

**CONTRACT RESULTING FROM REQUEST FOR PROPOSAL NUMBER 10089597-20-B, Clean
San Diego Services**

This Contract (Contract) is entered into by and between the City of San Diego, a municipal corporation (City), and the successful proposer to Request for Proposal (RFP) # 10089597-20-B, Clean San Diego Services (Contractor).

RECITALS

On or about 11/7/2019, City issued an RFP to prospective proposers on services to be provided to the City. The RFP and any addenda and exhibits thereto are collectively referred to as the "RFP." The RFP is attached hereto as Exhibit A.

City has determined that Contractor has the expertise, experience, and personnel necessary to provide the services.

City wishes to retain Contractor to perform as-needed 24/7 illegal dumping and litter removal and two shifts of transient camp abatements as further described in the Scope of Work, attached hereto as Exhibit B. (services).

For good and valuable consideration, the sufficiency of which is acknowledged, City and Contractor agree as follows:

**ARTICLE I
CONTRACTOR SERVICES**

1.1 Scope of Work. Contractor shall provide the services to City as described in Exhibit B which is incorporated herein by reference. Contractor will submit all required forms and information described in Exhibit A to the Purchasing Agent before providing services.

1.2 General Contract Terms and Provisions. This Contract incorporates by reference the General Contract Terms and Provisions, attached hereto as Exhibit C.

**ARTICLE II
DURATION OF CONTRACT**

2.1 Term. This Contract shall be for a period of one (1) year beginning on the Effective Date. City may, in its sole discretion, extend this Contract for four (4) additional one (1) year period(s). Unless otherwise terminated, this Contract shall be effective until completion of the Scope of Services. The term of this Contract shall not exceed five years unless approved by the City Council by ordinance.

2.2 Effective Date. This Contract shall be effective on the date it is executed by the last Party to sign the Contract, and approved by the City Attorney in accordance with San Diego Charter Section 40.

**ARTICLE III
COMPENSATION**

3.1 Amount of Compensation. City shall pay Contractor for performance of all Services rendered in accordance with this Contract in an amount not to exceed \$2,000,000.

**ARTICLE IV
WAGE REQUIREMENTS**

Ar. Wally
2/14/2020

4.1 By submitting a response to this RFP, Contractor certifies that he or she is aware of, and agrees to comply with, the wage provisions described in Exhibit D, Wage Requirements, which is incorporated herein by reference, before commencing Services.

**ARTICLE V
CONTRACT DOCUMENTS**

5.1 Contract Documents. The following documents comprise the Contract between the City and Contractor: this Contract and all exhibits thereto, the RFP; the Notice to Proceed; and the City's written acceptance of exceptions or clarifications to the RFP, if any.

5.2 Contract Interpretation. The Contract Documents completely describe the services to be provided. Contractor will provide any services that may reasonably be inferred from the Contract Documents or from prevailing custom or trade usage as being required to produce the intended result whether or not specifically called for or identified in the Contract Documents. Words or phrases which have a well-known technical or construction industry or trade meaning and are used to describe services will be interpreted in accordance with that meaning unless a definition has been provided in the Contract Documents.

5.3 Precedence. In resolving conflicts resulting from errors or discrepancies in any of the Contract Documents, the Parties will use the order of precedence as set forth below. The 1st document has the highest priority. Inconsistent provisions in the Contract Documents that address the same subject, are consistent, and have different degrees of specificity, are not in conflict and the more specific language will control. The order of precedence from highest to lowest is as follows:

- 1st Any properly executed written amendment to the Contract
- 2nd The Contract
- 3rd The RFP and the City's written acceptance of any exceptions or clarifications to the RFP, if any
- 4th Contractor's Pricing

5.4 Counterparts. This Contract may be executed in counterparts which, when taken together, shall constitute a single signed original as though all Parties had executed the same page.

Ar. Wally 2/14/2020
ARON WALLING
SOUTHERN CALIFORNIA REGIONAL DIRECTOR
CEO

5.5 Public Agencies. Other public agencies, as defined by California Government Code section 6500, may choose to use the terms of this Contract, subject to Contractor's acceptance. The City is not liable or responsible for any obligations related to a subsequent Contract between Contractor and another public agency.

IN WITNESS WHEREOF, this Contract is executed by City and Contractor acting by and through their authorized officers.

CONTRACTOR

**CITY OF SAN DIEGO
A Municipal Corporation**

Center for Employment Opportunities

Proposer
50 Broadway, Suite 1604

Street Address
New York, NY

City
212.422.4430

Telephone No.
SanDiegoFD@CEOworks.org

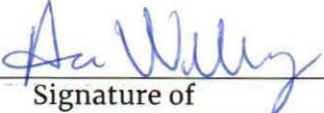
E-Mail

BY: 

Print Name:
Kristina Peraltz
Director, Purchasing & Contracting
Department

27 JAN 2020

Date Signed

BY: 

Signature of
Proposer's Authorized
Representative

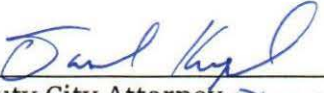
Aaron Walling

Print Name
Southern California Regional Director

Title
11/21/2019

Date

Approved as to form this 4th day of
February, 2020.
MARA W. ELLIOTT, City Attorney

BY: 

Deputy City Attorney DAVID KRUPEL

City of San Diego
CONTRACTOR STANDARDS
Pledge of Compliance

The City of San Diego has adopted a Contractor Standards Ordinance (CSO) codified in section 22.3004 of the San Diego Municipal Code (SDMC). The City of San Diego uses the criteria set forth in the CSO to determine whether a contractor (bidder or proposer) has the capacity to fully perform the contract requirements and the business integrity to justify the award of public funds. This completed Pledge of Compliance signed under penalty of perjury must be submitted with each bid and proposal. If an informal solicitation process is used, the bidder must submit this completed Pledge of Compliance to the City prior to execution of the contract. All responses must be typewritten or printed in ink. If an explanation is requested or additional space is required, Contractors must provide responses on Attachment A to the Pledge of Compliance and sign each page. Failure to submit a signed and completed Pledge of Compliance may render a bid or proposal non-responsive. In the case of an informal solicitation or cooperative procurement, the contract will not be awarded unless a signed and completed Pledge of Compliance is submitted. A submitted Pledge of Compliance is a public record and information contained within will be available for public review except to the extent that such information is exempt from disclosure pursuant to applicable law.

