

SECTION 00 43 36

PROPOSED SUBCONTRACTORS FORM

This Section implements listing requirements for:

- A. 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];
- B. Local Business Enterprise (“LBE”): subcontractors, suppliers and service contractors, regardless of the dollar amount of subcontract work, for which Bidder seeks LBE credit [Admin. Code Ch. 14B]; and
- C. Mandatory DIR Subcontractor Registration with the California Department of Industrial Relations (“DIR”).

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

Bidder must submit with its Bid a subcontractor list using the form below. Bidder must identify each subcontractor¹ that 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 must submit with its Bid a subcontractor list, using the form below, identifying each subcontractor that 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 [Box 2];
- ii. Address (place of business) [Box 3];
- iii. Phone Number [Box 5];
- iv. Email [Box 6]
- v. California Contractor's License Number [Box 8]; and
- vi. DIR Registration Number [Box 13].

Bidders must also provide the following information either with its Bid or within 24 hours of Bid opening for each listed subcontractor:

- i. Portion of Work (list scope and indicate Full or Partial) [Box 4]; and
- ii. Amount of Subcontract Work [Box 10].

Bidder may correct an inadvertent error in the listed California Contractor License Numbers and DIR Registration Numbers within 24 hours of Bid opening.

If the City cannot identify the intended subcontractor or portion of work based on the information Bidder provided, or where Bidder provided conflicting information, the City may consider the subcontractor or portion of work to be 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 on a project-specific basis if Bidder is not qualified to self-perform the work in question.

B. LBE Subcontractors, Suppliers and Service Contractors

At time of Bid, Bidder must also identify each LBE subcontractor², supplier and service contractor (regardless of dollar amount of subcontract) for which Bidder seeks credit toward the LBE Subcontractor Participation Requirement(s). At a minimum, Bidder must provide the following information on the subcontractor listing form submitted with its Bid for each LBE subcontractor:

- i. Type of Subcontractor [Box 1];
- ii. Name [Box 2];
- iii. Address (place of business) [Box 3];
- iv. Portion of Work (list scope and indicate Full or Partial) [Box 4];
- v. Phone Number [Box 5];
- vi. Email [Box 6];
- vii. California Contractor's License Number (as applicable) [Box 8];
- viii. Amount of Subcontract Work [Box 10]; and
- ix. DIR Registration Number (as applicable) [Box 13].

Bidders must provide the remaining LBE information [Boxes 11 and 12] either with its Bid or within 24 hours of Bid opening for each LBE listed.

Bidder's failure to provide the required above-referenced information with its Bid may result in a determination that Bidder has not met the LBE subcontracting participation requirement(s) and, therefore, its Bid is non-responsive.

The Local Business Enterprise (LBE) subcontracting requirement is 10.00%. The LBE subcontracting requirement can only be met with CMD certified San Francisco Micro and Small-LBEs.

C. Mandatory DIR Subcontractor Registration

Bidder may not list a subcontractor for a public works project Bid unless the subcontractor is 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 that is not registered under § 1725.5 will not be grounds for a Bid protest or for determining a Bid nonresponsive if Bidder has met the conditions set forth in Labor Code § 1771.1(c)(1) or (2).

¹For the purposes of Paragraph A, the term "subcontractor" shall mean a contractor as defined in Pub. Contract Code § 4113.

²For the purposes of Paragraph B, the term "subcontractor" shall mean a person as defined in Section 14B.2 of the Administrative Code.

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		
3. ADDRESS		
4. PORTION OF WORK (SCOPE): <input type="checkbox"/> Full (one subcontractor); <input type="checkbox"/> Partial (multiple subcontractors)		
5. PHONE NO.	6. EMAIL	7. NOT USED
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 ALL THAT APPLY: <input type="checkbox"/> MBE; <input type="checkbox"/> WBE; <input type="checkbox"/> OBE* <input type="checkbox"/> SF-LBE; <input type="checkbox"/> SFPUC-LBE <input type="checkbox"/> Micro-LBE; <input type="checkbox"/> Small-LBE; <input type="checkbox"/> SBA-LBE	13. DIR REGISTRATION NO.

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

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

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If this is the last page, complete the following:

<p>TOTAL PERCENTAGE OF LBE SUBCONTRACTOR PARTICIPATION CLAIMED FOR WORK: MICRO AND SMALL-LBE: _____%</p>
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END OF SECTION