBE firm in order to meet the VSBE participation requirement.

Small Business Program Requirement (continued)



All firms, Prime and subs, must be certified on LABAVN (www.labavn.org) **at the time the proposals are due** in order to receive credit for meeting the mandatory SBE and VSBE participation requirement.

Again...

Firms will **not** receive SBE or VSBE credit if they are not certified on LABAVN!

Please don't wait until the last minute to create a profile, or update/verify your firm's LABAVN status!

Small Business Program Requirement (continued)



- Do **not** submit a completed Proprietary SBE Application (Exhibit C) with your proposal. It will not be reviewed by POLA staff, nor will it be forwarded to the Bureau of Contract Administration for processing.
- If you wish to apply for SBE and VSBE certification, refer to the “Roadmap for Applicants” page of Exhibit C. **Please start the application process as soon as possible before the proposal is due!** You do not get SBE/VSBE credit for simply having sent in the application, or having “Pending” status on LABAVN.

Small Business Program Requirement (continued)

Do not submit copies of your firm's certificates in your proposal (from DGS, WBEC-West, CUCP, Caltrans, etc.).

The *only* thing that matters is what's reflected on your firm's LABAVN profile.



Affidavit of Company Status form



- Ownership status verification for your firm will be done on www.labavn.org. The certifications that you list on your Affidavit of Company Status form must **match** what is on your LABAVN profile.
- If your firm's LABAVN profile is missing a certification, it is strongly advised that you log in and update it well in advance of the proposal's due date.
- Submit only one Affidavit of Company Status form with your proposal, completed for your firm (Prime). Do not submit Affidavit forms for your subconsultants.
- Don't assume that if your firm doesn't hold any certifications, the Affidavit form is not required in your proposal...**it is!** Please refer to the definition of an "OBE".

Consultant Description Form



- Ensure that **all fields** on your form are completed, for both your firm (Prime) and your subconsultants.
- Certification status for all subconsultants will also be verified using LABAVN. Please make sure that what you complete on this form for your sub's certifications matches their LABAVN profile. Your subs should be strongly encouraged not to wait until the last minute to create/update their profiles, or apply for certifications!
- Codes to use when asked for "Owner's Ethnicity":
 - AA:** African American
 - APA:** Asian Pacific American
 - C:** Caucasian
 - HA:** Hispanic American
 - NA:** Native American
 - SAA:** Subcontinent Asian American

Local Business Preference Program



- If applicable for the contract opportunity, proposers may receive an 8% preference for being a Local Business Enterprise (LBE), or up to a 5% preference for utilizing LBE subconsultants. Refer to the RFP document, and the “Affidavit of Company Status” form, for the definition of an LBE.
- **Proposers are advised to ensure that their LABAVN profile indicates that their firm has LBE status.** Small Local Business Enterprise status (SLBE) is also acceptable. LABAVN will be reviewed by POLA staff before determining whether or not a proposer or subconsultant qualifies to receive an LBE preference.

Insurance Verification Letter Requirement



The only acceptable submission for this requirement is a **letter** from your insurance carrier/broker, signed and dated, which includes the title of the RFP.

Your insurance carrier/broker should review the entire Section 4.4 of the RFP. The insurance verification letter's purpose is to confirm in writing that they've reviewed it, they are aware of the indemnification requirements, and they are attesting that:

Your firm currently meets all of those insurance requirements

OR

Your firm will meet all of those insurance requirements if you're selected for contract award.

That's it.

They should not include more information in their letter than that (such as a line item description of your current coverage).

Insurance Verification Letter Requirement



- Do **NOT** submit an ACORD® Certificate of Liability Insurance sheet
- Do **NOT** submit a quote from your insurance carrier or broker
- Do **NOT** submit a copy of your current insurance policy
- Do **NOT** submit a copy of your policy renewal documents

Many firms have had their entire proposal deemed as non-responsive because they failed this requirement.

Don't let yours be on that list!

Insurance Verification Letter Requirement



Don't submit any insurance documents on KwikComply (<http://kwikcomply.org>) at the proposal stage.

ONLY the firm selected for contract award will be required to submit proof of insurance documents through KwikComply.

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Questions?

We are happy to answer any administrative requirement questions before your proposal is due, to avoid any potential problems.

Please contact the designated Contract Administrator for questions about a particular opportunity.

