

ALAMEDA COUNTY AUDITOR-CONTROLLER AGENCY PATRICK O'CONNELL

AUDITOR-CONTROLLER/CLERK-RECORDER

MEMORANDUM

TO: Scott Haggerty, Board of Supervisors, Procurement and Contracting Policy Committee

Nate Miley, Board of Supervisors, Procurement and Contracting Policy Committee

FROM: (Patrick O'Connell, Auditor-Controller

DATE: October 4, 2010

SUBJECT: PROCUREMENT UPDATE

Attached is an updated progress report on County procurement. The data presented in the report is for the period July 1, 2007 through June 30, 2010. The report shows that under the committee's direction policies and procedures have been put in place that have resulted in increased participation, heightened awareness of staff to follow board requirements and an increase in percentage of contract dollars awarded to MBE/SLEB contractors. Listed below and included in the attachments are some accomplishments. The report in its entirety will be available on our website at http://www.acgov.org/auditor/sleb/documents.htm. If you have any questions please call me.

- MBE/SLEB % of TOTAL DOLLARS increased from 10.45% to 31.86%
- MBE/SLEB dollars increase from \$57.7M to \$242.2M
- MBE/SLEB CONSTRUCTION % of dollars increased from 14.37% to 35.28%
- MBE/SLEB A & E % of dollars increased from 10.15% to 49.97%
- MBE/SLEB PROF SVS % of dollars increased from 13.82% to 32.91%
- MBE/SLEB GOODS & SERVICES % of dollars increased from 7.16% to 28.81%
- Local contract dollars increased from 57.76% to 63.77%
- Contracts under \$25,000 targeted to MBE/SLEB
- Contracts over \$25,000 bid preference: 5% local, 5% SLEB

- NON-SLEB goods and services contracts: 20% SLEB
- Approximately 1,288 SLEBs certified simplified process
- Provided training for contractors and County staff

PO:hc

procurement update

REPORT ON COUNTY PROCUREMENT

October 4, 2010

Total Contracts Local & Non-Local

	7/1/00 - 6/30/03	7/1/07 - 6/30/10
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Local	\$318.9M	\$484.8M
Non-Local	\$233.2M	\$275.4M
		
Total	\$552.1M	\$760.2M
% Local	57.76%	63.77%

Local Contracts Summary

	7/1/00 - 6/30/03	7/1/07 - 6/30/10
Total Local Contracts	\$318.9M	\$484.8M
Local Dollars	57.76%	63.77%
MBE/SLEB	\$57.7M	\$242.2M
MBE/SLEB % of Total Contracts	10.45%	31.86%

MBE/SLEB Contracts by Type

	7/1/00 - 6/30/03		7/1/07 - 6/30/10	
Туре	\$	%	\$	%
Construction	\$20.2M	14.37%	\$49.0M	35.28%
Architecture & Engineering	\$5.5M	10.15%	\$4.5M	49.97%
Professional Services	\$13.3M	13.82%	\$98.5M	32.91%
Goods & Services	\$18.7M	7.16%	\$90.2M	28.81%
Total	\$57.7M	10.45%	\$242.2M	31.86%

MBE/SLEB Contract Amounts by Ethnicity

	7/1/00 - 6/30/03	7/1/07 - 6/30/10
Туре	\$	\$
African American	\$8.8M	\$27.4M
Hispanic American	\$23.4M	\$60.1M
Multi-Ethnicity	-	\$17.4M
Asian American	\$16.2M	\$41.2M
Caucasian Female	\$3.2M	\$29.2M
Caucasian Male	\$5.7M	\$66.4M
Native American	\$0.4M	\$0.5M
Total	\$57.7M	\$242.2M

Contracts by Geographic Area

	7/1/00 -	6/30/03	7/1/07 -	6/30/10	Percent Change
Geographic Area	\$	%	\$	%	%
Alameda	\$1.7M	0.53%	\$12.6M	2.60%	2.07%
Albany	\$0.9M	0.28%	\$2.9M	0.60%	0.32%
Berkeley	\$10.8M	3.39%	\$7.9M	1.63%	-1.76%
Castro Valley	\$0.7M	0.22%	\$1.8M	0.37%	0.15%
Dublin	\$6.1M	1.91%	\$84.7M	17.47%	15.56%
Emeryville	\$9.2M	2.88%	\$8.3M	1.71%	-1.17%
Fremont	\$8.5M	2.67%	\$18.1M	3.73%	1.07%
Hayward	\$34.4M	10.79%	\$35.2M	7.26%	-3.53%
Livermore	\$5.7M	1.79%	\$35.0M	7.22%	5.43%
Newark	\$1.4M	0.44%	\$4.5M	0.93%	0.49%
Oakland	\$201.9M	63.31%	\$169.3M	34.92%	-28.39%
Piedmont	-	0.00%	-	0.00%	0.00%
Pleasanton	\$14.5M	4.55%	\$69.4M	14.32%	9.77%
San Leandro	\$14.6M	4.58%	\$24.1M	4.97%	0.39%
San Lorenzo	\$6.1M	1.91%	\$3.3M	0.68%	-1.23%
Sunol	-	0.00%	\$0.1M	0.02%	0.02%
Union City	\$2.4M	0.75%	\$7.6M	1.57%	0.82%
TOTAL	\$318.9M	100.00%	\$484.8M	100.00%	

