

Board of Trustees

Los Angeles Community College District

Com. No. BSD/A

Division

Operations Division -- Business Services

Date: January 14, 2003

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II. ADOPT BOARD POLICY FOR LOCAL, SMALL AND EMERGING BUSINESSES

7103.17 Policy on Opportunities for Local, Small and Emerging Businesses
The Board of Trustees seeks to continue and further its mission to contribute to the economic development of the community. To that end, the Board adopts the following policy for the inclusion of local, small and emerging businesses

A. Definitions

1. "Bid" shall mean all facilities bids and proposals that are projected to be funded by at least fifty percent (50%) by the funds from Proposition A or AA, and that are first advertised on or after December 17, 2003.
2. "Emerging" shall mean a firm that has been in business in its substantially current form for up to five (5) years
3. "Local" shall mean a business that has its principal headquarters located within Los Angeles County.
4. "Small" shall be defined in the same terms as defined by the federal Small Business Administration.
5. "Reimbursable Expenses" shall mean expenses such as photocopying, travel, telephone other services provided by another business, that are specified as permissible under the contract, and that are less than ten percent (10%) in the aggregate of the total contract. Reimbursable Expenses shall not include performance of services or materials supplies that are subcontracted to another person or firm.

B. Goals The Board establishes a goal of twenty-eight percent participation of Local, Small and Emerging businesses In its contracts regarding facilities awarded each fiscal year.

C. Bidding As a condition to be considered responsive, a Bid must include the following:

1. Demonstrated participation of at least twenty-eight percent (28%) of the total bid being performed by Local, Small or Emerging businesses; or,
2. A demonstrated good faith effort to include Local, Small or Emerging businesses, in accordance with regulations to be issued by the Chancellor; or,

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3. The bidder certifies that it intends to perform ninety-five percent (95%) of the work with its own employees, excluding Reimbursable Expenses.

D. Advertising and Mentoring In order to further the goals stated herein, the Board directs that the Chancellor or his designee undertake an appropriate advertising program directed to Local, Small and Emerging Businesses. That program should include such things as advertising in papers local to the applicable location where work will be performed, enhancement of the District's website to include a list of self-designated Local, Small and Emerging Businesses, and accessible plan rooms for all businesses to be able to review plans and schedules for upcoming projects. The Board also directs that the Chancellor or his designee undertake an appropriate mentoring program directed to Local, Small and Emerging Businesses to improve their business skills and likelihood of success while participating in the District's facilities program. The mentoring program may be established as a function of the District through the Proposition A/AA program, or it may be operated jointly by the District and another public entity with similar goals, whichever is deemed a more effective and efficient approach by the Chancellor or his designee.

E. Bonding Requirements. In order to further the goals stated herein, the Chancellor or his designee may undertake the development and operation of a District-sponsored bid, labor and materials and performance bond program to facilitate the ability of Small, Local, and Emerging firms to meet District bond requirements under the Proposition A/AA program. All firms, regardless of qualification as Local, Small or Emerging, shall be eligible to participate, and all firms shall be required to demonstrate evidence of their ability to perform to the satisfaction of the bond provider(s).

F. Mandatory Bid Conferences. Bid conferences, or bid walk-throughs, held to inform interested business about the specific requirements of District construction projects shall generally be mandatory for those considering submitting a bid or proposal for the identified work. However, a Local, Small and Emerging firm may be exempted from the mandatory requirement if it submits an affidavit with its bid submission, stating the firm was unable to send a representative to attend the bid conference /bid walk through due to a specific, unavoidable conflict. The affidavit will further state that the bidder is fully knowledgeable about the requirements of the bid, the bidder is accountable for any information that could have been ascertained by

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attending the conference/bid walk, and that the bidder has the ability to perform the requested work in a professional and workmanlike manner.

G. Reporting The Chancellor or his designee shall make a report to the Board at least semi-annually regarding the District's performance towards these goals.