By signing and submitting this form, the contractor is certifying, to the best of their knowledge, that the contractor and any of its Principals have not within a five (5) year period – preceding this offer, been convicted of or had a civil judgement rendered against them for commission of a fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State or local) contract or subcontract.

“Principal” means an officer, director, owner, partner or a person having primary management or supervisory responsibilities within the firm. The Contractor shall provide immediate written notice to the Procurement Contracting Officer handling the solicitation, at any time prior to award should they learn that this Representations and Certifications was inaccurate or incomplete.

This form contains 10 pages, additional information may be submitted as part of Attachment A.

A. BID/PROPOSAL/SOLICITATION TITLE:

RFP for Clean San Diego Services

Solicitation # 10089597-20-B

B. BIDDER/PROPOSER INFORMATION:

Center for Employment Opportunities, Inc.

Legal Name	New York	DBA	
50 Broadway, Suite 1604		NY	10004
Street Address	City	State	Zip
Robert Smith, San Diego Site Director	(619) 684-4810	(619) 684-4810	
Contact Person, Title	Phone	Fax	

Provide the name, identity, and precise nature of the interest* of all persons who are directly or indirectly involved** in this proposed transaction (SDMC § 21.0103). Use additional pages if necessary.

* The precise nature of the interest includes:

- the percentage ownership interest in a party to the transaction,
- the percentage ownership interest in any firm, corporation, or partnership that will receive funds from the transaction,
- the value of any financial interest in the transaction,
- any contingent interest in the transaction and the value of such interest should the contingency be satisfied, and
- any philanthropic, scientific, artistic, or property interest in the transaction.

** Directly or indirectly involved means pursuing the transaction by:

- communicating or negotiating with City officers or employees,
- submitting or preparing applications, bids, proposals or other documents for purposes of contracting with the City, or
- directing or supervising the actions of persons engaged in the above activity.

Robert Smith	San Diego County Director
Name	Title/Position
San Diego, CA	
City and State of Residence	Employer (if different than Bidder/Proposer)
Non-profit social enterprise expansion.	
Interest in the transaction	

Maximiliano Magana	Procurement Associate, Public Sector
Name	Title/Position
Los Angeles, CA	
City and State of Residence	Employer (if different than Bidder/Proposer)
Non-profit social enterprise expansion.	
Interest in the transaction	

Jonathan Bonaiuto	National Director of Sales
Name	Title/Position
New York, NY	
City and State of Residence	Employer (if different than Bidder/Proposer)
Non-profit social enterprise expansion.	
Interest in the transaction	

Sarah Glenn-Leistikow	Deputy Executive Director, CA
Name	Title/Position
Los Angeles, CA	
City and State of Residence	Employer (if different than Bidder/Proposer)
Non-profit social enterprise expansion.	
Interest in the transaction	

Aaron Walling	Southern California Regional Director
Name	Title/Position
San Diego, CA	
City and State of Residence	Employer (if different than Bidder/Proposer)
Non-profit social enterprise expansion.	
Interest in the transaction	

Michael Garcia	Planning and Development Associate
Name	Title/Position
San Diego, CA	
City and State of Residence	Employer (if different than Bidder/Proposer)
Non-profit social enterprise expansion.	
Interest in the transaction	

Name	Title/Position
City and State of Residence	Employer (if different than Bidder/Proposer)
Interest in the transaction	

Name	Title/Position
City and State of Residence	Employer (if different than Bidder/Proposer)
Interest in the transaction	

Name	Title/Position
City and State of Residence	Employer (if different than Bidder/Proposer)
Interest in the transaction	

C. OWNERSHIP AND NAME CHANGES:

1. In the past five ten (5) years, has your firm changed its name?
 Yes No

If **Yes**, use Attachment A to list all prior legal and DBA names, addresses, and dates each firm name was used. Explain the specific reasons for each name change.

2. Is your firm a non-profit?
 Yes No

If **Yes**, attach proof of status to this submission.

3. In the past five (5) years, has a firm owner, partner, or officer operated a similar business?
 Yes No

If **Yes**, use Attachment A to list names and addresses of all businesses and the person who operated the business. Include information about a similar business only if an owner, partner, or officer of your firm holds or has held a similar position in another firm.

D. BUSINESS ORGANIZATION/STRUCTURE:

Indicate the organizational structure of your firm. Fill in only one section on this page. Use Attachment A if more space is required.

Corporation Date incorporated: 02/01/1996 State of incorporation: New York

List corporation's current officers: President: N/A
Vice Pres: N/A
Secretary: Emary Aronson
Treasurer: Andrew van der Vord

Type of corporation: C Subchapter S

Is the corporation authorized to do business in California: **Yes** **No**

If **Yes**, after what date: 6/6/18

Is your firm a publicly traded corporation? Yes No

If Yes, how and where is the stock traded? _____

If Yes, list the name, title and address of those who own ten percent (10 %) or more of the corporation's stocks:

Do the President, Vice President, Secretary and/or Treasurer of your corporation have a third party interest or other financial interests in a business/enterprise that performs similar work, services or provides similar goods? Yes No

If Yes, please use Attachment A to disclose.

Please list the following:	Authorized	Issued	Outstanding
a. Number of voting shares:	_____	_____	_____
b. Number of nonvoting shares:	_____	_____	_____
c. Number of shareholders:			_____
d. Value per share of common stock:		Par	\$ _____
		Book	\$ _____
		Market	\$ _____

Limited Liability Company Date formed: _____ State of formation: _____

List the name, title and address of members who own ten percent (10%) or more of the company:

Partnership Date formed: _____ State of formation: _____

List names of all firm partners:

Sole Proprietorship Date started: _____

List all firms you have been an owner, partner or officer with during the past five (5) years. Do not include ownership of stock in a publicly traded company:

Joint Venture Date formed: _____

List each firm in the joint venture and its percentage of ownership:

Note: To be responsive, each member of a Joint Venture or Partnership must complete a separate *Contractor Standards form*.

E. FINANCIAL RESOURCES AND RESPONSIBILITY:

1. Is your firm preparing to be sold, in the process of being sold, or in negotiations to be sold?

Yes No

If **Yes**, use Attachment A to explain the circumstances, including the buyer's name and principal contact information.

2. In the past five (5) years, has your firm been denied bonding?

Yes No

If **Yes**, use Attachment A to explain specific circumstances; include bonding company name.

3. In the past five (5) years, has a bonding company made any payments to satisfy claims made against a bond issued on your firm's behalf or a firm where you were the principal?

Yes No

If **Yes**, use Attachment A to explain specific circumstances.

4. In the past five (5) years, has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm?

Yes No

If **Yes**, use Attachment A to explain specific circumstances.