MBE/SLEB Participation by Type

	7/1/00 - 6/30/03	7/1/07 - 6/30/10
Construction		
Total	\$141.1M	\$138.8M
MBE/SLEB	\$20.2M	\$49.0M
% MBE/SLEB	14.37%	35.28%
Architecture & Engineering		
Total	\$53.7M	\$9.0M
MBE/SLEB	\$5.5M	\$4.5M
% MBE/SLEB	10.15%	49.97%
Professional Services		
Total	\$96.1M	\$299.4M
MBE/SLEB	\$13.3M	\$98.5M
% MBE/SLEB	13.82%	32.91%
Goods & Services		
Total	\$261.2M	\$313.1M
MBE/SLEB	\$18.7M	\$90.2M
% MBE/SLEB	7.16%	28.81%
Total All Contracts		
Total	\$552.1M	\$760.2M
MBE/SLEB	\$57.7M	\$242.2M
% MBE/SLEB	10.45%	31.86%

Construction Contracts by Ethnicity

	7/1/00 - 6/30/03	7/1/07 - 6/30/10
African American Males	\$1.8M	\$2.7M
African American Females	\$0.8M	\$0.2M
Asian American Males	\$2.5M	\$0.6M
Asian American Females	\$0.2M	\$12.8M
Hispanic American Males	\$13.4M	\$22.6M
Hispanic American Females	\$1.2M	\$1.2M
Native American Males	\$0.1M	-
Native American Females	\$0.2M	-
Multi-Ethnic> 50% Males	-	\$0.2M
Multi-Ethnic> 50% Females	-	-
Caucasian Males - SLEB	-	\$5.2M
Caucasian Females - SLEB	-	2.7M
Multi-Ethnic 50/50	-	\$0.8M
Total MBE/SLEB	\$20.2M	\$49.0M
Caucasian Males	\$116.3M	\$78.1M
Caucasian Females	\$4.6M	\$6.5M
Unknown/Decline	-	\$5.2M
Publicly Owned Entity	-	-
Total	\$141.1M	\$138.8M
% MBE/SLEB	14.37%	35.28%

Architect & Engineering Contracts by Ethnicity

	7/1/00 - 6/30/03	7/1/07 - 6/30/10
African American Males	\$1.4M	\$0.3M
African American Females	-	-
Asian American Males	\$0.8M	\$1.2M
Asian American Females	\$0.5M	\$0.6M
Hispanic American Males	\$1.1M	-
Hispanic American Females	\$0.5M	-
Native American Males	-	-
Native American Females	-	-
Multi-Ethnic> 50% Males	-	-
Multi-Ethnic> 50% Females	-	\$0.7M
Caucasian Males - SLEB	\$1.1M	\$0.6M
Caucasian Females - SLEB	\$0.1M	\$1.1M
Multi-Ethnic 50/50	-	-
Total MBE/SLEB	\$5.5M	\$4.5M
Caucasian Males	\$45.2M	\$2.8M
Caucasian Females	\$3.0M	-
Unknown/Decline	-	\$0.1M
Publicly Owned Entity	-	\$1.6M
TOTAL	\$53.7M	\$9.0M
% MBE/SLEB	10.15%	49.97%

Professional Services Contracts by Ethnicity

	7/1/00 - 6/30/03	7/1/07 - 6/30/10
African American Males	\$1.5M	\$11.6M
African American Females	\$1.3M	\$4.9M
Asian American Males	\$5.2M	\$3.7M
Asian American Females	\$0.4M	\$5.8M
Hispanic American Males	\$0.6M	\$29.9M
Hispanic American Females	\$0.4M	\$1.2M
Native American Males	-	-
Native American Females	-	-
Multi-Ethnic> 50% Males	-	\$1.7M
Multi-Ethnic> 50% Females	-	\$0.3M
Caucasian Males - SLEB	\$1.8M	\$28.1M
Caucasian Females - SLEB	\$2.1M	\$4.6M
Multi-Ethnic 50/50	-	\$6.7M
Total MBE/SLEB	\$13.3M	\$98.5M
Caucasian Males	\$73.0M	\$85.4M
Caucasian Females	\$9.8M	\$9.0M
Unknown/Decline	-	\$1.2M
Publicly Owned Entity	-	\$105.3M
Total	\$96.1M	\$299.4M
% MBE/SLEB	13.82%	32.91%

Goods & Services Contracts by Ethnicity

	7/1/00 - 6/30/03	7/1/07 - 6/30/10
African American Males	\$1.3M	\$4.2M
African American Females	\$0.8M	\$3.5M
Asian American Males	\$4.9M	\$10.2M
Asian American Females	\$1.6M	\$6.3M
Hispanic American Males	\$4.8M	\$3.4M
Hispanic American Females	\$1.4M	\$1.8M
Native American Males	-	\$0.2M
Native American Females	-	\$0.3M
Multi-Ethnic> 50% Males	-	\$3.9M
Multi-Ethnic> 50% Females	-	\$0.8M
Caucasian Males - SLEB	\$2.8M	\$32.5M
Caucasian Females - SLEB	\$1.1M	\$20.8M
Multi-Ethnic 50/50	-	\$2.3M
Total MBE/SLEB	\$18.7M	\$90.2M
Caucasian Males	\$191.0M	\$124.3M
Caucasian Females	\$51.5M	\$5.9M
Unknown/Decline	-	\$0.7M
Publicly Owned Entity	-	\$92.0M
Total	\$261.2M	\$313.1M
% MBE/SLEB	7.16%	28.81%

Total Contracts by Ethnicity

	7/1/00 - 6/30/03	7/1/07 - 6/30/10
African American Males	\$6.0M	\$18.8M
African American Females	\$2.8M	\$8.6M
Asian American Males	\$13.5M	\$15.7M
Asian American Females	\$2.7M	\$25.5M
Hispanic American Males	\$20.0M	\$55.9M
Hispanic American Females	\$3.4M	\$4.2M
Native American Males	\$0.1M	\$0.2M
Native American Females	\$0.3M	\$0.3M
Multi-Ethnic> 50% Males	-	\$5.8M
Multi-Ethnic> 50% Females	-	\$1.8M
Caucasian Males - SLEB	\$5.7M	\$66.4M
Caucasian Females - SLEB	\$3.2M	\$29.2M
Multi-Ethnic 50/50	-	\$9.8M
Total MBE/SLEB	\$57.7M	\$242.2M
Caucasian Males	\$425.5M	\$290.6M
Caucasian Females	\$68.9M	\$21.4M
Unknown/Decline	-	\$7.2M
Publicly Owned Entity		\$198.9M
Total	\$552.1M	\$760.2M
% MBE/SLEB	10.45%	31.86%

