



INTER OFFICE MEMORANDUM

Department of Workforce & Employment Standards (DWES)

TO: Shaikh Sameera

FROM: Shelley Darensburg, *SD*
Contract Compliance Supervisor

PREPARED BY: Vivian Inman, *Vivian Inman*
Sr. CCO

DATE: January 20, 2023

**SUBJECT: Availability Analysis for Capital Improvement Project Portfolio Project
Management System**

Per your request, the Department of Workforce and Employment Standards (DWES), Sr. Contract Compliance Officer, conducted an availability analysis of the DWES's database of certified local and small local firms.

The scope of services is listed below:

BIAD in the Bureau of Admin. Public Works Department needs professional services agreements with PMWEB, Inc and its business partners to enhance the PMWEB software for CIP project management through customizations, functional enhancements, integrations with other applications or internet of things (IOTS), hosting, license, maintenance, and or device purchases.

In order to determine the availability of the City's certified firms, DWES researched the certification database utilizing NAICS code 541519 – Other Computer Related Services and 541511- Custom Computer Programming Services. Results of the research indicated that there are three (3) certified firms under NAICS code 541511. However, the initiating agency indicated in the request for availability that the firm must be a business partner of PMWEB, Inc. None of the three (3) firms is a partner of PMWEB, Inc.

Based on the "Rule of Three," there must be at least three certified businesses listed in the industry, 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 at a percentage from 50 % to 0%, but not less than 20% if at least one L/SLBE is certified and available.

Research of the certification database indicated that the 50% L/SLBE requirement is waived for this project.

Should you have any questions you may contact Vivian Inman, Senior Contract Compliance Officer at vinman@oaklandca.gov.