

City of San Diego

CITY CONTACT: Ronald McMinn Jr, Contract Specialist, Email: RMcMinn@sandiego.gov
Phone No. (619) 533-4618

ADDENDUM B



FOR

MLK RECREATION CENTER MOISTURE INTRUSION

BID NO.:	<u>K-22-1945-DBB-3-A</u>
SAP NO. (WBS/IO/CC):	<u>B-19001</u>
CLIENT DEPARTMENT:	<u>1714</u>
COUNCIL DISTRICT:	<u>4</u>
PROJECT TYPE:	<u>BF</u>
CDBG NO.:	<u>600000/1000003-2021</u>

BID DUE DATE:

2:00 PM
JULY 21, 2022

CITY OF SAN DIEGO'S ELECTRONIC BIDDING SITE, PLANETBIDS

<http://www.sandiego.gov/cip/bidopps/index.shtml>

A. CHANGES TO CONTRACT DOCUMENTS

The following changes to the Contract Documents are hereby made effective as though originally issued with the bid package. Bidders are reminded that all previous requirements to this solicitation remain in full force and effect.

B. INSTRUCTIONS TO BIDDERS

1. To Section **19, BIDDERS GUARANTEE OF GOOD FAITH (BID SECURITY) FOR DESIGN-BID-BUILD CONTRACTS**;, Subsection **19.5**, page 17, **DELETE** in its entirety and **SUBSTITUTE** with the following:

19.5 Failure to submit the electronic version of the bid security at the time of bid submission AND failure to provide the original by 5PM, 3 working days after the bid opening date shall cause the bid to be rejected and deemed **non-responsive**.

Due to circumstances related to Covid-19, until further notice, all original bid bond submittals must be received by 5 PM, 3 working days after bid opening.

Upon circumstances returning to normal business as usual, the original bid bond shall once again be due by 5 PM the day after bid opening.

Original Bid Bond shall be submitted to:

Purchasing & Contracting Department, Public Works Division
1200 3rd Ave., Suite 200, MS 56P
San Diego, California, 92101

To the Attention of the Contract Specialist on the Front Page of this solicitation.

C. ATTACHMENTS

1. To **Attachment D, COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) HOUSING AND URBAN DEVELOPMENT (HUD) FUNDING AGENCY PROVISIONS**, page 91 through 105, **DELETE** in their entirety and **SUBSTITUTE** with pages 4 through 17 of this Addendum.

Rania Amen, Director
Engineering & Capital Projects Department

Dated: *July 11, 2022*
San Diego, California

RA/AP/na

indicate a real desire for a positive response, such as a certified mail receipt or a documented telephone conversation.

- 13.7.** A regular letter or an unanswered telephone call is not an adequate “good faith” effort. A list of all sub-bidders, including the bidders not selected and non DBE Subcontractors, and bid amount for each item of the Work shall be submitted on Form AA62. If a low bid was not accepted, an explanation shall be provided.
- 13.8.** Federal Agencies (must be contacted and solicitations posted on their websites):

Name and Address	Telephone and Web Site
U.S. Small Business Administration	(415) 744-6820 Extension 0
455 Market Street, Suite 600 San Francisco, CA 94105	Dynamic Small Business Search: http://dsbs.sba.gov/dsbs/search/dsp_dsbs.cfm ¹
	Bid Notification: https://eweb1.sba.gov/subnet/common/dsp_login.cfm
U.S. Department of Commerce	213-989-3153 or 213-353-9400
Minority Business Development Agency	Website:
1055 Wilshire Blvd Suite 900 Los Angeles, CA 91107	http://www.mbda.gov/ https://www.mbda.gov/business-center/los-angeles-mbda-business-center

- 13.9.** State Agencies (must be contacted):

Name and Address	Telephone and Web Site
California Department of Transportation	(916) 227-9599
(CALTRANS) Business Enterprise Program ⁴	<u>DBE Database:</u> https://dot.ca.gov/programs/civil-rights/dbe https://californiaucp.dbesystem.com/
Mailing Address: PO Box 942874 Sacramento, CA 94274-0015	
1820 Alhambra Blvd. Sacramento, CA 95816	
CA Public Utilities Commission (CPUC)⁵	
505 Van Ness Avenue San Francisco, CA 94102-3298	<u>Directory:</u> https://sch.theupplierdearinghouse.com/FrontEnd/SearchCertifiedDirectory.asp

