

SMALL BUSINESS ENTERPRISE PLAN

**Bridgeport School Construction
Program**

City of Bridgeport, Connecticut

Approved by the School Building Committee

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Small Business Enterprise Plan

Bridgeport School Construction Program

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I. Introduction

The **Small Business Enterprise Plan for Bridgeport School Construction Program (the “Plan”)** has been developed as a pilot program to implement the City of Bridgeport’s Small Business Enterprise Program (SBEP), Section 3.12.130 of the Municipal Code of Ordinances, as the same may be amended from time to time, for the following school construction projects: North End Elementary School, East End (Jettie S. Tisdale) Elementary School, Barnum Elementary School, and any additional project determined by the School Building Committee (each, a “Project”, and collectively, the “Projects”). Upon review and evaluation of the performance and effectiveness of the Plan by the School Building Committee (SBC) and the City Council, it may be further developed and amended for use in additional City programs. [NOTE: All terms not defined in the Plan shall have the meanings assigned to them in the SBEP Ordinance.]

The oversight of implementation of this Plan is the responsibility of the City’s Chief Administrative Officer or his designee (the “Administrator”). The Administrator of the Plan for the school projects described above shall be the City’s Program Manager, O&G Industries. The Plan describes the policy and procedures to be followed in order to ensure compliance with the City’s SBEP Ordinance as applied to the School Construction Program. The Plan shall become part of the agreement between the Construction Managers and Trades Council, which acts on behalf of the trade unions relating to the labor management on certain school projects, pursuant to the terms and conditions of the existing Project Labor Agreement, as may be amended from time to time.

II. General Plan Requirements

The Ordinance adopted by the City Council creating the Small Business Enterprise Program (SBEP), along with the introduction thereto, is attached as **Exhibit A**. This Plan will serve as the pilot program for implementation of the SBEP, as it relates to the School Construction Program only. Although described generally in SBEP, for the purposes of this Plan, the initiatives and objectives to be accomplished by the Plan include the following:

- ❖ Implement race-conscious and gender-conscious awards of City Contracts authorized by the SBE Ordinance to correct historic disparities
- ❖ Implement a system of Best Practices to ensure that the management of the Plan improves Small Business Enterprise access to and participation in the award of City Contracts and to minimize the barriers that impede such access and participation

For the purposes of this Plan and the School Construction Program the general requirements, initiatives and objectives include the following:

- A. Development of Rating System for Qualifications-based Selection and/ or Pre-qualification for Construction Managers, Design Consultants, Other Professional Consultants, Suppliers and Contractors that provides additional credits to the Target Groups and Small Local Business Enterprises delineated in the SBEP.**
 - i. The calculation of such additional credits shall be as follows:

- a. The companies eligible for inclusion within Target Groups automatically receive ten (10) additional points for every one hundred (100) possible points in an established rating system (subject to c. below)
- b. The companies eligible as Small Local Business Enterprises automatically receive ten (10) additional points for every one hundred (100) possible points in an established rating system
- c. In lieu of a. and b. above, the companies that meet the criteria of both a. and b. above receive fifteen (15) additional points for every one hundred (100) possible points in an established rating system.
- ii. All other points and rating criteria utilized in a Qualification Based Selection process shall be assigned in the same fashion for all companies.

B. Development of a System to achieve Twenty Five Percent (25%) Goal of the Estimated Value of the Construction Cost for Each Designated School Construction Project for the Target Groups

- i. With consideration of the size and type of construction work included in each Project, the Administrator and the City's Division of Construction Management Services shall recommend the following manner to achieve this directive. The General Contractor or Prime Contractor shall provide that a goal of twenty five percent (25%) of the estimated value of the construction cost to be awarded to the General Contractor or Prime Contractor be performed by the Target Groups.
- ii. The Administrator shall provide a list of registered, certified and pre-qualified Target Group Contractors to be notified and considered under this system for bidding the Project.

C. Development of General and Specific Policies and Practices that Support and Improve the Participation of Small Business Enterprises (SBE)

- i. The Administrator shall work with the City's Purchasing Department and the City's Division of Construction Management Services to establish and maintain policies and procedures that may assist the SBE's in increasing their involvement in the Program, as well as, in preparing for and competing for work on school construction projects. The Best Practices delineated in the SBEP shall be adapted to, and incorporated within policies and procedures for procurement and contracting utilized in the School Construction Program by the City. Efforts will include, but not be limited to, the following matters:
 - a. Identification of Subcontractors and their minority group affiliation in Bid and in Contract Documents
 - b. Prequalification of SBE's for Work by Category
 - c. Establishing a uniform system for posting and circulating contracting opportunities
 - d. Unbundling of Work in Trade Categories
 - e. Establishing prompt payment procedures
 - f. Revision of Bonding Requirements
 - g. Revision of Retainage Requirements
 - h. Preparation and Evaluation of Utilization Reports
 - i. Outreach and Marketing
- ii. The Administrator shall provide periodic reports to the SBC regarding the outcome of the efforts put forth pursuant to the Plan, as well as

recommendations for continuation, amendment and/or improvement in the Plan's requirements or implementation

III. Implementation Policies and Procedures

The following sections outline the responsibilities of the Administrator, Construction Managers and Contractors in the implementation, monitoring, enforcement and reporting required by the Plan.