MBE/SLEB by Contract Amount

	7/1/00 - 6/30/03	7/1/07 - 6/30/10
CONTRACTS UNDER \$25,000		
Total	\$63.0M	\$75.3M
MBE/SLEB	\$9.7M	\$29.8M
% MBE/SLEB	15.38%	39.47%
CONTRACTS \$25,001 - \$100,000		
Total	\$106.3M	\$77.6M
MBE/SLEB	\$11.3M	\$32.6M
% MBE/SLEB	10.60%	41.98%
CONTRACTS \$100,001 - \$500,000		
Total	\$85.9M	\$118.5M
MBE/SLEB	\$16.4M	\$49.2M
% MBE/SLEB	19.13%	41.54%
CONTRACTS OVER \$500,000		
Total	\$296.9M	\$488.8M
MBE/SLEB	\$20.3M	\$130.6M
% MBE/SLEB	6.84%	26.73%
TOTAL ALL CONTRACTS		
Total	\$552.1M	\$760.2M
MBE/SLEB	\$57.7M	\$242.2M
% MBE/SLEB	10.45%	31.86%

Contract Amounts Under \$25,000 by Ethnicity

	7/1/00 - 6/30/03	7/1/07 - 6/30/10			
African American Males	\$1.1M	\$1.4M			
African American Females	\$0.6M	\$0.5M			
Asian American Males	\$2.6M	\$3.6M			
Asian American Females	\$1.0M	\$1.6M			
Hispanic American Males	\$2.4M	\$1.5M			
Hispanic American Females	\$0.4M	\$1.0M			
Native American Males	\$0.1M	\$0.1M			
Native American Females	-	\$0.2M			
Multi-Ethnic> 50% Males	-	\$1.5M			
Multi-Ethnic> 50% Females	-	\$0.2M			
Caucasian Males - SLEB	\$1.2M	\$10.4M			
Caucasian Females - SLEB	\$0.3M	\$6.6M			
Multi-Ethnic 50/50	I	\$1.2M			
Total MBE/SLEB	\$9.7M	\$29.8M			
Caucasian Males	\$46.2M	\$23.3M			
Caucasian Females	\$7.1M	\$3.0M			
Unknown/Decline	_	\$0.5M			
Publicly Owned Entity	-	\$18.7M			
Total	\$63.0M	\$75.3M			
% MBE/SLEB	15.38%	39.47%			

Contract Amounts \$25,001-\$100,000 by Ethnicity

	7/1/00 - 6/30/03	7/1/07 - 6/30/10		
African American Males	\$2.3M	\$1.5M		
African American Females	\$1.4M	\$1.0M		
Asian American Males	\$3.5M	\$3.1M		
Asian American Females	\$1.2M	\$2.2M		
Hispanic American Males	\$2.5M	\$2.0M		
Hispanic American Females	\$0.4M	\$0.7M		
Native American Males	-	\$0.2M		
Native American Females	-	\$0.1M		
Multi-Ethnic> 50% Males	-	\$1.0M		
Multi-Ethnic> 50% Females	-	\$0.3M		
Caucasian Males - SLEB	-	\$11.5M		
Caucasian Females - SLEB	-	\$7.9M		
Multi-Ethnic 50/50	-	\$1.1M		
Total MBE/SLEB	\$11.3M	\$32.6M		
Caucasian Males	\$83.6M	\$22.5M		
Caucasian Females	\$11.4M	\$2.8M		
Unknown/Decline	-	\$1.2M		
Publicly Owned Entity	-	\$18.5M		
Total	\$106.3M	\$77.6M		
% MBE/SLEB	10.60%	41.98%		

Contract Amounts \$100,001-\$500,000 by Ethnicity

	7/1/00 - 6/30/03	7/1/07 - 6/30/10		
African American Males	\$1.2M	\$3.0M		
African American Females	\$0.1M	\$1.1M		
Asian American Males	\$3.5M	\$6.9M		
Asian American Females	\$0.5M	\$3.3M		
Hispanic American Males	\$2.2M	\$4.7M		
Hispanic American Females	\$1.2M	\$1.7M		
Native American Males	-	-		
Native American Females	\$0.3M	-		
Multi-Ethnic> 50% Males	I	\$0.7M		
Multi-Ethnic> 50% Females	I	\$0.6M		
Caucasian Males - SLEB	\$4.6M	\$19.8M		
Caucasian Females - SLEB	\$2.8M	\$5.7M		
Multi-Ethnic 50/50	I	\$1.7M		
Total MBE/SLEB	\$16.4M	\$49.2M		
Caucasian Males	\$64.7M	\$43.2M		
Caucasian Females	\$4.8M	\$6.8M		
Unknown/Decline	-	\$3.4M		
Publicly Owned Entity	-	\$15.9M		
Total	\$85.9M	\$118.5M		
% MBE/SLEB	19.13%	41.54%		