Notes:

1. The Contractor shall use the SBA's Dynamic Business Search database to search for potential subcontractors, suppliers, and/or manufacturers. Bidder **must** provide a copy of all search records for items of work made available with GFE documentation.
2. Contractor shall use SUB-Net to post subcontracting opportunities. Contractor shall post Subcontractor opportunities at least 15 Working Days prior to bid opening. Small businesses can review this web site to identify opportunities in their areas of expertise. The web site is designed primarily as a place for large businesses to post solicitations and notices. Bidder **must** provide copy of the Display Solicitation Record identifying the date solicitation notice was posted with the GFE documentation.
3. The Contractors may use MBDA web portal to post subcontracting opportunities. If utilized, the Contractor shall post subcontractor opportunities at least 30 Calendar Days prior to Bid opening. Small businesses can review this web site to identify opportunities in their areas of expertise. The web site is designed primarily as a place for large businesses to post solicitations and notices. Provide copy of the Offer Overview with the GFE documentation.
4. Based on the federal DBE program, CALTRANS maintains a database and provides directories of minority and woman-owned firms. Bidder **must** provide a copy of all search records for items of work made available with GFE documentation.
5. CPUC maintains a database of DBE-owned business enterprises and serves to inform the public. Bidder **must** provide a copy of all search records for items of work made available with GFE documentation.

14. GOOD FAITH EFFORT DOCUMENTATION SUBMITTALS:

- 14.1.** The affirmative GFE steps documentation shall be submitted **within 4 Working Days after the Bid Opening**. If this documentation is not submitted when due, the City will declare the Bid non-responsive and reject it.
- 14.2.** The Contractor shall maintain the records documenting compliance with requirements including documentation of its GFE and data relied upon in formulating its fair share objectives.

15. FORMS:

- 15.1.** The Contractor shall demonstrate that efforts were made to attract DBEs on this contract. The Contractor and Subcontractors shall take the steps listed in these specifications to assure that DBEs are used whenever possible as sources of supplies, construction, equipment, or services. In addition to the specified GFE documentation, the Bidder shall submit the following forms:

15.1.1. The following forms shall be completed and submitted within **4 Working Days after the Bid Opening**. Failure to include any of the forms shall cause the Bid to be deemed **non-responsive**.

1. Form AA61 - List of Work Made Available
2. Form AA62 - Summary of Bids Received

3. Form AA63 - Good Faith Effort List of Subcontractors Solicited

15.1.2. The following forms shall be submitted upon award of construction projects that include CDBG funding:

1. Form AA64 - MBE/WBE Information
2. Form AA65 - Section 3 Outreach Methods
(Only if CDBG funding **exceeds a threshold of \$200,000.**)

15.1.3. The following forms shall be submitted prior to completion of construction projects that **exceed a threshold of \$200,000** of CDBG funding received.

1. Form AA66 - MBE/WBE Information – No Change Certification
2. Form AA67 - Section 3 Worker Certification

(Only if CDBG funding **exceeds a threshold of \$200,000** and there were Section 3 Workers and/or Targeted Section 3 Workers that completed labor hours for the project.)
3. Form AA68 - Section 3 Project Closeout Report

(Only if CDBG funding **exceeds a threshold of \$200,000.**)

LIST OF WORK MADE AVAILABLE

List items of the Work the Bidder made available to DBE firms. Identify those items of the Work the Bidder might otherwise perform with its own forces and those items that have been broken down into economically feasible units to facilitate DBE participation. For each item listed, show the dollar amount and percentage of the Base Bid. The Bidder must demonstrate that enough work to meet the goal was made available to DBE firms.

ITEM OF WORK MADE AVAILABLE	NAICS CODE	BIDDER NORMALLY PERFORMS ITEM (Y/N)	ITEM BROKEN DOWN TO FACILITATE PARTICIPATION (Y/N)	AMOUNT	PERCENTAGE OF BASE BID

Affirmative Good Faith Effort Steps shall include the steps listed at 2 CFR 200.321(b), listed below. Please select one of the options or provide a description of the outreach efforts that were completed to ensure the inclusion, to the maximum extent possible, of entities owned by minorities and women.

