BIDDING **CWSRF PROJECTS** AT THE **SFPUC**

A training about how to correctly complete forms and comply with requirements for SFPUC projects financed by the Clean Water State Revolving Fund.
Agenda

1. Introductions
2. Context
   - Objective
   - City’s Goal and Discretion
   - CWSRF Financing for SFPUC Projects
3. Clean Water State Revolving Fund (CWSRF)
4. CWSRF Requirements
   - American Iron and Steel
   - Davis-Bacon Prevailing Wage
   - Disadvantaged Business Enterprise (DBE)
INTRODUCTIONS
CONTEXT
Objective

1. A class for prime contractors intending to bid SFPUC projects financed by the CWSRF.

2. A training about how to satisfy bidding and contract administration requirements for CWSRF financed projects in addition to existing City programs.

3. This seminar should help contractors to be successful when bidding projects and help the City process contracts more expeditiously.

4. This event should last about an hour with time for questions and answers.
City’s Goal and Discretion

1. The City’s goal is to salvage the low bid.
2. The City has fairly broad discretion to waive defects.
CWSRF Financing for SFPUC Projects

- SFPUC is working to obtain nearly $2.5 billion in CWSRF loan funding over the next five years, specifically for the following projects:

<table>
<thead>
<tr>
<th>Contract No.</th>
<th>Contract Title</th>
<th>Next Important Date</th>
<th>Potential CWSRF Funding Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>WW-626</td>
<td>Southeast Water Pollution Control Plant Primary and Second Clarifier Upgrades</td>
<td>November 12, 2015 (Bid Due Date)</td>
<td>$32,308,985</td>
</tr>
<tr>
<td>WW-613</td>
<td>Southeast Water Pollution Control Plant 521/522 and Disinfection Upgrades</td>
<td>December 10, 2015 (Bid Due Date)</td>
<td>$32,088,516</td>
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<tr>
<td>WW-614</td>
<td>North Point Outfall System Rehabilitation</td>
<td>December 2015 (Advertisement)</td>
<td>$29,973,213</td>
</tr>
<tr>
<td>WW-628</td>
<td>Southeast Water Pollution Control Plant's New Headworks Facility (CM/GC)</td>
<td>January 2016 (Advertisement)</td>
<td>$184,885,288</td>
</tr>
<tr>
<td>WD-2776</td>
<td>San Francisco Westside Recycled Water Treatment Facility</td>
<td>February 2016 (Advertisement)</td>
<td>~$118,400,000</td>
</tr>
<tr>
<td>WD-2798</td>
<td>San Francisco Westside Pipeline</td>
<td>April 2016 (Advertisement)</td>
<td>~$29,600,000</td>
</tr>
<tr>
<td>WD-2797</td>
<td>San Francisco Westside Recycled Water Pump Station &amp; Reservoir</td>
<td>July 2016 (Advertisement)</td>
<td>~$37,000,000</td>
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<tr>
<td>TBD</td>
<td>North Shore Wet Weather Facility Improvement and Disinfection</td>
<td>February 2017 (Advertisement)</td>
<td>$66,610,914</td>
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<tr>
<td>TBD</td>
<td>Oceanside Water Pollution Control Plant Digester Gas Utilization Upgrade</td>
<td>November 2016 (Advertisement)</td>
<td>$48,233,856</td>
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<tr>
<td>TBD</td>
<td>Southeast Water Pollution Control Plant Biosolids Digester Facilities Project (CM/GC)</td>
<td>August 2017 (Advertisement)</td>
<td>$1,186,308,160</td>
</tr>
</tbody>
</table>
Clean Water State Revolving Fund (CWSRF)

- A financial assistance program established under the Federal Clean Water Act, administered by the US Environmental Protection Agency and California Water Resources Board.
- Provides low interest financing for construction and implementation of water quality projects – specifically, at the SFPUC, SSIP wastewater projects and recycled water projects.
- Requires Compliance with Federal Cross Cutters
CWSRF REQUIREMENTS
IMPORTANT SPECIAL NOTICE: Work to be performed under this contract will be in full or in part financed by the Clean Water State Revolving Fund (SRF). Attention is directed to Section 00 48 10 for a description of State and Federal requirements associated with this contract.
CWSRF Requirements in the Contract
Bidding Forms Checklist

1. Disadvantaged Business Enterprise (DBE) Good Faith Effort Certification (SFPUC Section 00 48 11) including supporting documentation evidencing outreach efforts
2. DBE Sub-Contractor Performance Form (EPA 6100-3)
3. DBE Sub-Contractor Utilization Form (EPA 6100-4)
4. Proof of DBE Certification (refer to Section 00 48 10 – Article 2.3)
5. Bidders List Collection Form (Section 00 48 12); can be submitted with in 72 hours of submitting sealed bid.
6. American Iron and Steel Compliance Certification (Section 00 48 13)

Bidding Forms Checklist

A. Each Bidder shall submit with its Bid the following documentation:
   - Evacuated Bid Form (Section 00 44)
   - Schedule of Bidding Prices (Section 00 44 13)
   - Acknowledgment of Receipt of Addendum
   - Non-collusion Affidavit (Section 00 45)
   - Certificate of Bidder Regarding Non-collusion (Section 00 45 70)
   - Certificate of Bidder Regarding Highest General Prevailing Rate C (Section 00 45 70)
   - BUSINESS TAX REGISTRATION Certificate
   - Certificate of Bidder Registered in California
   - Proof of DBE Certification
   - Certificate of Prime Contractor
   - Bidders List Collection Form (Section 00 48 12)
   - American Iron and Steel Compliance Certification

