

OFFICE OF CONTRACT COMPLIANCE (OCC)

| | | A | B | C | D | E | F | G | H | I | J | K | L |
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| | | PSC -27 & 28 EEO/Affirmative Action | PSC – 29 Living Wage | PSC-29 Service Contractor Worker Retention | PSC – 30 Equal Benefits | PSC – 32 Contractor Responsibility | PSC- 33 MBE/WBE/SBE/ EBE/DVBE/OBE (BIP) | PSC – 34 Slavery Disclosure | PSC -36 First Source Hiring | PSC -38 Iran Contracting Act 2010 | PSC – 39 Fair Chance Initiative for Hiring | Local Business Preference Program | Prevailing Wage |
| 1. | Effective date of Ordinances and Amendments | Prop. 209 – Effective 1996 Amend. 1 effective 10/5/16 | Effective 5/5/1997 Amend. 1 effective 1/14/99 Amend. 2 effective 2/24/01 Amend. 3 effective 1/19/10 Amend. 4 effective 10/5/16 | Effective 1/13/1996 Amend. 1 eff. 5/18/96 Amend. 2 eff. 1/14/99 Amend. 3 eff. 10/5/16 | Effective 1/1/2000 Amend. 1 eff. 4/1/03 Amend. 2 eff. 5/1/03 Amend. 3 eff. 6/27/16 | Eff 1/14/2001 Amend. 1 eff. 9/22/04 Amend. 2 eff. 12/25/04 Amend. 3 eff. 1/1/05 Amend 4 eff. 7/19/15 | Issued 1/12/11 | Effective 8/16/2003 Applicable to contracts 10/15/03 | Effective 1/1/2011 Amend. 1 effective 10/5/16 | 2010 | Effective 1/23/2017 | Effective 11/2011 | Federal Davis-Bacon Act - Enacted 1931 California Labor Code - Enacted 1937 California Code of Regulations Title 8 |
| 2. | Legal References | LAAC 10.8.3 and 10.8.4 | LAAC 10.37 | LAAC 10.36 | LAAC 10.8.2 | LAAC 10.40 | Executive Directive (Villaraigosa) #14 | LAAC 10.41 | LAAC 10.44 | Iran Contracting Act | LAAC 10.48 | LAAC 10.47 | Charter Article III Sec. 377 and LAAC 10.7.1 |
| 3. | Applicable to which Departments? | Council-controlled Depts. & Proprietary Depts. | Council-controlled Depts. & Proprietary Depts. | Council-controlled Depts. & Proprietary Depts. | Council-controlled Depts. & Proprietary Depts. | Council-controlled Depts. & Proprietary Depts. | Council-controlled Depts. | Council-controlled Depts. Only | Council-controlled Depts. Only | Council-controlled Depts. & Proprietary Depts. | Council-controlled Depts., with a few exceptions | Council-controlled Depts. and Proprietaries adopting their own version | Council-controlled Depts. & Proprietary Depts. |
| 4. | Types of contract where ordinances applies (DAA=BCA) | EEO: • Non-construction (>\$1K) • Leases (All) • Construction (>\$1K) AA: • Non-construction (>\$25K) • Leases (All) • Construction (>\$25K) | • Service (>\$25K and >3 months) • Lease (City as Lessor) • City Financial Assistance Recipient (>\$100K or ≥\$1 million per 12 months) | • Service (>\$25K and >3 months) • City Financial Assistance Recipient (>\$100K per 12 months) | • Service (>\$25K) • Leases (All) • Purchases (>\$25K) • Construction (>\$25K) | • Service and Purchases (>\$25K and > 3 months) • Construction (All) • Lease (All) • City Financial Assistance Recipient (>\$100K) | • All contracts where subcontracting or subconsulting opportunities are available. • Applies to any contract that requires advertisement unless a waiver is obtained from the Mayor’s Office | All Agreements | • Service (>\$25K and >3 months) • Loans or Grants (>\$25K and >3 months) primarily for the furnishing of services | • All goods and service contracts of \$1,000,000 or more | All Agreements | • All contracts with a value in excess of \$150K • Awarding Dept. may find in the City’s best interest to not apply LBPP any time prior to award. | Construction, alteration, demolition, maintenance or repair (>\$25,000) |