Organization:

- Placing qualified and small minority businesses and women's business enterprises on solicitation lists.
- Assuring that small minority business and women's business enterprises are solicited whenever there are potential resources.
- Dividing total requirements when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority and women's business enterprises.
- Establishing delivery schedules where the requirements permit which encourage participation by small and minority businesses and women's business enterprises.
- Using the services and assistance as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.
- Requiring the Prime Contractor, if contracts are to be let, to take the affirmative steps previously listed in the options above.
- Other efforts attempted. Please describe below.

General/Prime Contractor:

- Placing qualified and small minority businesses and women's business enterprises on solicitation lists.
- Assuring that small minority business and women's business enterprises are solicited whenever there are potential resources.
- Dividing total requirements when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority and women's business enterprises.
- Establishing delivery schedules where the requirements permit which encourage participation by small and minority businesses and women's business enterprises.
- Using the services and assistance as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.
- Requiring the Prime Contractor, if contracts are to be let, to take the affirmative steps previously listed in the options above.
- Other efforts attempted. Please describe below.

SECTION 3 SUMMARY REPORT – OUTREACH METHODS

Organization/Company Name	CDBG Funding Award Date
Name of Project	Project Address
Person Completing Form (name and title)	Telephone Number

SECTION 3 – REPORTING REQUIREMENTS AND BENCHMARKS

Section 3 is a provision of the Housing and Urban Development Act of 1968. The purpose of Section 3 is to ensure that employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, and consistent with existing Federal, State, and local laws and regulations, be directed to low and very low-income persons.

Particularly those who are recipients of government assistance for housing, and to business concerns which provide economic opportunities to low- and very low-income persons

For construction projects awarded that exceed a threshold of \$200,000 of Federal Community Development Block Grant (CDBG) funding, all contractors are required to comply with Section 3 requirements.

The Benchmarks for Section 3 labor hours are 25%, which means 20% of the total labor hours for a construction project should be completed by Section 3 workers.

The Benchmarks for Targeted Section 3 labor hours is 5%, which means 5% of the total labor hours for a construction project should be completed by Targeted Section 3 workers.

SECTION 3 – OUTREACH ATTEMPTS

Indicate the efforts made to direct the employment and other economic opportunities generated by HUD financial assistance for housing and community development programs, to the greatest extent feasible, toward low income people and Section 3 businesses. Proof of these efforts must be submitted as part of required documentation. (Check all that apply.)

- Engaged in efforts to generate job applicants that are Targeted Section 3 Workers.
- Provided training or apprenticeship opportunities.
- Provided technical assistance to help Section 3 Workers compete for jobs (e.g., resume assistance, coaching).
- Provided or connected Section 3 Workers with assistance in seeking employment including: drafting resumes, preparation for interviews, and finding job opportunities connecting residents to job placement services.

- Held one or more job fairs.
- Provided or referred Section 3 Workers to services supporting job readiness and retention (e.g., work readiness activities, interview clothing, test fees, transportation, childcare).
- Provided assistance to apply for/or attend community college, a four-year educational institution, or vocational technical training.
- Assisted Section 3 Workers to obtain financial literacy training/and or coaching.
- Engaged in outreach events to identify and secure bids from Section 3 business concerns.
- Provided technical assistance to help Section 3 business concerns understand and bid on contracts.
- Divided contracts into smaller jobs to facilitate participation by Section 3 business concerns.
- Provided bonding assistance, guaranties, or other efforts to support viable bids from Section 3 business concerns.
- Promoted use of business registries designed to create advantages for disadvantaged or small businesses.
- Outreach, engagement or referrals with the state one-stop system as defined in Section 121 (e)(2) of the Workforce Innovation and Opportunity Act.
- Other efforts. Please describe below.

By submitting this form, my organization/company certifies that the information provided on this form is true, complete, accurate, and meets HUD Section 3 reporting requirements in accordance with 24 CFR Part 75.

Signature

Print Name and Title

Date

MBE INFORMATION FORM - NO CHANGE CERTIFICATION
GENERAL CONTRACTOR

Organization Name: _____

Organization Address: _____

Project Name: _____

Project Address: _____

I certify there have been no changes to the MBE Information form previously submitted for this project.

