



INTER OFFICE MEMORANDUM

TO: Allison Schwarz,
CIP Coordinator

FROM: Deborah Barnes, Director,
Contracts and Compliance

THROUGH: Shelley Darensburg, *Shelley Darensburg*
Sr. Contract Compliance Officer

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

SUBJECT: HVAC Installer

DATE: January 30, 2010

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 and Energy Management System at Oakland Animal Services 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 License C-20 Warm-Air Heating, Ventilation and Air-Conditioning Contractor.

The results indicated that there were four (4) certified firms. All firms were contacted by both telephone and email. Two of the firms, indicated that they would bid; one as a prime and one as a sub. Another firm said it does not perform the service and the other did not respond to the email nor return the telephone message.

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.