Contract Amounts Over \$500,000 by Ethnicity

	7/1/00 - 6/30/03	7/1/07 - 6/30/10			
African American Males	\$1.4M	\$12.8M			
African American Females	\$0.7M	\$6.0M			
Asian American Males	\$4.0M	\$2.1M			
Asian American Females	-	\$18.4M			
Hispanic American Males	\$12.9M	\$47.7M			
Hispanic American Females	\$1.3M	\$0.8M			
Native American Males	-	-			
Native American Females	-	-			
Multi-Ethnic> 50% Males	-	2.7M			
Multi-Ethnic> 50% Females	-	\$0.7M			
Caucasian Males - SLEB	-	\$24.7M			
Caucasian Females - SLEB	-	\$9.0M			
Multi-Ethnic 50/50	-	\$5.7M			
Total MBE/SLEB	\$20.3M	\$130.6M			
Caucasian Males	\$230.9M	\$201.6M			
Caucasian Females	\$45.7M	\$8.8M			
Unknown/Decline	-	\$2.1M			
Publicly Owned Entity	-	\$145.7M			
Total	\$296.9M	\$488.8M			
% MBE/SLEB	6.84%	26.73%			

Total Contracts by Ethnicity

	7/1/00 - 6/30/03	7/1/07 - 6/30/10		
African American Males	\$6.0M	\$18.8M		
African American Females	\$2.8M	\$8.6M		
Asian American Males	\$13.5M	\$15.7M		
Asian American Females	\$2.7M	\$25.5M		
Hispanic American Males	\$20.0M	\$55.9M		
Hispanic American Females	\$3.4M	\$4.2M		
Native American Males	\$0.1M	\$0.2M		
Native American Females	\$0.3M	\$0.3M		
Multi-Ethnic> 50% Males	-	\$5.8M		
Multi-Ethnic> 50% Females	-	\$1.8M		
Caucasian Males - SLEB	\$5.7M	\$66.4M		
Caucasian Females - SLEB	\$3.2M	\$29.2M		
Multi-Ethnic 50/50	-	\$9.8M		
Total MBE/SLEB	\$57.7M	\$242.2M		
Caucasian Males	\$425.5M	\$290.6M		
Caucasian Females	\$68.9M	\$21.4M		
Unknown/Decline	-	\$7.2M		
Publicly Owned Entity	-	\$198.8M		
Total	\$552.1M	\$760.2M		
% MBE/SLEB	10.45%	31.86%		

CONTRACTS BY GEOGRAPHIC AREA JULY 1, 2007 THRU JUNE 30 2010

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ALL CONTRACTS	NORTH	CENTRAL	SOUTH	EAST	
ALL CONTRACTS	COUNTY	COUNTY	COUNTY	COUNTY	TOTAL
			000111		1017/2
african american males	11,773,671	782,353	1,221,712	250,375	14,028,111
african american females	8,031,108	22,112	-	110,000	8,163,220
asian american males	6,679,600	2,392,426	1,314,658	364,121	10,750,805
asian american females	7,132,986	497,689	4,429,274	475,120	12,535,069
hispanic american males	44,046,621	2,384,818	576,849	8,218,663	55,226,951
hispanic american females	593,192	2,337,390	46,644	554,333	3,531,559
native american males	71,180	-	140,402	21,429	233,011
natice american females	114,372	188,054	**	-	302,426
multi-ethic>50% males	1,068,613	1,094,599	472,563	1,224,832	3,860,607
multi-ethic>50% females	220,050	-	116,675	1,000	337,725
caucasian females - sleb	7,625,587	8,288,516	2,483,379	10,067,146	28,464,628
caucasian males - sleb	21,485,574	11,275,369	2,108,552	9,765,724	44,635,219
multi-ethic 50/50	2,845,897	2,067,191	124,144	5,823,214	10,860,446
total mbe\sleb	111,688,451	31,330,517	13,034,852	36,875,957	192,929,779
caucasian females	4,909,481	2,959,428	144,952	1,377,452	9,391,313
caucasian males	64,092,870	26,151,266	4,676,641	33,740,912	128,661,689
unknown/decline	425,000		-	7,093	432,093
publicly owned entity	19,988,345	3,947,932	12,241,461	117,205,060	153,382,798
total	201,104,147	64,389,143	30,097,906	189,206,474	484,797,673
	41.48%	13.28%	6.21%	39.03%	100.00%