A. Phase I: Outreach and Marketing

1. The Administrator shall develop various outreach efforts that must be followed in order to inform and instruct the Small Business Enterprises (SBE), including the Minority Business Enterprises (MBE), the Women Business Enterprises (WBE), the Disadvantaged Business Enterprises (DBE), and the companies owned by Target Groups, all as defined in the SBEP, concerning the School Construction Program and the various Projects planned. The Administrator will actively solicit the involvement of contractors, trade unions and other professionals in the outreach process. These Outreach efforts may include, but not be limited to,
 - Seminars
 - Training Programs
 - Informational Booklets
 - Promotional Advertisements
 - Newspaper Articles
 - School Construction Program Website Announcements
2. The Administrator shall provide and circulate , through appropriate City Departments, Trade Unions and other Affiliates, information regarding the process and filing information necessary to become certified as a SBE Contractor.
3. The Administrator shall provide and circulate information regarding the Plan Requirements described above, including the process for assigning evaluation credits, unbundling contracts, identifying and qualifying SBE's, etc.
4. The Administrator shall assist in the implementation of a Jobs Funnel for Bridgeport residents that can assist in the training and education of workers where necessary to prepare them for entry into the construction industry.
5. The Administrator shall work with the Construction Managers, the Trades Council and the individual Trade Unions to assure that the Plan is understood and actively supported through the Project Labor Agreement.

B. Phase II: Prequalification

1. The Administrator shall pre-qualify all SBE's and Target Group companies in order that they be entitled to receive evaluation credits, bid on set-aside work, or be eligible for inclusion in meeting a set-aside requirement.

2. All SBE's and Target Group companies shall hold certification either from the State Department of Administrative Services or be pre-qualified by the City at the time of bidding on the construction work of the Project. In selecting its SBE's or Target Group companies, the Construction Managers, General Contractors and Prime Contractors are cautioned to seek documented proof of valid certification. The Administrator will provide a list of pre-qualified contractors.
3. The Administrator will maintain a registry of certified SBE's and Target Group companies and be available in the City's Purchasing Department.
4. The Administrator will form and oversee the activities of a Selection Committee charged with reviewing and ensuring compliance with the process established for prequalification of SBE's. The Selection Committee shall consist of a representative from each of the following:
 - a. Division of Construction Management Services
 - b. Program Manager ("Administrator")
 - c. Chief Administrative Officer, or designee
 - d. Construction Manager
 - e. School Building Committee
5. The Administrator, with review by the Selection Committee, shall develop Bidder Pre-qualification Forms, as well as Qualification and Selection Criteria, and other processes and procedures contemplated by the Plan, which shall become part of the Plan and be attached hereto.

C. Phase III: Pre-construction

- 1) The Construction Manager and the Administrator will schedule pre-construction conferences with Contractors, Trade Union representatives and others to discuss and review the Plan and explain compliance instructions, procedures and reporting forms, including:
 - Requirements of the Plan:
 - Contract and employment notification procedures;
 - Subcontractor reporting and compliance responsibilities;
 - Project Labor Agreement
- 2) Contractors will be required to sign a form acknowledging that they understand and agree with the compliance, monitoring and reporting procedures, and will take responsibility for compliance therewith.
- 3) Contractors will be required to submit to the Administrator, or its designee:

- a. A copy of the Contractor's "Equal Employment Opportunity Policy" accompanied by a cover letter, properly signed by an authorized company official which cannot be in conflict with the Plan or must be modified to comply with the Plan;
- b. A report of the Contractor's current employment statistics, certified by an authorized company official, on the City's Physical Development Activity Contractor's Certification form. This form is included in **Exhibit C**.

D. Phase IV: Bidding Process

- 1) The Construction Manager will ensure that a copy of the Plan, including attached **Exhibit A**, is included in all bidding documents.
- 2) The Construction Manager will ensure that the trade contractor bid package scope, solicitation, bidding, acceptance, negotiation and approval process is managed and completed in a manner that encourages and insures SBE participation in accordance with the Plan and that supports a competitive and fair process.
- 3) The Administrator will provide the Construction Manager with the most recent certified list of SBE contractors and suppliers each time a school project or portion of a project is prepared to be bid.
- 4) The Administrator will take all steps necessary to ensure that the Construction Manager has the names and addresses of SBE contractors and suppliers well in advance of a bidding phase and that sufficient and timely notice regarding bidding opportunities is published and communicated.
- 5) The Administrator will ensure that the Construction Manager takes all necessary steps to identify and encourage SBE contractor and supplier participation in the bid process including providing participating trade contractors with the names and qualifications of appropriate SBE contractors and suppliers.
- 6) The Administrator will review the activities of the Construction Manager regarding the creation of bid packages, solicitation of bids, initial acceptance of bids, negotiation and buyout to ensure that resulting SBE contractor and supplier contracts, agreements or purchase orders are consistent with the same standards, terms and conditions as applied to other project contractors and suppliers, so that such process results in a competitive, fair and workable business relationship.

E. Phase V: Construction

- 1) The Administrator, with assistance from the Construction Manager, will oversee the functions of the monitoring, reporting and enforcement of the Plan regulations and goals. The SBE Contractor Utilization and Good Faith Effort Requirements are described in **Exhibit B**.
- 2) The Administrator will develop or cause to be developed an electronic database to track all the information relevant to the implementation and monitoring of the Plan and shall report on such information to facilitate compliance analysis. See the forms identified in **Exhibit C**

- 3) The Administrator may direct holding payment to Contractors in violation of Plan provisions be withheld until such violations are corrected.

F. Phase IV: Close Out

- (1) The Construction Manager shall review and maintain logs to assure that all required monthly reports and contractor and subcontractor wage reports have been received as well as to assure that the SBE required goals have been achieved. The SBE compliance report will become part of the final payment paperwork.
- (2) The Construction Manager shall issue a final report to the Administrator, the City and SBC regarding the level of compliance achieved by each project.
- (3) The Construction Manager shall close the contract file and secure all documentation in a storage area where it is accessible to the City and SBC for future audits for a period of seven (7) years after the Project achieves Substantial Completion. The City and SBC will establish such area and record retention schedule.