5. Within the last five years, has your firm filed a voluntary petition in bankruptcy, been adjudicated bankrupt, or made a general assignment for the benefit of creditors?

Yes No

If **Yes**, use Attachment A to explain specific circumstances.

6. Are there any claims, liens or judgements that are outstanding against your firm?

Yes No

If **Yes**, please use Attachment A to provide detailed information on the action.

7. Please provide the name of your principal financial institution for financial reference. By submitting a response to this Solicitation Contractor authorizes a release of credit information for verification of financial responsibility.

Name of Bank: Capital One Bank

Point of Contact: Anne Viggiano

Address: 299 Park Avenue, New York, NY 10171

Phone Number: (626) 231-9080

8. By submitting a response to a City solicitation, Contractor certifies that he or she has sufficient operating capital and/or financial reserves to properly fund the requirements identified in the solicitation. At City's request, Contractor will promptly provide to City

a copy of Contractor's most recent balance sheet and/or other necessary financial statements to substantiate financial ability to perform.

9. In order to do business in the City of San Diego, a current Business Tax Certificate is required. Business Tax Certificates are issued by the City Treasurer's Office. If you do not have one at the time of submission, one must be obtained prior to award.

Business Tax Certificate No.: B2018010759 Year Issued: 2018

F. PERFORMANCE HISTORY:

1. In the past five (5) years, has your firm been found civilly liable, either in a court of law or pursuant to the terms of a settlement agreement, for defaulting or breaching a contract with a government agency?

Yes No

If **Yes**, use Attachment A to explain specific circumstances.

2. In the past five (5) years, has a public entity terminated your firm's contract for cause prior to contract completion?

Yes No

If **Yes**, use Attachment A to explain specific circumstances and provide principal contact information.

3. In the past five (5) years, has your firm entered into any settlement agreement for any lawsuit that alleged contract default, breach of contract, or fraud with or against a public entity?

Yes No

If **Yes**, use Attachment A to explain specific circumstances.

4. Is your firm currently involved in any lawsuit with a government agency in which it is alleged that your firm has defaulted on a contract, breached a contract, or committed fraud?

Yes No

If **Yes**, use Attachment A to explain specific circumstances.

5. In the past five (5) years, has your firm, or any firm with which any of your firm's owners, partners, or officers is or was associated, been debarred, disqualified, removed, or otherwise prevented from bidding on or completing any government or public agency contract for any reason?

Yes No

If **Yes**, use Attachment A to explain specific circumstances.

6. In the past five (5) years, has your firm received a notice to cure or a notice of default on a contract with any public agency?

Yes No

If **Yes**, use Attachment A to explain specific circumstances and how the matter resolved.

7. Performance References:

Please provide a minimum of three (3) references familiar with work performed by your firm which was of a similar size and nature to the subject solicitation within the last five (5) years.

Please note that any references required as part of your bid/proposal submittal are in addition to those references required as part of this form.

Company Name: Oakland Dept. of Human Services- Caltrans/ Golden State Works

Contact Name and Phone Number: Dan Simmons, 510.238.4978

Contact Email: dsimmons@oaklandnet.com

Address: 150 Frank Ogawa Plaza, Suite 4340 Oakland, CA 94612

Contract Date: July 1, 2014

Contract Amount: \$ 5,500,000.00

Requirements of Contract: CEO operates 6 litter abatement crews for 3 initial years + renewals.

Company Name: Butte County Office of Education

Contact Name and Phone Number: Keith Lane, 916.508.9421

Contact Email: klane@bcoe.org

Address: 1859 Bird Street, Oroville, CA 95965

Contract Date: March 1, 2018

Contract Amount: \$ 1,785,000.00

Requirements of Contract: CEO operates 3 eight-person litter abatement crews with Caltrans in Los Angeles County through a contract with the Butte County Office of Education

Company Name: Santa Clara County Probation Department

Contact Name and Phone Number: Karen Avila, 408.435.2246

Contact Email: Karen.Avila@pro.sccgov.org

Address: 2314 North First Street San Jose, California 95131

Contract Date: January 1, 2017

Contract Amount: \$ 6,975,632.00

Requirements of Contract: CEO operates 6 eight-person litter abatement and beautification crews with Caltrans through a contract with the Santa Clara County Probation Department.

G. COMPLIANCE:

1. In the past five (5) years, has your firm or any firm owner, partner, officer, executive, or manager been criminally penalized or found civilly liable, either in a court of law or pursuant to the terms of a settlement agreement, for violating any federal, state, or local law in performance of a contract, including but not limited to, laws regarding health and safety, labor and employment, permitting, and licensing laws?
 Yes No

If **Yes**, use Attachment A to explain specific circumstances surrounding each instance. Include the name of the entity involved, the specific infraction(s) or violation(s), dates of instances, and outcome with current status.

2. In the past five (5) years, has your firm been determined to be non-responsible by a public entity?
 Yes No

If **Yes**, use Attachment A to explain specific circumstances of each instance. Include the name of the entity involved, the specific infraction, dates, and outcome.

H. BUSINESS INTEGRITY:

1. In the past five (5) years, has your firm been convicted of or found liable in a civil suit for making a false claim or material misrepresentation to a private or public entity?

Yes No

If **Yes**, use Attachment A to explain specific circumstances of each instance. Include the entity involved, specific violation(s), dates, outcome and current status.

2. In the past five (5) years, has your firm or any of its executives, management personnel, or owners been convicted of a crime, including misdemeanors, or been found liable in a civil suit involving the bidding, awarding, or performance of a government contract?

Yes No

If **Yes**, use Attachment A to explain specific circumstances of each instance; include the entity involved, specific infraction(s), dates, outcome and current status.

3. In the past five (5) years, has your firm or any of its executives, management personnel, or owners been convicted of a federal, state, or local crime of fraud, theft, or any other act of dishonesty?

Yes No

If **Yes**, use Attachment A to explain specific circumstances of each instance; include the entity involved, specific infraction(s), dates, outcome and current status.

4. Do any of the Principals of your firm have relatives that are either currently employed by the City or were employed by the City in the past five (5) years?

Yes No

If **Yes**, please disclose the names of those relatives in Attachment A.