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						CONT	RACTS BY (CITY				Ì						
						07/01/20	007 thru 06/3	0/2010				·						
Ethnicity and Gender	Alameda	Albany	Berkeley	Castro Valley	Dublin	Emeryville	Fremont	Hayward	Livermore	Newark	Oakland	Piedmont	Pleasanton	San Leandro	San Lorenzo	Sunol	Union City	тоти
African American Female	3,000	49,913	5,042		· · · · · · · · · · · · · · · · · · ·	82,754		11,539			7,890,400		110,000	10,573				8,163,22
African American Males	125,850	60,550			250,375		150,000	566,615			11,587,271			215,738			1,071,712	14,028,11
Native American Females	;		114,372					188,054										302,42
Native American Males		11,749			21,429		140,402		·		59,431	 						233,01
Asian American Females	300,000		561,885		391,635	869,721	4,264,274	399,568	46,024		5,401,380	·	37,461	98,121			165,000	12,535,06
Asian American Males	130,504	13,528	937,007		51,247	2,593,305	1,030,913	1,269,559		. 238,850	3,005,253		312,874	1,122,867			44,895	10,750,80
Hispanic American Fema	81,500		46,126		554,333		644	693,925			465,566			1,643,465			46,000	3,531,55
Hispanic American Males			22,031	3,000	74,010		576,849	1,949,652	7,424,991		44,024,591		719,662	432,166				55,226,95
Multi-ethnic: >50% Femal	es				1,000		116,675			· · · · · ·	220,050							337,72
Multi-ethnic: >50% Males	81,285		71,995	4,000	5,200		42,617	1,016,881	1,180,425	404,396	915,334		39,207	73,718			25,550	3,860,60
Multi-ethnic:50/50	48,121			174,257	24,000	4,146	124,144	19,000	340,489		2,793,629		5,458,725	1,870,293	3,641			10,860,44
Caucasian Females SLE	1,428,724		549,337	497,989		1,073,644	698,695	1,971,956	568,886	1,784,684	4,573,883	0	9,498,260	5,812,571	6,000	0	0	28,464,629
Caucasian Males SLEB	1,459,304	2,324,916	809,081	362,264	2,455,246	840,790	1,165,554	4,941,347	2,990,124	454,458	16,051,483		4,241,039	2,888,780	3,082,979	79,316	488,540	44,635,221
Sub-total MBE	3,658,288	2,460,656	3,116,876	1,041,510	3,828,475	5,464,360	8,310,766	13,028,095	12,550,938	2,882,388	96,988,272	0	20,417,227	14,168,292	3,092,620	79,316	1,841,698	192,929,778
Caucasian Females Non-	93,510	9,000	2,025,062	86,296	158,456	240,654	102,851	1,927,926	665,198	42,101	2,539,255	2,000	553,801	923,908	21,298			9,391,316
Caucasian Males Non-SL	5,018,590	468,057	2,266,406	639,193	2,500,535	859,354	2,119,174	18,479,253	20,283,007	1,379,337	55,480,463		10,957,368	6,826,551	206,271		1,178,130	128,661,689
Publicly Owned Entity	3,849,302		117,982	13,000	78,256,163	1,794,862	7,529,072	1,756,711	1,484,258	165,686	14,226,199	· · · · · · · · · · · · · · · · · · ·	37,464,638	2,174,537	3,684		4,546,703	153,382,797
Declined to State			400,000		3,738				3,355		25,000							432,093
Total	12,619,690	2,937,714	7,926,326	1,779,999	84,747,368	8,359,230	18,061,863	35,191,985	34,986,757	4,469,511	169,259,189	2,000	69,393,034	24,093,287	3,323,873	79,316	7,566,530	484,797,673

The Auditor-Controller's agency assumed the Contract Compliance function on July 1, 2008

The Auditor-Controller's agency did not receive any additional funding or positions with the transfer of the Contract Compliance Unit

All cost of the Contract Compliance Unit are funded within existing resources (Fiscal Management Rerward Program) in the Auditor-Controller's Agency.

There are five full time staff assigned to the Unit. Cost include Salary and Benefits

One Principal Auditor	132,372
Two Auditors	179.096
Two Auditor-Associates	156,913
Other staff as needed	97,700
Total	566,081
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SUMMARY OF RECOMMENDATIONS

Attached is a summary of the recommendations from the MTA Availability Study, the CAG Report and the Executive Steering Group's responses.

The MTA Study made thirty-three (33) recommendations.

- Twenty-three (23) were implemented
- Four (4) recommendations are pending/in progress.
- Two (2) alternate recommendations were implemented, and
- Four (4) recommendations were not implemented.

The CAG Report made thirty-three (33) recommendations.

- Twenty-three (23) recommendations were implemented
- Two (2) recommendations are pending/in progress
- One (1) alternate recommendation was implemented, and
- Seven (7) recommendations were not implemented.

See the attached matrix for specific details.

Total MTA Recommendations:	33		
MTA Recommendations Implemented	23	MTA Recommendations	Comments:
		1-Reconsider Small Business Definition;	1-Continue to use SBA definition without adding number of employees
Recommendations Not Implemented		2-Require LBE firms officers to be domiciled in County;	2-Counsel advised this is illegal; requirement may limit availability of local firms; no other local entities surveyed for best practice are considering such a requirement
	4	3-Establish different LBE and SBE goals;	3-Current utilization exceeds recommended MTA goal
		4-Implement Race and Gender Conscious Policy;	4-Counsel advised significant legal risk to implement
Alternate Recommendations Implemented	2	1-Assess Countywide contracts 2-Revise Bonding & Insurance MQs	1-Rebid every 2 years 2-County has implemented Bonding Assistance Program
	4	1-Analyze procurement card use 2-Digitally record/capture bid info	1-Contractor unable to provide; Auditor working with departments to collect data and analyze 2-PeopleSoft Strategic Sourcing implementation approximately February 2011
Recommendations Pending		3-Pay mobilization for SLEBs 4-Recognize Buyers that utilize LBEs, SLBEs and M/WBEs	3-Not prudent financial practice; recommend Board adopt revolving loan program 4-Recommend formal Board recognition program

Total CAG Recommendations:	33		
CAG Recommendations Implemented	23	CAG Recommendations	Comments:
Recommendations Not Implemented	7	 1-Increase LBE/SLEB goals 2-Additional preference for LBEs 3-Additional 5% SLEB preference on construction contracts <\$10M / A&E <\$3M 4-Geograhic Equity Program 5-Race & Gender Conscious Policy 6-Require primes provide capacity building/training >\$15M 7-Exclusions of prequalification screening by primes 	 Continue SLEB Program as current utilization exceeds recommended goals Continue current LBE preference as LBE participation exceeds CAG recommended goals PCC allows a maximum of 5% preference on construction contracts; Counsel advised no preference allowed on A&E 40% SLBE requirement for preference continued for GSA construction and SLEB requirements with no preference applied to A&E Counsel advised contract awards and solicitations cannot be exclusionary Counsel advised significant legal risk to implement May impact the cost of County contracts; County promotes/provides contracting training through SBDC and FTC Subcontractor selection is at the discretion of Primes during the bidding process; Outreach efforts must continue when contracts do not meet goals
Alternate Recommendations Implemented	1	Create pool of VSLBEs to solicit contracts <\$25K	Recommend development of qualified vendor pools that meet SLEB requirements (i.e., printing vendors, etc.)
Recommendations Pending	2	1-Pay for mobilization for SLEBs 2-Utilization analysis of purchase card procurements	 1- Not prudent financial practice; recommend Board adopt revolving loan program 2-Contractor unable to provide; Auditor is working with departments to collect the data and analyze

