

DEOD SUMMARY**BYD COACH & BUS, LLC - FORTY-FOUR (44) HELIOX DEPOT CHARGERS, SOFTWARE LICENSES, INSTALLATION AND COMMISSIONING SUPPORT, AND TWELVE (12) YEAR WARRANTY SERVICE AND SUPPORT FOR D9 CHARGING INFRASTRUCTURE / OP28367-002****A. Small Business Participation**

BYD Coach and Bus, LLC, a Transit Vehicle Manufacturer (TVM), is on the Federal Transit Administration's (FTA) list of eligible TVMs. BYD Coach and Bus, LLC reported that it submitted its overall Disadvantaged Business Enterprise (DBE) goal of 3% to FTA for FY20, in compliance with 49 Code of Federal Regulations (CFR) Section 26.49(a)(1). TVMs submit overall DBE goals and report participation directly to FTA annually.

B. Living Wage and Service Contract Worker Retention Policy Applicability

A review of the current service contract indicates that the Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) was not applicable at the time of award. Therefore, the LW/SCWRP is not applicable to this modification.

C. Prevailing Wage Applicability

Prevailing Wage is not applicable to this modification.

D. Project Labor Agreement/Construction Careers Policy

Project Labor Agreement/Construction Careers Policy is not applicable to this Contract. Project Labor Agreement/Construction Careers Policy is applicable only to construction contracts that have a construction contract value in excess of \$2.5 million.

E. Local Employment Plan

Local Employment Plan Program is applicable on this contract. Staff will monitor progress on all LEP commitments, including the contractual commitments in creating employment opportunities in the State of California and the 40% commitment to hire disadvantaged workers.