

DEOD SUMMARY

CONSTRUCTION MANAGEMENT SUPPORT SERVICES FOR METRO CAPITAL PROJECTS / AE76301MC081

A. Small Business Participation

Zephyr Rail. (Zephyr), an SBE Prime, made an overall 69% Small Business Enterprise (SBE) and a 5% Disabled Veterans Business Enterprise (DVBE) commitment on this On-Call Task Order contract. Based on payments, the contract is 43% complete and the current SBE/DVBE participation is 78.25% and 0.00%, respectively, exceeding the SBE commitment by 9.58% and representing a 5% DVBE shortfall.

To date, eight (8) Task orders (TO) have been awarded. Zephyr contends that the reason for the DVBE shortfall is because Metro has not made a request for the scope of services to be provided by the two DVBE firms, Conaway Geomatics and NSI Engineering. Zephyr indicated that its team consists of 11 subconsultants, three (3) of which are SBE certified, but only three (3) non-certified have been involved in the limited task orders Zephyr has received thus far. Zephyr reported that they are optimistic that upcoming task orders will allow the engagement of these firms. Zephyr further contends they are committed to providing equal opportunities for all team members but will be particularly focused on their DVBE partners.

Zephyr has submitted a shortfall mitigation plan and staff will continue to track and monitor its efforts to meet or exceed their commitments.

Small Business Commitment	69% SBE 5% DVBE	Small Business Participation	78.58% SBE 0% DVBE
----------------------------------	----------------------------	-------------------------------------	-------------------------------

	SBE Subcontractors	% Committed	Current Participation¹
1.	Zephyr UAS, Inc. (SB Prime)	TBD	78.58%
2.	AIX Consulting	TBD	TBD
3.	GCM Consulting, Inc.	TBD	TBD
4.	Ramos Consulting Services	TBD	TBD
	Total	69%	78.58%

	DVBE Subcontractors	% Committed	Current Participation¹
1.	Conaway Geomatics, Inc.	TBD	TBD
2.	NSI Engineering, Inc.	TBD	TBD
	Total	5%	0%

¹Current Participation = Total Actual amount Paid-to-Date to DBE firms ÷ Total Actual Amount Paid-to-date to Prime.

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 requirements are applicable to this project. DEOD will continue to 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. PLA/CCP is applicable only to construction contracts that have a construction related value in excess of \$2.5 million.