MTA Recommendations October 2004	Implemented $()$	ESG Responses to MTA December 2005	CAG Recommendations September 2007	Implemented $()$		ESG Responses to CAG		Status
RACE & GENDER NEUTRAL: A. Reconsideration of the County's Small		Continue to use SBA definition						Completed
 Business Definition: Define small local size as 20 or less employees reflecting local business demographics 		 Continue SLEB Program with other modifications 						Continue to use SBA definition Continue current SLEB program
 B. Proposed Local and Small Local Business Enterprise Program Revise SLEB to include all contracts (including construction) Require LBE firms officer's to be domiciled in Alameda County Require SLEBs to meet above requirements (<20 employees) 		 Keep the current SLEB Program Local domicile requirement may limit availability of local firms Counsel advised requiring principals to live in the county is illegal No other local entities surveyed for best practices are considering such a requirement 	 Keep SLEP Program as is and Add enhanced preferences for emerging Business Create Very Small Local Business Enterprise (VSMLB) < 20 employees & 1⁄4 of the dollar amount of SBA 	V	¢	Agree that SLEB Program should be continued as is with continuing evaluation of emerging business before implementing further enhancements and new programs Evaluate data collected from compliance system to determine suitability for VLSBE	•	Counsel advises VLSBE program has no clear authorization in State law and increases legal risk to County SLEB Program continued as is with ongoing reporting of utilization
 B.1 Establish LBE and SBE goals >\$100K - 60% LBE/20%SLBE <\$100K - 60%SLBE/20%LBE <\$25K-All to SLBEs 	\checkmark	 Agree that goals should be set Primes should be required to report compliance monthly County Contracts should include financial penalty clauses in the area of retention for not meeting goals 	Increase LBE and SLEB goals • 70% LBE-30%SLEB Constr • 40%LBE-20%SLEB A&E • 50%LBE-30%SLEB Goods		÷	Analysis shows utilization exceeds CAG recommendation Continue SLEB Program including 100% SLEB goal for contracts >\$25K Continue evaluation on an on- going basis to determine need for revising Program goals and requirements	•	Completed GSA-ECOP goals established 60% LBE and 20% SLBE
B.2 Require bidders/proposers to meet LBE and SLBE goals or demonstrate that GFEs were made and provide a Waiver provision for those who cannot meet the goals or make GFEs	V	 Agree for construction contracts Agreed and implemented that bidders be required to SLEB goals or demonstrate GFEs 	 Implement prime contractor GFEs & debarment procedures Require bidders to sign under penalty of perjury that everything in their bid submission is true 	\checkmark	•	Agree upon receipt of approval from County Counsel Collected penalties will go in revolving fund to advance goals of County's procurement program	•	Completed Debarment policy and GFE procedures adopted

MTA Recommendations October 2004	Implemented $()$	ESG Responses to MTA December 2005	CAG Recommendations September 2007	Implemented $()$			Status
			 County GFE responsibilities: Notify subcontractors when listed in bids by primes 	√	 County uses Elation Systems to monitor contract compliance which automatically notifies subcontractors when they are added to contracts 		Completed
			County should conduct random audits for contracts over \$250K charged to successful bidder.	$\overline{\mathbf{v}}$	Recommend random compliance reviews on contracts over \$250K	•	Completed County monitors all contracts over \$250K that are pushed to the Elation compliance system.
			Additional preferences for LBEs who meet SLEB goals		 Continue current SLEB program with ongoing evaluation as LBE participation is greater than CAG recommended goals above 	·	Completed SLEB program will be monitored for utilization.
			Additional 5% preference for SLEBS on construction contracts <\$10M and A&E contracts <\$3M		 PCC allows for 5% maximum small business bid preference for construction and Counsel has advised preference cannot be considered on A&E Recommend that GSA ECOP SLBE 40% requirement for preference be continued and SLEB requirements with no preference be applied to A&E 	·	Completed No preference points can be considered for A&E contracts

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MTA Recommendations October 2004	Implemented $()$	ESG Responses to MTA December 2005	CAG Recommendations September 2007	Implemented $()$	ESG Responses to CAG	Status
RACE & GENDER CONSCIOUS:			Consider a geographic equity program with goals and preferences for underutilized regions		 Geographic preferences are not permitted in most Federal and State Programs Counsel has advised that contract awards and solicitations cannot be exclusionary Continue GSA-ECOP and SLEB Programs, outreach and evaluation of contracting data to identify areas where/if enhanced utilization and outreach is needed. 	Completed Geographic utilization is evaluated on an ongoing basis (quarterly) and outreach efforts are adjusted as needed
 Race and gender conscious policy Evaluation Credits Sheltered market Contracting Goals Weighted GFEs CONTRACTING AND PROCUREMENT:		Counsel advised that there may be significant legal risk in the implementation of the MTA Availability Study race and gender conscious recommendations	 Race and gender conscious policy Set goals by category-ethnicity and gender Create an underutilized pool Award preference points 		Counsel advised that there may be significant legal risk in the implementation of the proposals regarding race and gender conscious recommendations	Legal barriers to implementation
Unbundle large procurements into smaller contracts where feasible	V	 An unbundling program has been implemented Contracts for printing services, small construction/maintenance, telephone/data have been successfully unbundled 	 Unbundle large procurements into smaller contracts where feasible Award contracts in phases Consider geographical diversity as well 	√	 ESG concurs and will continue these contracting practices ESG concurs and will continue these contracting practices Counsel has advised that there is no authorization in state law for geographic programs 	Completed Unbundling is implemented where feasible

