



# INTER OFFICE MEMORANDUM

**TO:** Allison Schwarz,  
CIP Coordinator

**FROM:** Deborah Barnes, Director  
(DWES) *Deborah L. Barnes*

**THROUGH:** Shelley Darensburg,  
Contract Compliance Supervisor *Shelley Darensburg*

**PREPARED BY:** Sophany Hang,  
Contract Compliance Officer *Sophany Hang*

**SUBJECT: Henry Robinson Multi-Service  
HVAC Replacement  
Project No. 1003448**

**DATE:** January 14, 2021

Per your request in an availability analysis of the City's database of local certified firms was performed. Under current council policy (see page 6 of the L/SLBE Program), the awarding authority may request an availability analysis if there is reason to believe that the availability of certified firms will not be sufficient to satisfy the 50% L/SLBE requirement.

The scope of services for the above project consists of the following:

***Removal of existing HVAC at the Henry Robinson Multi-Service Center and installation of new systems per the specifications and construction plans. A minimal amount of roof patching and concrete work required.***

To determine the availability of the City's certified firms, the Contracts & Compliance Unit researched the certification database utilizing the NAICS Code-238220-Plumbing, Heating, Ventilati and Air-Conditioning Contractors.

Review of the database indicated that there were two (2) certified firms.

The L/SLBE Program requires that there be at least three (3) certified firms listed in the industry, trade or professional that constitutes a major category of work. If at least three (3) L/SLBE firms are not certified, then the requirement is either waived, or the 50% requirement may be set from 49% to 0%.

**Based on the above the L/SLBE minimum participation requirement of 50% is waived for this project.**

Based on the "Rule of Three", there must be at least three certified businesses listed in the trade or profession that constitutes a major category of work. If at least three L/SLBEs are not certified, then the requirement is either waived, or the 50% requirement may be set from 49% to 0%.

**Based on the above, the L/SLBE minimum participation requirement of 50% is waived**

If you have questions or need additional information, please contact Sophany Hang, Contract Compliance Officer at (510) 238-3723.