Signature of Authorized Signing Official/Representative

Date

Print Name of Authorized Signing Official/Representative

Print Title of Authorized Signing Official/Representative

Print Email of Authorized Official

Section 3 Worker Certification Form

Employee Name	Project Name
Employee's Address	City, State, Zip Code

Section 3 Worker (24 CFR 75.5) Definition

(1) Any worker who currently fits at least one of the following eligibility categories listed below, as documented on file. (Select any of the options below that apply.)

- Worker is employed by a certified Section 3 business concern.
- Worker is a participant of a YouthBuild Program.
- Worker's annual income for the previous year is below 80% of the Area Median Income (AMI) limit established by HUD. Please see the table below.

HUD 2021 CDBG Income Limit	1 Person 80% of AMI
City of San Diego	\$67,900

Targeted Section 3 Worker [24 CFR 75.21 (a)] Definition

(2) Any worker who currently fits at least one of the following eligibility categories listed below, as documented on file. (Select any options below that apply.)

- Worker is employed by a certified Section 3 business concern.
- Worker lives in the neighborhood or service area of the project.
- Worker is a participant of a YouthBuild Program.

By signing this document, I certify that I am a Section 3 Worker and/or Targeted Section 3 Worker based on the selection of one or more of the eligibility categories listed above.

Signature **Date**

SECTION 3 SUMMARY CLOSEOUT REPORT- PRIME CONTRACTOR/SUBCONTRACTOR

Organization/Company Name		Contract Award Date	
Name of Project		Project Address	
Person Completing Form (name and title)		Telephone Number	
Total Dollar Amount of Construction Contracts Awarded (All funding sources) \$		Total Dollar Amount of CDBG Construction Contracts Awarded (CDBG only) \$	
Section 3 Registered Business? <input type="checkbox"/> Yes <input type="checkbox"/> No	Women Business Enterprise (WBE)? <input type="checkbox"/> Yes <input type="checkbox"/> No	Minority Business Enterprise (MBE)? <input type="checkbox"/> Yes <input type="checkbox"/> No	

SECTION 3 – REPORTING REQUIREMENTS AND BENCHMARKS

Section 3 is a provision of the Housing and Urban Development Act of 1968. The purpose of Section 3 is to ensure that employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, and consistent with existing Federal, State, and local laws and regulations, be directed to low and very low-income persons.

Particularly those who are recipients of government assistance for housing, and to business concerns which provide economic opportunities to low and very low-income persons.

For construction projects awarded that exceed a threshold of \$200,000 of Federal Community Block Grant (CDBG) funding, all contractors are required to comply with Section 3 requirements.

The Benchmarks for Section 3 labor hours are 25%, which means 20% of the total labor hours for a construction project should be completed by Section 3 workers.

The Benchmarks for Targeted Section 3 labor hours is 5%, which means 5% of the total labor hours for a construction project should be completed by Targeted Section 3 workers.

In the table below list the total number of construction workers for this project. Additionally, list the number of workers hired within the year that qualify under the HUD criteria listed on Page 2.

24 CFR 75.25 – Reporting Tables

Construction Trades (i.e., Carpentry, Electrical, Drywall, Plumbing, etc.)	Total Number of Section 3 Workers	Total Number of Labor Hours Worked	Total Number of Labor Hours Worked by Section 3 Workers

Construction Trades (i.e., Carpentry, Electrical, Drywall, Plumbing, etc.)	Total Number of Targeted Section 3 Workers	Total Number of Labor Hours Worked	Total Number of Labor Hours Worked by Targeted Section 3 Workers

HUD - ELIGIBILITY CRITERIA

Section 3 Worker

- Worker is employed by a Section 3 business concern.
- Worker is a YouthBuild participant.
- The Worker’s annual income for the previous calendar year is below does not exceed 80% of the Area Median Income (AMI) limit established by HUD. Please see the table below.

HUD 2021 CDBG Income Limit	1 Person 80% of AMI
City of San Diego	\$67,900

Section 3 Targeted Worker

- Worker is employed by a Section 3 business concern.
- Worker lives in the neighborhood or service area of the project.
- Worker is a YouthBuild participant.

Section 3 Business Concern

- At least 51 percent of a business is owned by very low or low-income persons.
- Over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers.
- A business at least 51 percent owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing.

By signing and submitting this form, my organization/company certifies that the information provided on this form is true, complete, accurate, and meets HUD Section 3 reporting requirements in accordance with 24 CFR Part 75.

Signature
Name and Title
Date