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MTA Recommendations October 2004	Implemented $()$	ESG Responses to MTA December 2005	CAG Recommendations September 2007	Implemented $()$	ESG Responses to CAG	Status
Assess the use of Countywide contracts annually to determine if size prohibits competitive from small businesses	Alternate Implementation	 Continue current policy requiring contracting with a SLEB or minimum 20% SLEB participation Rebid contracts every 2 years 	Rebid high volume contracts	V	 ESG concurs and will continue this practice 	Completed
		•	 Create a pool of VSLBEs to solicit contracts <\$25K 	 Alternate Implementati 	 ESG advocates development of qualified vendor pools that meet SLEB Program Requirements 	Completed Creation of qualified vendor pools
Use direct contracting as a means to award small contracts	V	Agree. Direct contracting used for the Juvenile Hall project	Use direct contracting as a means to award small contracts	V	ESG concurs and will continue to award construction support services as direct contracts under the terms of the SLEB and ECOP programs	Completed County using direct contracting for construction support

MTA Recommendations October 2004	Implemented $()$	ESG Responses to MTA December 2005	CAG Recommendations September 2007	Implemented		Stat	us
Revise bonding and insurance requirements to ensure standards are applied consistently on all solicitations and consider waiving for construction contracts <\$100K	Alternate Implementation	 Generally agree however PCC requires bonding on contracts >\$25K 	 Revise bonding and insurance requirements Analyze bonding on a case by case basis Assist firms to become bond ready Establish relationships for bonding and finance Develop a bonding and finance program Require primes to participate in Owner Controlled Insurance Program (OCIP) contracts >\$5M and extend coverage to subs 	√	 ESG concurs and will continue to review each project's bonding requirement County has implemented the Bonding Assistance program through the Risk Management department to build capacity, assist in becoming bond ready, refer firms to appropriate parties to provide assistance and has developed a bonding and finance program. 	Comp	leted
 Phase bonding requirements Release subcontractor bond portion upon work being completed and accepted and eliminate retainage for SLEB and MWBE contractors 	\checkmark	 Bonds could be released on contracts <\$20M and subcontractor bonds released upon completion and acceptance of their work Recommend County Project Manager's current discretion regarding reduction of retention after project is 50% complete be adopted as Board policy 	 Phase bonding Reduce retention after 50% of work is done 	V	 County will continue to phase projects to allow small businesses to bond After 50% of work is complete bonds could be released on a case by case basis but ESG concurs with original MTA response 	Comp	leted
Review bids and proposals for goal attainment; require primes to list all subs; deem submissions non-responsive if GFEs not made	V	Implement pilot program as part of the SLEB Program, and continue if bids are not adversely impacted. Concern: This practice is not an industry standard and may affect the number of bids received.	 Require primes to list all subs Bid analysis by independent 3rd party Assess primes performance and compliance 	V	 County requires primes to list all subs Routine monitoring conducted to assure compliance 	Comp	leted

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MTA Recommendations October 2004	Implemented $()$	ESG Responses to MTA December 2005	CAG Recommendations September 2007	Implemented $()$	ESG Responses to CAG	Status
Develop an expedited payment plan	V	To ensure prompt payments to contractors the Auditor- Controller's Agency works with departments to expedite departmental approval and submission of invoices for payments	 Develop an expedited payment program 	V	 Utilize Elation Systems to monitor payments received and acknowledged by primes and subcontractors and when necessary address payment issues 	Completed
Pay mobilization for SLBE firms		Recommend the Board consider a revolving loan program as advanced payment is not a prudent financial practice	 Pay mobilization for SLEB firms 		 Recommend the Board consider a revolving loan program with established criteria and prepayment provisions for qualified contractors as advanced payment is not a prudent financial practice 	Pending
Give 5-day notice of invoice disputes and grant project managers line item approval for submitted invoices	V	Concur and note that these practices are already implemented	Give 5-day notice of invoice disputes and grant PMs line item approval for submitted invoices	1	 ESG will continue process to give 5-day notice and line item approval to PMs 	Completed
Develop formal subcontractor substitution standards	N	Concur and note that PCC is followed for construction and provisions are included in the Standard Agreement for goods and services	 Develop formal subcontractor substation standards 	V	 ESG continues to mirror requirements as outlined in the CA PCC applicable to construction 	Completed
 Implement construction project management best practices including Timely inspections Avoidance of Critical Path Method Schedules (CPMS) on smaller projects Answer questions promptly Provide timely feedback and construction criticism 	V	 Concur CPMS not required on smaller projects Monitoring and enhancement of best practices will continue Additional training and manuals being developed Customer Service remains a priority 	Implement construction project management best practices	~	 ESG recommends implementing PM best practices including Timely inspections Avoidance of CPMS on smaller projects Answering requests for information promptly Provision of timely feedback and constructive criticism 	Completed Best project management practices continue to be followed on County construction projects

