

DEOD SUMMARY**ZERO EMISSION BUS CHARGING INFRASTRUCTURE PROJECT
FOR DIVISION 18 AND DIVISION 7
CONTRACT NO. PS130703000****A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 20% Disadvantaged Business Enterprise (DBE) goal for this solicitation. While Clark Construction Group made a DBE commitment, the U.S. Department of Transportation (USDOT) has issued an Interim Final Rule (IFR) that makes changes to the DBE Program, including suspension of goals and enforcement, effective October 3, 2025. Metro is currently reviewing the Interim Final Rule (IFR) to identify necessary program and procedural changes to ensure full compliance. Although the DBE commitment is not a factor in the staff recommendation, there are eight certified small businesses participating in this contract. This is noteworthy since small businesses are vital for the economy as they drive job creation, foster innovation, and strengthen local communities.

B. Local Small Business Enterprise (LSBE) Preference

The LSBE preference is not applicable to federally funded procurements. Federal law (49 CFR § 661.21) prohibits the use of local procurement preferences on FTA-funded projects.

C. Contracting Outreach and Mentoring Plan (COMP)

The Contractor Outreach and Mentoring Plan (COMP) is applicable to this procurement. Clark Construction Company identified two (2) firms for protégé development: C2PM and JAF Creative Solutions LLC.

D. Living Wage and Service Contract Worker Retention Policy Applicability

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

E. 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).

F. Project Labor Agreement/Construction Careers Policy

PLA/CCP is not applicable on Phase 1- Pre-construction/design portion of the contract wherein construction work is very limited. However, PLA/CCP is applicable on Phase 2-Construction portion of this contract that have a contract value more than \$2.5 million and above.

G. Manufacturing Careers Policy

The Manufacturing Careers Policy (MCP) does not apply to this contract. The MCP is required on Metro's Rolling Stock RFPs, with an Independent Cost Estimate of at least \$50 million.