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LOCAL HIRING AND LOCAL BUSINESS UTILIZATION PROGRAM

1. **Summary**

The District is committed to ensuring equal opportunity and equitable treatment in awarding and managing its public contracts. The District recognizes that widespread unemployment and economic problems among District residents have created obstacles in the District's pursuit of its educational mission. Accordingly, the District has committed to establish a Local Capacity Building Program (LCBP) to encourage and facilitate full and equal opportunities for local and small business owners and West Contra Costa County residents.

2. **Definitions**

Local Business \ Local Business Enterprise: Company business or enterprise located within the priority areas as defined below.

Subcontract: For the purpose of this program, the term "subcontract" denotes an agreement between the prime contractor and an individual, firm or corporation for the performance of a particular portion(s) of the work, for which the prime contractor has obligated itself.

- b. A listed local business must perform a commercially useful function, i.e., must be responsible for the execution of a distinct element of the work and must carry out its responsibility by actually performing, managing and supervising the work.
- c. Recognition for materials and/or supplies is limited to 60 percent of the amount to be paid to the vendor for such materials\supplies in computing the levels of local business participation, unless the vendor manufactures or substantially alters the materials\supplies.
- d. Local business credit for brokers required for performance of the contract is limited to the reasonable fee or commission charges, as not considered excessive, as compared with fees customarily allowed for similar services.

3. Geographic Location Requirements

The residents and businesses must be located at a fixed established address located in priority areas listed below and not a temporary or moveable office, a post office box, or a telephone answering service. If

The prime contractor must take, and require their subcontractors to take, the following good faith steps to demonstrate that they have made every effort to reach the local hiring goals of the District.

- a. The contractor shall attend scheduled pre-job meetings held by the District pertaining to work they will perform. The contractor must submit written workforce projections and projected man-hours on a craft by craft basis.
- b

local businesses interest in bidding on the project, not less than three (3) calendar days prior to the date the bids are required to be submitted.

received. The District in its review of the good faith effort documentation may request additional information to validate and/or clarify that the good faith effort submission was adequate. Such information shall be submitted promptly provided upon request by the District.

8. Consequence for Non-Compliance:

Local Hiring Program: The District staff shall consider allegations of non-conformance with the goals. If the District determines that a contractor has not complied with the goals or demonstrated good faith efforts to do so, it may

- a. Impose a fine of up to \$500.00 per day, or 1% of the contract, whichever is less, for each violation until the contractor has demonstrated good faith efforts to reach the goals;
- b. Require the contractor to increase the hiring of first priority residents in order to achieve the goals of the program

Contractors may appeal any determination of non-conformance by the District within 10-days notice to