

DEOD SUMMARY

GAS DETECTION ANALYZER SYSTEM /
PS21904205074**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 5% Small Business Enterprise (SBE) goal for this solicitation. Reliable Monitoring Services (RMS) did not make an SBE commitment and is not eligible for the SBE preference. Meeting the goal is neither a condition of award nor an issue of responsiveness.

According to guidance provided by County Counsel, SBE goals on non-federally funded IFBs cannot be a condition of award, because Metro can only award to the lowest bidder in accordance with Section 130232(5) of the California Public Utilities Code. Staff is working with Government Relations to seek legislative change to the Public Utilities Code, through Assembly Bill 2690 (Ridley-Thomas). AB 2690 is currently pending referral to the Assembly Local Government Committee.

B. Living Wage and Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy is not applicable to this contract.

C. Prevailing Wage Applicability

Prevailing Wage requirements are applicable to this project. DEOD will monitor contractors' compliance with the State of California Department of Industrial Relations (DIR), California Labor Code, and, if federally funded, the U S Department of Labor (DOL) Davis Bacon and Related Acts (DBRA).

D. Project Labor Agreement/Construction Careers Policy

Project Labor Agreement/Construction Careers Policy is not applicable to this contract.