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MTA Recommendations October 2004	Implemented $()$	ESG Responses to MTA December 2005	CAG Recommendations September 2007	Status
Post prime contract and subcontract awards on the Internet	V	 GSA contracts are currently posted for 30 days after award Enhancements are in progress to create a website that posts prime and subcontracts as they are awarded 	 Post prime contract and sub- contract awards on the internet ✓ A website to post awards was developed and is in place 	Completed Contract awards are posted at <u>http://www.acgov.org/gsa_app/gsa/r</u> <u>urchasing/bid_content/closedbids.js</u> <u>p</u>
Conduct routine post-award compliance	N	 Agree and have incorporated this function into the duties of the centralized compliance office Recommend the purchase of software to assist contract compliance efforts 	 Recommend that OCC be responsible for insuring contract and procurement policies are implemented OCC monitor contractor compliance with all applicable federal and state laws, including health, safety, labor and employment Recommend that OCC be responsible for insuring contract routine and rigorous contract compliance monitoring to ensure LBE, SLEB and MWBE goals are met 	Completed OCC works closely with GSA to implement contract and procurement policies Perpetual license to use Elation Systems compliance applicatior purchased
Assess the use of sole source contracts for application of LBE, SLBE or MWBE goals and awards posted on website and tracked by industry	V	Concur and developed Sole Source Policy and website	 Assess the use of sole source contracts √ The Board adopted a Sole Source Policy that is administered by GSA that requires SLEB compliance and posting of awards online 	Completed
Conduct a utilization analysis of purchase card procurement	In Proares	Current credit card contractor unable to report expenses by gender/ethnicity	 Conduct a utilization analysis of purchase card procurement Solution So	Pending Analysis is in progress
			 Require primes to provide capacity building and training for contracts over \$15M This recommendation may impact the cost of County contracts 	Completed • The County promotes/provides contractor training through SBDC and FTC
			 Exclusion of prequalification screening by prime contractors Selection of subs by a prime during the bidding process is at the discretion of the prime If goals are not met the contractor and county must continue outreach efforts 	Completed

MTA Recommendations October 2004	Implemented $()$	ESG Responses to MTA December 2005	CAG Recommendations September 2007	Implemented $()$		Status
			If prime has not met small/local goal they must continue to search for SLEBs	√	 ESG agrees for those parts of the work for which a prime has not already subcontracted 	Completed
Administrative Recommendations:				1		
Establish a centralized or County-wide Compliance Office in CAO	Alternate Implementation	 Concur to establish a pilot program 	 Establish a fully funded and staffed Office of Contract Compliance in the Auditor- Controller's Agency (OCC) 	V	The OCC was established in the Auditor-Controller Agency July 2008.	Completed
Staff the OCC adequately	V	 Software is being acquired to achieve this recommendation Identify and re-allocate staff within existing County resources 				Completed
			Status of ALCOLINK system being used to track contracts	\checkmark	Contract module has been implemented and enhanced to better interface with Elation Systems and provide business utilization and compliance data	Completed
			Status on the collection of ALCOLINK for data collection	\checkmark	The ALCOLINK/Elation Systems interface was implemented July 2008	Completed
			Summary of recommendations being implemented and their suggested implemented practices?	1	Provided in attachment to original ESG response to CAG	
			Recommend the County publish utilization reports monthly or quarterly and formally submit to the Board of Supervisors	1	Utilization reports are presented quarterly to the Procurement and Contracting Policy Committee (PCPC)	Completed

MTA Recommendations October 2004	Implemented $()$	ESG Responses to MTA December 2005	CAG Recommendations September 2007	Implemented $()$	ESG Responses to CAG		Status
 Centralize procurement through GSA Develop a Countywide purchasing manual Provide training for county buyers Hold monthly staff meetings for buyers Exempt GSA jurisdiction from Public works contracts CDA real estate 	V	 Concur with recommendation to create uniform procurement manual, provide training and hold monthly staff meetings exempting areas under the jurisdiction of PWA which are governed by differing regulations 				•	Completed The Uniform Procurement Manual was developed GSA continues to provide County procurement training Weekly GSA-Purchasing staff meetings are held
Develop a Countywide Purchasing manual including Availability Study recommendations and provide training	V	 On online centrally located Uniform Procurement Manual (UPM) was developed and training provided by GSA 					Completed
Conduct outreach and implement marketing strategies	V	 GSA and PWA currently perform the recommended functions as they relate to in- house procurements 					Completed
Recognize Buyers that utilize LBEs, SLBEs and M/WBEs	Pending	 Recommend a formal Board recognition program highlighting County's commitment to diversity including recognition of vendors that consistently comply with and/or exceed outreach program goals 	· · ·				Pending
Publish LBE, SLBE and M/WBE Utilization Reports	V	OCC posts quarterly utilization reports online after presentation to the PCPC and distribution to the Board					Completed

MTA Recommendations October 2004	Implemented $()$	ESG Responses to MTA December 2005	CAG Recommendations September 2007	Implemented $()$	ESG Responses to CAG	Status
 Enhance ALCOLINK to perform contract compliance functions Dormant Contract Module should be utilized to track prime contract information 	V	The ALCOLINK Procurement Contract Module was implemented eliminating the need for multiple independent tracking systems throughout the County; establishing contracts with award amounts; and providing a standardized Countywide contract numbering system				Completed
Code Contracts by Description and Industry Classification in ALCOLINK	V	 The category table was modified in ALCOLINK to include an Industry Code that is automatically associated with each item on the Purchase Order 				Completed
Include contract award amount in ALCOLINK to establish a "not to exceed" amount for the purchase orders issued against a contract	V	Contract award amounts are recorded in ALCOLINK on the purchase order				Completed
Establish one procedure for purchase orders to replace the two procedures now in practice – one for GSA and on the other at the Auditor's Office	V	Procedures became standardized with the implementation of the PeopleSoft Contracts Module				Completed



MTA Recommendations October 2004	Implemented $()$	ESG Responses to MTA December 2005	CAG Recommendations September 2007	Implemented $()$	ESG Responses to CAG	Status
Digitally record bidders to capture bids, proposals and qualifications submitted to the County in one database, with a bid tracking module in ALCOLINK	See Status Column: In Progress	Systems, contract compliance application				Pending • The County is working to implement PeopleSoft's Strategic Sourcing which includes online bidding and evaluation processes by February, 2011
Design a utilization tracking database linked to ALCOLINK to provide a tool to track LBE, SLBE and M/WBE utilization	1	The ALCOLINK vendor database was updated to include ethnicity and gender information to allow utilization tracking and reporting				Completed