

**ALAMEDA COUNTY  
BOARD OF SUPERVISORS'  
PROCUREMENT AND CONTRACTING POLICY COMMITTEE**

Monday, May 16, 2022  
2:30 p.m.

Location: **Board of Supervisors' Chamber – Room 512 – 5th Floor**  
County Administration Building  
1221 Oak Street, Oakland, CA 94612

**Supervisor Nate Miley, Chair**  
**Supervisor David Haubert**

Staff: Melissa Wilk, Auditor-Controller  
Daniel Woldesenbet, Director, Public Works Agency  
Kimberly Gasaway, Interim Director, General Services  
Susan S. Muranishi, County Administrator

**Summary Action Minutes**

**I. Health Care Services Agency Outreach, Contracting and Procurement Quarterly Report**  
Continued to a future meeting

**II. General Services Agency Outreach, Contracting and Procurement Quarterly Report**  
[Attachment](#)

Detra Dillon, Procurement Administrator, General Services Agency, presented the Agency's Outreach, Contracting and Procurement Quarterly Report for the period of January 1, 2022, through March 31, 2022.

*Goods and Services Contracts (inclusive of Professional services)*

During the current reporting period, the General Services Agency conducted 14 formal bid processes that resulted in 14 contracts totaling \$20,244,875.

*SLEB Waivers*

323 SLEB waivers were approved for goods and services, for a total amount of \$91,503,298. This includes new contracts and amendments to existing contracts.

GSA processed 145 requests for Sole Sources and Piggybacks with a total amount of \$15,620,912.

*Construction Services*

- Dublin Transit Center Parking Garage; award date: 3/22/2022; McCarthy Building Companies (Santa Clara): \$28,811,500
- Highland Hospital Phase 4—Koret Building Exhaust Fan and Waterproofing; award date: 3/8/2022; Pullman SST, Inc. (Benicia): \$1,412,819
- Irrigation Water Line Repairs; award date: 3/15/2022; Welton Engineering and Construction (Walnut Creek): \$30,874

This item was informational only and required no Committee action.

### **III. General Services Agency Discussion of anticipated outcomes of SLEB, PRIME and ECOP** [Attachment](#)

Detra Dillon, Procurement Administrator, General Services Agency, presented a PowerPoint presentation to facilitate the discussion of anticipated outcomes of SLEB, PRIME and ECOP programs.

#### Small Local & Emerging Business (SLEB)

- Applies to all County procured professional services contracts for construction projects
- SLEB preference points during procurement are 5% local and 5% small/emerging
- Non SLEB awards require subcontracting of 20% to Small, local, and/or emerging business

#### Enhanced Construction Outreach Program (ECOP)

- Goal Based Program applies to capital projects and major maintenance projects of \$125,000+  
Construction Contract Goals: Local 60%, Small Local Business Enterprise 20%, Minority Business Enterprise 15%, and Woman Business Enterprise 5%

#### Project Stabilization and Community Benefits Agreement

- Agreement is between Alameda County & the Building Trades Council of Alameda County for \*projects over \$1 million
- Workforce Program = About People / Construction Workers
- Increase local residents' participation on County funded construction projects
- Encourage the use of disadvantaged resident workers (DRW) on County funded construction projects
- Applies to construction projects in County owned facilities, tenant improvement projects in leased facilities performed by landlords, and projects implemented by non-profits with County funds

### **Speakers**

Eddie Dillard stated that the consultants (Davillier-Sloane) that work with GSA on the Project Stabilization Agreement should have all the data necessary regarding contractors; SLEB waiver analysis should be included in the disparity study; GSA should require instead of encouraging prime contractors to use SLEB contractors.

Mario Wagner asked if there has been a study done on skills/trades that are not receiving participation and what could be done to boost the contracts, for example training at Cypress Mandela.

This item was informational only and required no Committee action.

### **IV. SLEB Re-Imagination Update** [Attachment](#)

Detra Dillon, Procurement Administrator, General Services Agency, presented a report on the status of the Small Local Emerging Business (SLEB) Re-Imagine Update.

The report included information on enhanced policies for

- Size Standards for SLEBs
- SLEB Certification
- Local business requirements
- SLEB county contract participation requirements

- Implement capacity building/technical support for SLEBs
- Unbundling/sheltered bidding
- Contract compliance
- Supplier selection/evaluation criteria
- Piggyback contracts
- Accountability
- Sole source and SLEB waiver exemptions

## **Speakers**

Eddie Dillard, Bernida Regan, Dr. Eleanor Ramsey, Mario Wagner and Bendu Griffin gave public comment on SLEB Re-Imagine Update.

**Recommendation from Procurement & Contracting Policy Committee:** The Procurement & Contracting Policy Committee directed the General Services Agency and other necessary staff to develop an Alameda County program and policy for unbundling and sheltered bidding. Staff should refer to other jurisdictions that already have these programs in place. Reschedule the item for July Procurement & Contracting Policy Committee meeting.

## **V. Oral Report Regarding Potential Moratorium on SLEB Waivers**

Kimberly Gasaway, Interim Director, General Services Agency provided an oral report on Small, Local & Emerging Business (SLEB) Potential Moratorium on Waivers.

Interim Director Gasaway reported that the General Services Agency follows very strict requirements for SLEB waivers. A moratorium would shut down a significant portion of County business.

Automatically exempt from SLEB  
 Community-based organizations  
 Utilities  
 Proprietary equipment  
 Proprietary software

The General Services Agency will review how the waivers can be reported more efficiently and how data can be shared more specifically. The Agency will seek to identify support services to increase SLEB participation.

The Agency has not previously reported construction contracts under \$1 million, where the Enhanced Construction Outreach Program (ECOP) is not required. The Agency has now collected the data and will share the data at the next meeting. The Agency is also continuing to work with stakeholders such as Merriwether & Williams to build capacity for smaller contractors.

Andrea Weddle, County Counsel, clarified the terms exemption and SLEB waiver. Non-profit organizations and utilities are exempt from the SLEB program; however, they do not receive a waiver. The two terms are not interchangeable.

In reference to a moratorium, the Board could implement a moratorium on SLEB waivers by a resolution.

This item was informational only and required no Committee action.

## **PUBLIC COMMENT**

Supervisor David Haubert, District 1, asked about agendizing Zone 7 for a future Procurement & Contracting Policy Committee meeting to discuss their unique procurement situation.

Supervisor Nate Miley, District 4, recommended having separate conversation with County Counsel, the County Administrator's Office and Zone 7 prior to the item coming to the Committee.

Mario Wagner stated that the National Association of Minority Contractors is interested in working