I. BUSINESS REPRESENTATION:

1. Are you a local business with a physical address within the County of San Diego?

Yes No

2. Are you a certified Small and Local Business Enterprise certified by the City of San Diego?

Yes No

Certification # _____

3. Are you certified as any of the following:

a. Disabled Veteran Business Enterprise Certification # _____

b. Woman or Minority Owned Business Enterprise Certification # _____

c. Disadvantaged Business Enterprise Certification # _____

J. WAGE COMPLIANCE:

In the past five (5) years, has your firm been required to pay back wages or penalties for failure to comply with the federal, state or local **prevailing, minimum, or living wage laws**? Yes No If **Yes**, use Attachment A to explain the specific circumstances of each instance. Include the entity involved, the specific infraction(s), dates, outcome, and current status.

By signing this Pledge of Compliance, your firm is certifying to the City that you will comply with the requirements of the Equal Pay Ordinance set forth in SDMC sections 22.4801 through 22.4809.

K. STATEMENT OF SUBCONTRACTORS & SUPPLIERS:

Please provide the names and information for all subcontractors and suppliers used in the performance of the proposed contract, and what portion of work will be assigned to each subcontractor. Subcontractors may not be substituted without the written consent of the City. Use Attachment A if additional pages are necessary. If no subcontractors or suppliers will be used, please write "Not Applicable."

Company Name: Not Applicable

Address: _____

Contact Name: _____ Phone: _____ Email: _____

Contractor License No.: _____ DIR Registration No.: _____

Sub-Contract Dollar Amount: \$ _____ (per year) \$ _____ (total contract term)

Scope of work subcontractor will perform: _____

Identify whether company is a subcontractor or supplier: _____

Certification type (check all that apply): DBE DVBE ELBE MBE SLBE WBE Not Certified

Contractor must provide valid proof of certification with the response to the bid or proposal to receive participation credit.

Company Name: _____

Address: _____

Contact Name: _____ Phone: _____ Email: _____

Contractor License No.: _____ DIR Registration No.: _____

Sub-Contract Dollar Amount: \$ _____ (per year) \$ _____ (total contract term)

Scope of work subcontractor will perform: _____

Identify whether company is a subcontractor or supplier: _____

Certification type (check all that apply): DBE DVBE ELBE MBE SLBE WBE Not Certified

Contractor must provide valid proof of certification with the response to the bid or proposal to receive participation credit.

L. STATEMENT OF AVAILABLE EQUIPMENT:

A full inventoried list of all necessary equipment to complete the work specified may be a requirement of the bid/proposal submission.

By signing and submitting this form, the Contractor certifies that all required equipment included in this bid or proposal will be made available one week (7 days) before work shall commence. In instances where the required equipment is not owned by the Contractor, Contractor shall explain how the equipment will be made available before the commencement of work. The City of San

Diego reserves the right to reject any response, in its opinion, if the Contractor has not demonstrated he or she will be properly equipped to perform the work in an efficient, effective matter for the duration of the contract period.

M. TYPE OF SUBMISSION: This document is submitted as:

- Initial submission of *Contractor Standards Pledge of Compliance*
- Initial submission of *Contractor Standards Pledge of Compliance* as part of a Cooperative agreement
- Initial submission of *Contractor Standards Pledge of Compliance* as part of a Sole Source agreement
- Update of prior *Contractor Standards Pledge of Compliance* dated _____.

Complete all questions and sign below.

Under penalty of perjury under the laws of the State of California, I certify that I have read and understand the questions contained in this Pledge of Compliance, that I am responsible for completeness and accuracy of the responses contained herein, and that all information provided is true, full and complete to the best of my knowledge and belief. I agree to provide written notice to the Purchasing Agent within five (5) business days if, at any time, I learn that any portion of this Pledge of Compliance is inaccurate. Failure to timely provide the Purchasing Agent with written notice is grounds for Contract termination.

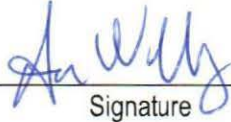
I, on behalf of the firm, further certify that I and my firm will comply with the following provisions of SDMC section 22.3004:

- (a) I and my firm will comply with all applicable local, State and Federal laws, including health and safety, labor and employment, and licensing laws that affect the employees, worksite or performance of the contract.
- (b) I and my firm will notify the Purchasing Agent in writing within fifteen (15) calendar days of receiving notice that a government agency has begun an investigation of me or my firm that may result in a finding that I or my firm is or was not in compliance with laws stated in paragraph (a).
- (c) I and my firm will notify the Purchasing Agent in writing within fifteen (15) calendar days of a finding by a government agency or court of competent jurisdiction of a violation by the Contractor of laws stated in paragraph (a).
- (d) I and my firm will notify the Purchasing Agent in writing within fifteen (15) calendar days of becoming aware of an investigation or finding by a government agency or court of competent jurisdiction of a violation by a subcontractor of laws stated in paragraph (a).
- (e) I and my firm will cooperate fully with the City during any investigation and to respond to a request for information within ten (10) working days.

Failure to sign and submit this form with the bid/proposal shall make the bid/proposal non-responsive. In the case of an informal solicitation, the contract will not be awarded unless a signed and completed *Pledge of Compliance* is submitted.

Aaron Walling, Regional Director Southern California

Name and Title



Signature



Date

City of San Diego
CONTRACTOR STANDARDS
Attachment "A"

Provide additional information in space below. Use additional Attachment "A" pages as needed. Each page must be signed. Print in ink or type responses and indicate question being answered.

D. Business Organization/ Structure:

Non-profit Leadership:

Sam Schaeffer - Chief Executive Officer/Executive Director.

Panagiota Mahendru - Chief Financial Officer.

Yuri Okumura - General Counsel and Director of Legal and Compliance.

Samra Haider - Executive Director, CEO National.

Sarah Glenn-Leistikow - Deputy Executive Director, California.

Aaron Walling- Southern California Regional Director.

Robert Smith - San Diego County Director.

J. Wage Compliance:

In July 2017, CEO entered into a conciliation agreement with the Equal Employment Opportunity Commission (EEOC) regarding a claim of racial discrimination and agreed to pay back wages to an employee. The case was closed.

I have read the matters and statements made in this Contractor Standards Pledge of Compliance and attachments thereto and I know the same to be true of my own knowledge, except as to those matters stated upon information or belief and as to such matters, I believe the same to be true. I certify under penalty of perjury that the foregoing is true and correct.

Aaron Walling, Regional Director Southern California

Print Name, Title


Signature

11/21/2019
Date

EQUAL OPPORTUNITY CONTRACTING PROGRAM (EOCP)

GOODS AND SERVICES CONTRACTOR REQUIREMENTS

I. City's Equal Opportunity Contracting Commitment.

The City of San Diego (City) promotes equal employment and subcontracting opportunities. The City is committed to ensuring that taxpayer dollars spent on public contracts are not paid to businesses that practice discrimination in employment or subcontracting. The City encourages all companies seeking to do business with the City to share this commitment. Contractors are encouraged to take positive steps to diversify and expand their subcontractor and supplier solicitation base and to offer opportunities to all eligible business firms.