| 5. | General Provisions | EEO: • Adhere to Nondiscrimination Clause • Adhere to City’s EEO provisions AA: • All of the above • Adhere to City’s Affirmative Action Plan to recruit and employ in a non-discriminatory manner. | Contractors required to: • Pay employees the City’s Living Wage which includes: a cash wage rate and an employer’s health benefits contribution. • Provide employees with at least 12 compensated days off per year for sick leave, vacation, or personal necessity at the employee’s request, and at least 10 additional uncompensated days off for family or personal illness. The Ordinance also prohibits any employer from retaliating against any employee who makes any claim of noncompliance with the LWO provisions. | At the time a contract is terminated or expires and will be replaced by a new contract for the same services, the outgoing contractor must provide a list of employees who meet certain requirements to the successor contractor. The successor contractor must retain these employees for a 90-day transition period. | Contractors required to provide equal benefits to its employees with spouses and employees with domestic partners (same & opposite sex). Applies to contractor’s operations located within City limits and operations outside City limits if the property is owned by the City or the work performed at the location is being performed for the City (covers only employees working on the City contracts). | Prior to contract award, City makes the determination that a prospective contractor has the necessary quality, fitness, and capacity to perform the work set forth in the contract. Contractor required to complete CRO Questionnaire and Pledge of Compliance. | Contractors are required to perform subcontractor / subconsultant outreach to all available MBE/WBE/SBE/EBE/DVBE/OBE firms which could perform a portion of the scope of work required in the RFB, RFP, or RFQ. | Disclosure of company’s participation or investments or profits derived from slavery during the Slavery Era (prior to 1865). | Contractors required to estimate the anticipated employment opportunities they will need to fill in order to perform the service. During the term of the contract, employment opportunities need to follow first source hiring procedures. | All bidders or proposers shall certify that they are not identified on the State of CA Dept. of General Services list of ineligible businesses or persons and that they are not engaged in investment activities in Iran. | Contractors required to: • Not include any inquiries into Applicants’ criminal history on job applications/postings • Not inquire about an Applicants’ criminal history until after a conditional Offer of Employment has been made • Hold a position open for at least 5 business days after an Applicant is notified of an Adverse Action to allow an Applicant the opportunity for the Fair Chance Process. | Preference awarded prior to award of contract based on Prime/Sub local participation. | Contractors required to: • Pay workers the state or federal prevailing wage rate - whichever is higher. • Submit Certified Payrolls (CPRs) and related documentation to verify payment of Prevailing Wages. • Employ apprentices (or prove that they requested apprentices but were not able to obtain them.). |
| 6. | Bidders/Proposers’ BAVN submission | Nothing required | Nothing required | Nothing required | EBO/FSHO Compliance Affidavit on BAVN | CRO Questionnaire and Pledge of Compliance | Business Inclusion Program documentation submitted to Awarding Dept. through BAVN. | Slavery Disclosure Affidavit on BAVN | EBO/FSHO Compliance Affidavit on BAVN | Nothing required | Nothing required | Must be certified LBE prior to bid due date or uploaded LBE affidavit. | Nothing Required |

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| 7. | During contract | | Contractor submits EIF & SIF forms to the OCC. | | | Required to update Questionnaire if necessary. | | | Contractor submits FSHO-3A FSHO-3B to EWDD. | | | Must maintain LBE status and participation | Contractor to submit CPRs weekly and related documentation as specified. |
| 8. | Are Subs covered? | Yes, sub-contractor's compliance is Prime contractor's responsibility | Yes, submit Declaration of Compliance to Prime | No | No | Yes, submit Pledge of Compliance to the Prime | Yes | No | Yes | No | Yes | Yes | Yes |