

## SECTION 00 43 36 (REV. 1)

(This form replaces CMD FORM 2A)

## PROPOSED SUBCONTRACTORS FORM

Date

Name of Firm, Corporation, Partnership, or Joint Venture

This Document implements listing requirements for (i) subcontractors who will perform work in excess of one-half of one percent of the Total Bid Price [Admin. Code § 6.21(a)(9) and California Public Contract Code §§ 4100 – 4114] and (ii) LBE subcontractors, suppliers and service contractors, regardless of the dollar amount of subcontract work [San Francisco Administrative Code Chapter 14B].

**Important Notice:** No subcontractor may be listed in a bid for a public works project unless registered with the California Department of Industrial Relations ("DIR") pursuant to Labor Code § 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code § 1771.1(a)]. An inadvertent listing of a subcontractor who is not registered under § 1725.5 will not be grounds for a bid protest or for determining a bid nonresponsive if the conditions set forth in Labor Code § 1771.1(c)(1) or (2) are met.

A. Subcontractors Who Will Perform Work In Excess of ½ of 1% Of Total Bid Price

Bidder shall submit with its bid a subcontractor list using the form below. Bidder shall identify each subcontractor<sup>1</sup> who will perform work in an amount in excess of one-half of one percent of Bidder's Total Bid Price. If this project involves the construction of streets, highways, or bridges, Bidder shall submit with its bid a subcontractor list, using the form below, identifying each subcontractor who will perform work in excess of one-half of one percent of the Total Bid Price, or \$10,000, whichever is greater.

At a minimum, Bidder must provide the following information with its Bid for each listed subcontractor: (i) name and email [Box 2]; (ii) location of the place of business [Box 3]; (iii) portion of work that will be performed by the subcontractor [Box 4] and (iv) the current valid subcontractors license [Box 8]. In addition, for items or portions of work not fully subcontracted, e.g., indicated as "partial," Bidder must provide the amount of subcontract work [Box 10] either at the time of Bid or within 24 hours after Bid opening. Bidders may provide additional identifying information [e.g., Boxes 5, 6, 7 and/or 9] within 24 hours of Bid opening.

If the City cannot identify the intended subcontractor or portion of work based on the information provided by Bidder, or where Bidder provides conflicting information, the City may consider the subcontractor or portion of work unlisted for purposes of Public Contract Code § 4106. An "unlisted" determination may render a Bid non-responsive if the technical specifications require that the work in question be performed by a subcontractor. In addition, an "unlisted" determination may render a Bidder not responsible if Bidder is not qualified to self-perform the work in question.

[Note: For an LBE subcontractor who will perform work in an amount in excess of one-half of one percent of Bidder's Total Bid Price, or \$10,000, whichever is greater, Bidder shall provide a single listing for that subcontractor that complies with the requirements of this paragraph A and paragraph B, below.]

B. LBE Subcontractors, Suppliers and Service Contractors

Bidder's subcontractor list submitted with its Bid shall also identify each LBE subcontractor,<sup>2</sup> supplier and service contractor (regardless of dollar amount of subcontract) for whom Bidder seeks credit toward the LBE Subcontractor Participation Requirement. Bidder must provide the following information with its Bid for each LBE: (i) type of subcontractor [Box 1]; (ii) name and email [Box 2]; (iii) location of the place of business [Box 3]; (iv) portion of work that will be performed by the entity [Box 4]; (v) the current valid subcontractors license [Box 8]. and (vi) amount of subcontract work [Box 10]. Bidders may provide additional identifying information [e.g., Boxes 5, 6, 7, 9, 11 and/or 12] within 24 hours of Bid opening. Bidder's failure to provide the required minimum information with its Bid may result in a determination that

Bidder has not met the LBE Subcontractor Participation Requirement and, therefore, its Bid is non-responsive.

**LBE subcontractors who are not registered with the DIR at time of bid may not be used to receive credit towards the LBE Subcontractor Participation Requirement.**

**The ready-mix concrete hauler need not be listed as a subcontractor on the Proposed Subcontractors Form, EXCEPT when such hauler is used to meet the LBE Subcontracting Participation Requirement.**

<sup>1</sup>For the purposes of Paragraph A, the term "subcontractor" shall mean a contractor as defined in California Public Contract Code § 4113.

<sup>2</sup>For the purposes of Paragraph B, the term "subcontractor" shall mean a person as defined in Section 14B.2 of the San Francisco Administrative Code.

*THIS SPACE WAS INTENTIONALLY LEFT BLANK*

**Copy this page as needed to provide a complete listing.****Page \_\_\_\_\_ of \_\_\_\_\_**

1. TYPE OF SUBCONTRACTOR: <input type="checkbox"/> First Tier; <input type="checkbox"/> Lower Tier; <input type="checkbox"/> Supplier; <input type="checkbox"/> Service Contractor (e.g. Trucker)		
2. SUBCONTRACTOR NAME		EMAIL
3. ADDRESS		PHONE NO.
4. BID ITEMS/PORTION OF WORK		
5. DIR REGISTRATION NO.	6. SUPPLIER NO.	7. FEDERAL ID NO.
8. LICENSE NO.	9. SF BUSINESS TAX REG. NO.	10. AMOUNT OF SUB-CONTRACT WORK: \$
11. CERTIFIED LBE? <input type="checkbox"/> Yes; <input type="checkbox"/> No	12. IF LBE, CHECK APPLICABLE: <input type="checkbox"/> MBE; <input type="checkbox"/> WBE; <input type="checkbox"/> OBE* <input type="checkbox"/> Small LBE; <input type="checkbox"/> Micro LBE; <input type="checkbox"/> SBA-LBE	

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\* MBE = Minority Business Enterprise, WBE = Women Business Enterprise, OBE = Other Business Enterprise.

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***If this is the last page, complete the following:***

LBE Subcontractor Participation Requirement for this Contract: \_\_\_\_\_%.

TOTAL LBE PARTICIPATION CLAIMED FOR BASE BID WORK: \_\_\_\_\_%

END OF SECTION