Contractors must submit the required EOCP documentation indicated below with their proposals. Contractors who fail to provide the required EOCP documentation are considered non-responsive.

II. Definitions.

Commercially Useful Function: a Small Local Business Enterprise or Emerging Local Business Enterprise (SLBE/ELBE) performs a commercially useful function when it is responsible for execution of the work and is carrying out its responsibilities by actually performing, managing, and supervising the work involved. To perform a commercially useful function, the SLBE/ELBE shall also be responsible, with respect to materials and supplies used on the contract, for negotiating price, determining quantity and quality, ordering the material, and installing (where applicable) and paying for the material itself.

To determine whether an SLBE/ELBE is performing a commercially useful function, an evaluation will be performed of the amount of work subcontracted, normal industry practices, whether the amount the SLBE/ELBE firm is to be paid under the contract is commensurate with the work it is actually performing and the SLBE/ELBE credit claimed for its performance of the work, and other relevant factors. Specifically, an SLBE/ELBE does not perform a commercially useful function if its role is limited to that of an extra participant in a transaction, contract, or project through which funds are passed in order to obtain the appearance of meaningful and useful SLBE/ELBE participation, when in similar transactions in which SLBE/ELBE firms do not participate, there is no such role performed.

Disadvantaged Business Enterprise (DBE): a certified business that is (1) at least fifty-one (51%) owned by socially and economically Disadvantaged Individuals, or, in the case of a publicly owned business at least fifty-one percent (51%) of the stock is owned by one or more socially and economically Disadvantaged Individuals; and (2) whose daily business operations are managed and directed by one or more socially and economically disadvantaged owners. Disadvantaged Individuals include Black Americans, Hispanic Americans, Asian Americans, and other minorities, or individual found to be disadvantaged by the Small Business Administration pursuant to Section 8 of the Small Business Reauthorization Act.

Disabled Veteran Business Enterprise (DVBE): a certified business that is (1) at least fifty-one percent (51%) owned by one or more Disabled Veterans; and (2) business operations must be managed and controlled by one or more Disabled Veterans. A Disabled Veteran is a veteran of the U.S. military, naval, or air service who resides in California and has a service-connected disability of at least 10% or more. The firm shall be certified by the State of California's Department of General Services, Office of Small and Minority Business.

Emerging Business Enterprise (EBE): a business whose gross annual receipts do not exceed the amount set by the City Manager, and which meets all other criteria set forth in the regulations implementing the City's Small and Local Business Preference Program. The City Manager shall review the threshold amount for EBEs on an annual basis, and adjust as necessary to reflect changes in the marketplace.

Emerging Local Business Enterprise (ELBE): a Local Business Enterprise that is also an Emerging Business Enterprise.

Local Business Enterprise (LBE): a business that has both a principal place of business and a significant employment presence in the County of San Diego, and that has been in operation for twelve (12) consecutive months.

Minority Business Enterprise (MBE): a certified business that is (1) at least fifty-one percent (51%) owned by one or more minority individuals, or, in the case of a publicly owned business at least fifty-one percent (51%) of the stock is owned by one or more minority individuals; and (2) whose daily business operations are managed and directed by one or more minorities owners. Minorities include the groups with the following ethnic origins: African, Asian Pacific, Asian Subcontinent, Hispanic, Native Alaskan, Native American, and Native Hawaiian.

Other Business Enterprise (OBE): any business which does not otherwise qualify as Minority, Woman, Disadvantaged, or Disabled Veteran Business Enterprise.

Principal Place of Business: a location wherein a business maintains a physical office and through which it obtains no less than fifty percent (50%) of gross annual receipts.

Significant Employee Presence: no less than twenty-five percent (25%) of a business's total number of employees.

Small Business Enterprise (SBE): a business whose gross annual receipts do not exceed the amount set by the City Manager, and that meets all other criteria set forth in regulations implementing the City's Small and Local Business Preference Program. The City Manager shall review the threshold amount for SBEs on an annual basis, and adjust as necessary to reflect changes in the marketplace. A business certified as a DVBE by the State of California, and that has provided proof of such certification to the City manager, shall be deemed to be an SBE.

Small Local Business Enterprise (SLBE): a Local Business Enterprise that is also a Small Business Enterprise.

Women Business Enterprise (WBE): a certified business that is (1) at least fifty-one percent (51 %) owned by a woman or women, or, in the case of a publicly owned business at least fifty-one percent (51%) of the stock is owned by one or more women; and (2) whose daily business operations are managed and directed by one or more women owners.

III. Disclosure of Discrimination Complaints.

As part of its proposal, Contractor shall provide to the City a list of all instances within the past ten (10) years where a complaint was filed or pending against Contractor in a legal or administrative proceeding alleging that Contractor discriminated against its employees, subcontractors, vendors, or suppliers, and a description of the status or resolution of that complaint, including any remedial action taken. (Attachment AA).

IV. Work Force Report and Equal Opportunity Outreach Plan.

- A. Work Force Report. Contractors shall submit with their proposal a Work Force Report (WFR) for approval by the City. (Attachment BB). If the City determines that there are under representations when compared to County Labor Force Availability data, then the Contractor will also be required to submit an Equal Employment Opportunity Plan (EEOP) to the City for approval. Questions regarding the WFR should be directed to the Equal Opportunity Contracting Department.
- B. Duty to Comply with Equal Opportunity Outreach Plan. A Contractor for whom an EEOP has been approved by the City shall use best efforts to comply with that EEOP.

V. Small and Local Business Program Requirements.

The City has adopted a Small and Local Business Enterprise program for goods, services, and consultant contracts. The SLBE requirements are set forth in Council Policy 100-10. For contracts in which the Purchasing Agent is required to advertise for sealed proposals in the City's official newspaper or consultant contracts valued over \$50,000, the City shall:

- A. Apply a maximum of an additional 12% of the total possible evaluation points to the Contractor's final score for SLBE or ELBE participation. Additional points will be awarded as follows:
 - a. If the Contractor achieves 20% participation, apply 5% of the total possible evaluation points to the Contractor's score; or
 - b. If the Contractor achieves 25% participation, apply 10% of the total possible evaluation points to the Contractor's score; or
 - c. If the prime contractor is a SLBE or an ELBE, apply 12% of the total possible evaluation points to the Contractor's score.