B. No later than 5 p.m. on the fifth business day after the date of Bid opening:
   - Applicant Low Bidder, and any other Bidder so requested, shall deliver the forms listed below to the attention of the CWSRF Contract Compliance Officer identified in Key Contacts and Details, Section 00 01 03.
   - S.F. Administrative Code Chapters 12B & 12C – Declaration: Nondiscrimination in Contracts and Benefits (Section 00 45 71)
   - Documentation required under Item 5 and 6 of FORM 2B: “Good Faith Outreach” Requirements Form (CM562) (if Bidder is not exempt from this requirement)
   - FORM 3: CWSRF Compliance Affidavit (CM565)
   - FORM 6: CWSRF Subcontractor Participation Affidavit (CM566)
   - FORM 6A: CWSRF Trade Unit Form (CM56KA)

C. Deliver the forms listed below to the attention of the Contract Administration Bureau identified in Key Contacts and Details Section 00 01 03. Timely delivery of these forms is required.
   - Release of Liens, Waivers, and Bonding Agreement (Section 00 21 16)
   - Bidder’s Qualifications (Section 00 45 13)
   - CWSRF Subcontractor Participation Affidavit (CM565)
   - CWSRF Trade Unit Form (CM56KA)
American Iron and Steel (AIS) Requirements

- Section 00 48 13 American Iron and Steel Compliance Certification
  - Complete, sign and submit with bid.
  - Contractor is warranting that it understands the AIS requirements, that all applicable products will meet the requirements and the its bid price includes compliant products.
Davis-Bacon Wage Requirement

• The highest of Federal, State or Local prevailing wage rates shall apply. (Section 00 52 00, Article 4.02)

• Davis-Bacon Wage Rates (Section 00 48 10, Exhibit A)
  - Watch for addenda issued prior to bid opening that include updated Davis-Bacon wages and acknowledge receipt.

• Submit weekly certified payroll records.

• Utilize apprentices from approved programs, as appropriate.

• Expect SFPUC representative to conduct regular employee rate interviews.
Disadvantaged Business Enterprise (DBE) Requirements

- **Good Faith Efforts**
  - Identify DBEs eligible to participate on project.
    - DBE is a small business owned or controlled by a socially and economically disadvantaged person: MBE or WBE.
  - Ensure DBEs are made aware of project through outreach.
    - State that you are looking for DBE subcontractors.
  - Post solicitations 30 days prior to bid due date.
  - Encourage contracting with a group of DBEs on larger scopes of work.
Disadvantaged Business Enterprise (DBE) Requirements

- **Section 00 48 11**
- **Disadvantaged Business Enterprise Good Faith Effort Certification**
  - Complete, sign and submit with bid.
  - Indicate whether prime is certified as a DBE.
    - If a DBE, include certification.
  - Attach evidence of advertisement to DBE subcontractors 30 days prior to bid opening.
Disadvantaged Business Enterprise (DBE) Requirements

- EPA Form 6100-3 DBE Subcontractor Performance Form
  - Form to be completed by any DBE subcontractor(s).
  - Both the prime and subcontractor must sign.
  - Submit with bid.
Disadvantaged Business Enterprise (DBE) Requirements

- EPA Form 6100-4 DBE Subcontractor Utilization Form
  - Complete, sign and submit with bid.
  - If contractor utilizing DBE subs, list DBEs in the table.
  - If contractor not utilizing DBEs, explain outreach and reason for non-utilization.
Disadvantaged Business Enterprise (DBE) Requirements

• Section 00 48 12 DBE Bidder’s List Collection Form

  - Submit with bid, if possible, or within 72 hours of bid.
    - Prime must provide this information for itself with its bid.
  
  - Complete for all subcontractors (DBE and not) who provided a proposal, bid, quote, or was contacted by the prime.
    - Include proof of DBE certification, if applicable.
Disadvantaged Business Enterprise (DBE) Requirements

- EPA Form 6100-2 DBE Subcontractor Participation Form
  - Form to be provided by prime to all DBE subcontractors.
  - Form can be submitted to EPA at any time during the project to describe work received or report concerns.
Resources

WE ARE HERE TO HELP

• Contractors Assistance Center
  (415) 467-1040
  acp@sfwater.org
  sfwater.org/acp

• Contract Administration Bureau
  (415) 551-4603
  qbd@sfwater.org
  sfwater.org/contracts
Resources

SFPUC Contracts and Bids
http://www.sfwater.org/bids/bidlist.aspx?bidtype=1

US EPA Guidance on American Iron and Steel
http://www2.epa.gov/cwsrf/american-iron-and-steel-requirement-guidance-and-questions-and-answers

US EPA DBE Certification Process and Finding Certified Firms
Resources

Caltrans, Office of Business and Economic Opportunity
Unified Certification Program – Finding DBEs
http://www.dot.ca.gov/hq/bep/ucp.htm

Minority Business Development Agency - Posting DBE
Solicitation and Finding DBEs
http://www.mbd.gov/workspace
QUESTIONS?
THANK YOU.

sfwater.org/SSIP
SSIP@sfwater.org
sfwater.org