

DEOD SUMMARY**TREE TRIMMING SERVICES FOR METRO TRANSIT FACILITIES
(EXCLUDING METRO ORANGE LINE)/OP5608900****A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 15% Small Business Enterprise (SBE) goal for this solicitation. Great Scott Tree Service Inc. did not make a SBE commitment.

According to guidance provided by County Counsel, SBE goals on non-federally funded Invitation for Bids (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. DEOD staff worked with Government Relations to seek legislative change to the Public Utilities Code through Assembly Bill 2690 (Ridley-Thomas), which was signed by Governor Brown on August 26, 2016.

Effective January 1, 2017, Metro will be authorized to establish SBE/DVBE goals, as a condition of award, on non-federally funded IFBs. Bidders that fail to meet the SBE/DVBE goals will be ineligible for contract award.

B. Living Wage and Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) is applicable to this contract. Metro staff will monitor and enforce the policy guidelines to ensure that applicable workers are paid at minimum, the current Living Wage rate of \$16.18 per hour (\$11.27 base + \$4.91 health benefits), including yearly increases of up to 3% of the total wage. In addition, contractors will be responsible for submitting the required reports for the Living Wage and Service Contract Worker Retention Policy and other related documentation to staff to determine overall compliance with the policy.

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.