VI. Maintaining Participation Levels.

- A. Additional points are based on the Contractor's level of participation proposed prior to the award of the goods, services, or consultant contract. Contractors are required to achieve and maintain the SLBE or ELBE participation levels throughout the duration of the goods, services, or consultant contract.
- B. If the City modifies the original specifications, the Contractor shall make reasonable efforts to maintain the SLBE or ELBE participation for which the additional points were awarded. The City must approve in writing a reduction in SLBE or ELBE participation levels.
- C. Contractor shall notify and obtain written approval from the City in advance of any reduction in subcontract scope, termination, or substitution for a designated SLBE or ELBE subcontractor.
- D. Contractor's failure to maintain SLBE or ELBE participation levels as specified in the goods, services, or consultant contract shall constitute a default and grounds for debarment under Chapter 2, Article 2, Division 8, of the San Diego Municipal Code.
- E. The remedies available to the City under Council Policy 100-10 are cumulative to all other rights and remedies available to the City.

VII. Certifications.

The City accepts certifications of MBE, WBE, DBE, or DVBE from the following certifying agencies:

- A. Current certification by the State of California Department of Transportation (CALTRANS) as DBE.
- B. Current MBE or WBE certification from the California Public Utilities Commission.
- C. DVBE certification is received from the State of California's Department of General Services, Office of Small and Minority Business.
- D. Current certification by the City of Los Angeles as DBE, WBE, or MBE.

Subcontractors' valid proof of certification status e.g., copy of MBE, WBE, DBE, or DVBE certification must be submitted with the proposal or contract documents. MBE, WBE, DBE, or DVBE certifications are listed for informational purposes only.

VIII. List of Attachments.

- AA. Contractors Certification of Pending Actions
- BB. Work Force Report

AA. CONTRACTORS CERTIFICATION OF PENDING ACTIONS

As part of this Contract, the Contractor must provide to the City a list of all instances within the past 10 years where a complaint was filed or pending against the Contractor in a legal or administrative proceeding alleging that Contractor discriminated against its employees, subcontractors, vendors or suppliers, and a description of the status or resolution of that complaint, including any remedial action taken.

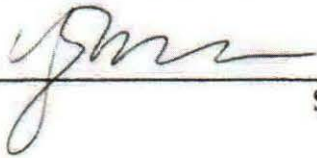
CHECK ONE BOX ONLY.

- The undersigned certifies that within the past 10 years the Contractor has NOT been the subject of a complaint or pending action in a legal administrative proceeding alleging that Contractor discriminated against its employees, subcontractors, vendors or suppliers.
- The undersigned certifies that within the past 10 years the Contractor has been the subject of a complaint or pending action in a legal administrative proceeding alleging that Contractor discriminated against its employees, subcontractors, vendors or suppliers. A description of the status or resolution of that complaint, including any remedial action taken and the applicable dates is as follows:

DATE OF CLAIM	LOCATION	DESCRIPTION OF CLAIM	LITIGATION (Y/N)	STATUS	RESOLUTION/ REMEDIAL ACTION TAKEN
10/2014	New York	Race Discrimination	N	Closed	Conciliation
04/2019	California	Retaliation	N	Open	

Contractor Name: Center for Employment Opportunities, Inc.

Certified By Yuri Okumura Title General Counsel
Name

 Date 11/20/19
Signature

EQUAL OPPORTUNITY CONTRACTING (EOC)

1200 Third Avenue, Suite 200 • San Diego, CA 92101
Phone: (619) 236-6000 • Fax: (619) 236-5904

BB. WORK FORCE REPORT

The objective of the *Equal Employment Opportunity Outreach Program*, San Diego Municipal Code Sections 22.3501 through 22.3517, is to ensure that contractors doing business with the City, or receiving funds from the City, do not engage in unlawful discriminatory employment practices prohibited by State and Federal law. Such employment practices include, but are not limited to unlawful discrimination in the following: employment, promotion or upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rate of pay or other forms of compensation, and selection for training, including apprenticeship. Contractors are required to provide a completed *Work Force Report (WFR)*.

**NO OTHER FORMS WILL BE ACCEPTED
CONTRACTOR IDENTIFICATION**

Type of Contractor: Construction Vendor/Supplier Financial Institution Lessee/Lessor
 Consultant Grant Recipient Insurance Company Other

Name of Company: Center for Employment Opportunities, Inc.

ADA/DBA: _____

Address (Corporate Headquarters, where applicable): 50 Broadway, Suite 1604

City: New York County: _____ State: NY Zip: 10004

Telephone Number: 212.422.4430 Fax Number: _____

Name of Company CEO: Sam Schaeffer

Address(es), phone and fax number(s) of company facilities located in San Diego County (if different from above):

Address: 450 A Street, Suite 300

City: San Diego County: _____ State: CA Zip: 92101

Telephone Number: 619.684.4810 Fax Number: _____ Email: SanDiegoFD@CEOworks.org

Type of Business: Non-profit Type of License: 501(c)(3)

The Company has appointed: Thailia Elcock-Bowen, Director Employee Relations

As its Equal Employment Opportunity Officer (EEOO). The EEOO has been given authority to establish, disseminate and enforce equal employment and affirmative action policies of this company. The EEOO may be contacted at:

Address: 50 Broadway, Suite 1604, New York, NY 10004

Telephone Number: 212.422.4430 Fax Number: 619.696.1442 Email: SanDiegoFD@CEOworks.org

- One San Diego County (or Most Local County) Work Force - Mandatory
- Branch Work Force *
- Managing Office Work Force

Check the box above that applies to this WFR.

*Submit a separate Work Force Report for all participating branches. Combine WFRs if more than one branch per county.

I, the undersigned representative of Center for Employment Opportunities, Inc.
(Firm Name)

New York, NY hereby certify that information provided
(County) (State)

herein is true and correct. This document was executed on this 20th day of November, 2019

[Signature]
(Authorized Signature)

Yuri Okumura
(Print Authorized Signature Name)

WORK FORCE REPORT - Page 2

NAME OF FIRM: Center for Employment Opportunities, Inc.

DATE: 11/20/2019

OFFICE(S) or BRANCH(ES): San Diego

COUNTY: San Diego

INSTRUCTIONS: For each occupational category, indicate number of males and females in every ethnic group. Total columns in row provided. Sum of all totals should be equal to your total work force. Include all those employed by your company on either a full or part-time basis. The following groups are to be included in ethnic categories listed in columns below:

- (1) Black or African-American
- (2) Hispanic or Latino
- (3) Asian
- (4) American Indian or Alaska Native
- (5) Native Hawaiian or Pacific Islander
- (6) White
- (7) Other race/ethnicity; not falling into other groups

Definitions of the race and ethnicity categories can be found on Page 4

ADMINISTRATION OCCUPATIONAL CATEGORY	(1) Black or African American		(2) Hispanic or Latino		(3) Asian		(4) American Indian/ Nat. Alaskan		(5) Pacific Islander		(6) White		(7) Other Race/ Ethnicity		
	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	
Management & Financial												2	2		
Professional															
A&E, Science, Computer															
Technical															
Sales			1	1											
Administrative Support			2	2		1						1	1		
Services															
Crafts															
Operative Workers															
Transportation															
Laborers*	1		4						2		2	1	1	1	

*Construction laborers and other field employees are not to be included on this page

Totals Each Column	1		7	3		1			2		5	4	1	1
--------------------	---	--	---	---	--	---	--	--	---	--	---	---	---	---

Grand Total All Employees 25

Indicate by Gender and Ethnicity the Number of Above Employees Who Are Disabled:

Disabled															
----------	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Non-Profit Organizations Only:

Board of Directors	1	3	0	1							4	4		
Volunteers														
Artists														

WORK FORCE REPORT - Page 3

NAME OF FIRM: Center for Employment Opportunities, Inc.

DATE: 11/20/2019

OFFICE(S) or BRANCH(ES): San Diego

COUNTY: San Diego

INSTRUCTIONS: For each occupational category, indicate number of males and females in every ethnic group. Total columns in row provided. Sum of all totals should be equal to your total work force. Include all those employed by your company on either a full or part-time basis. The following groups are to be included in ethnic categories listed in columns below:

- (1) Black or African-American
- (2) Hispanic or Latino
- (3) Asian
- (4) American Indian or Alaska Native
- (5) Native Hawaiian or Pacific Islander
- (6) White
- (7) Other race/ethnicity; not falling into other groups

Definitions of the race and ethnicity categories can be found on Page 4

TRADE OCCUPATIONAL CATEGORY	(1) Black or African American		(2) Hispanic or Latino		(3) Asian		(4) American Indian/ Nat. Alaskan		(5) Pacific Islander		(6) White		(7) Other Race/ Ethnicity	
	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)
Brick, Block or Stone Masons	N/A													
Carpenters														
Carpet, Floor & Tile Installers Finishers														
Cement Masons, Concrete Finishers														
Construction Laborers														
Drywall Installers, Ceiling Tile Inst														
Electricians														
Elevator Installers														
First-Line Supervisors/Managers														
Glaziers														
Helpers; Construction Trade														
Millwrights														
Misc. Const. Equipment Operators														
Painters, Const. & Maintenance														
Pipelayers, Plumbers, Pipe & Steam Fitters														
Plasterers & Stucco Masons														
Roofers														
Security Guards & Surveillance Officers														
Sheet Metal Workers														
Structural Metal Fabricators & Fitters														
Welding, Soldering & Brazing Workers														
Workers, Extractive Crafts, Miners														

Totals Each Column

Grand Total All Employees N/A

Indicate By Gender and Ethnicity the Number of Above Employees Who Are Disabled:

Disabled

Work Force Report

HISTORY

The Work Force Report (WFR) is the document that allows the City of San Diego to analyze the work forces of all firms wishing to do business with the City. We are able to compare the firm's work force data to County Labor Force Availability (CLFA) data derived from the United States Census. CLFA data is a compilation of lists of occupations and includes the percentage of each ethnicity we track (American Indian or Alaska Native, Asian, Black or African-American, Native Hawaiian or Pacific Islander, White, and Other) for each occupation. Currently, our CLFA data is taken from the 2010 Census. In order to compare one firm to another, it is important that the data we receive from the consultant firm is accurate and organized in the manner that allows for this fair comparison.

WORK FORCE & BRANCH WORK FORCE REPORTS

When submitting a WFR, especially if the WFR is for a specific project or activity, we would like to have information about the firm's work force that is actually participating in the project or activity. That is, if the project is in San Diego and the work force is from San Diego, we want a San Diego¹ County Work Force Report¹. By the same token, if the project is in San Diego, but the work force is from another county, such as Orange or Riverside County, we want a Work Force Report from that county². If participation in a San Diego project is by work forces from San Diego County and, for example, from Los Angeles County and from Sacramento County, we ask for separate Work Force Reports representing your firm from each of the three counties.

MANAGING OFFICE WORK FORCE

Equal Opportunity Contracting may occasionally ask for a Managing Office Work Force (MOWF) Report. This may occur in an instance where the firm involved is a large national or international firm but the San Diego or other local work force is very small. In this case, we may ask for both a local and a MOWF Report^{4,3}. In another case, when work is done only by the Managing Office, only the MOWF Report may be necessary.³

TYPES OF WORK FORCE REPORTS:

Please note, throughout the preceding text of this page, the superscript numbers one¹, two² & three³. These numbers coincide with the types of work force report required in the example. See below:

- ¹ One San Diego County (or Most Local County) Work Force – Mandatory in most cases
- ² Branch Work Force *
- ³ Managing Office Work Force

**Submit a separate Work Force Report for all participating branches. Combine WFRs if more than one branch per county.*

RACE/ETHNICITY CATEGORIES

American Indian or Alaska Native – A person having origins in any of the peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment.

Asian – A person having origins in any of the peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

Black or African American – A person having origins in any of the Black racial groups of Africa.

Native Hawaiian or Pacific Islander – A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

White – A person having origins in any of the peoples of Europe, the Middle East, or North Africa.

Hispanic or Latino – A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin.

Exhibit A: Work Force Report Job Categories – Administration

Refer to this table when completing your firm's Work Force Report form(s).

Management & Financial
Advertising, Marketing, Promotions, Public Relations, and Sales Managers
Business Operations Specialists
Financial Specialists
Operations Specialties Managers
Other Management Occupations
Top Executives

Professional

Art and Design Workers
Counselors, Social Workers, and Other Community and Social Service Specialists
Entertainers and Performers, Sports and Related Workers
Health Diagnosing and Treating Practitioners
Lawyers, Judges, and Related Workers
Librarians, Curators, and Archivists
Life Scientists
Media and Communication Workers
Other Teachers and Instructors
Postsecondary Teachers
Primary, Secondary, and Special Education School Teachers
Religious Workers
Social Scientists and Related Workers

Architecture & Engineering, Science, Computer

Architects, Surveyors, and Cartographers
Computer Specialists
Engineers
Mathematical Science Occupations
Physical Scientists

Technical

Drafters, Engineering, and Mapping Technicians
Health Technologists and Technicians
Life, Physical, and Social Science Technicians
Media and Communication Equipment Workers

Sales

Other Sales and Related Workers
Retail Sales Workers
Sales Representatives, Services
Sales Representatives, Wholesale and Manufacturing
Supervisors, Sales Workers

Administrative Support

Financial Clerks
Information and Record Clerks
Legal Support Workers

Material Recording, Scheduling, Dispatching, and Distributing Workers
Other Education, Training, and Library Occupations
Other Office and Administrative Support Workers
Secretaries and Administrative Assistants
Supervisors, Office and Administrative Support Workers

Services

Building Cleaning and Pest Control Workers
Cooks and Food Preparation Workers
Entertainment Attendants and Related Workers
Fire Fighting and Prevention Workers
First-Line Supervisors/Managers, Protective Service Workers
Food and Beverage Serving Workers
Funeral Service Workers
Law Enforcement Workers
Nursing, Psychiatric, and Home Health Aides
Occupational and Physical Therapist Assistants and Aides
Other Food Preparation and Serving Related Workers
Other Healthcare Support Occupations
Other Personal Care and Service Workers
Other Protective Service Workers
Personal Appearance Workers
Supervisors, Food Preparation and Serving Workers
Supervisors, Personal Care and Service Workers
Transportation, Tourism, and Lodging Attendants

Crafts

Construction Trades Workers
Electrical and Electronic Equipment Mechanics, Installers, and Repairers
Extraction Workers
Material Moving Workers
Other Construction and Related Workers
Other Installation, Maintenance, and Repair Occupations
Plant and System Operators
Supervisors of Installation, Maintenance, and Repair Workers
Supervisors, Construction and Extraction Workers
Vehicle and Mobile Equipment Mechanics,

Installers, and Repairers
Woodworkers

Operative Workers

Assemblers and Fabricators
Communications Equipment Operators
Food Processing Workers
Metal Workers and Plastic Workers
Motor Vehicle Operators
Other Production Occupations
Printing Workers
Supervisors, Production Workers
Textile, Apparel, and Furnishings Workers

Transportation

Air Transportation Workers
Other Transportation Workers
Rail Transportation Workers
Supervisors, Transportation and Material
Moving Workers
Water Transportation Workers

Laborers

Agricultural Workers
Animal Care and Service Workers
Fishing and Hunting Workers
Forest, Conservation, and Logging Workers
Grounds Maintenance Workers
Helpers, Construction Trades
Supervisors, Building and Grounds Cleaning
and Maintenance Workers
Supervisors, Farming, Fishing, and Forestry
Workers

Exhibit B: Work Force Report Job Categories-Trade

Brick, Block or Stone Masons
Brickmasons and Blockmasons
Stonemasons

Carpenters

Carpet, floor and Tile Installers and Finishers
Carpet Installers
Floor Layers, except Carpet, Wood and Hard
Tiles
Floor Sanders and Finishers
Tile and Marble Setters

Cement Masons, Concrete Finishers
Cement Masons and Concrete Finishers
Terrazzo Workers and Finishers

Construction Laborers

Drywall Installers, Ceiling Tile Inst
Drywall and Ceiling Tile Installers
Tapers

Electricians

Elevator Installers and Repairers

First-Line Supervisors/Managers
First-line Supervisors/Managers of
Construction Trades and Extraction Workers

Glaziers

Helpers, Construction Trade
Brickmasons, Blockmasons, and Tile and
Marble Setters
Carpenters
Electricians
Painters, Paperhangers, Plasterers and Stucco
Pipelayers, Plumbers, Pipefitters and
Steamfitters
Roofers
All other Construction Trades

Millwrights

Heating, Air Conditioning and Refrigeration
Mechanics and Installers
Mechanical Door Repairers
Control and Valve Installers and Repairers
Other Installation, Maintenance and Repair
Occupations

Misc. Const. Equipment Operators

Paving, Surfacing and Tamping Equipment
Operators
Pile-Driver Operators
Operating Engineers and Other Construction
Equipment Operators

Painters, Const. Maintenance

Painters, Construction and Maintenance
Paperhangers

Pipelayers and Plumbers

Pipelayers
Plumbers, Pipefitters and Steamfitters

Plasterers and Stucco Masons**Roofers****Security Guards & Surveillance Officers****Sheet Metal Workers****Structural Iron and Steel Workers****Welding, Soldering and Brazing Workers**

Welders, Cutter, Solderers and Brazers
Welding, Soldering and Brazing Machine
Setter, Operators and Tenders

Workers, Extractive Crafts, Miners

**LIVING WAGE ORDINANCE
 CERTIFICATION OF COMPLIANCE**
 REQUIRED BY SAN DIEGO MUNICIPAL CODE §22.4225(c)

COMPANY INFORMATION

Company Name: Center for Employment Opportunities, Inc.
 Company Address: 50 Broadway, Suite 1604, New York, NY 10004 (with local address at 450 A Street, Suite 300, San Diego, CA 92101)
 Company Contact Name: Robert Smith Contact Phone: 619.684.4810

CONTRACT INFORMATION

Contract Number (if no number, state location): San Diego Start Date:
 Contract Title (or description): Clean San Diego Services. End Date:
 Purpose/Service Provided: As needed 24/7 illegal dumping and litter removal and two shifts of transient camp abatement services.

TERMS OF COMPLIANCE

A contractor or subcontractor working on or under the authority of an agreement subject to the Living Wage Ordinance [LWO] must comply with all applicable provisions of the LWO unless specifically approved for an exemption. Basic requirements of the LWO are:

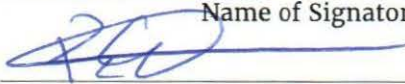
- (a) Pay covered employees the current fiscal year hourly wage rate;
- (b) If any lesser amount is applied toward the health benefits rate, add this difference to the hourly wage rate as cash;
- (c) Provide minimum of 80 compensated leave hours per year for illness, vacation, or personal need at the employee's request and permit 80 additional unpaid leave hours for personal or family illness when accrued compensated leave hours have been used;
- (d) Annually distribute a notice with the first paycheck after July 1 to inform all covered employees of LWO requirements, their possible right to Federal Earned Income Tax Credit, and possible availability of health insurance coverage under the Affordable Care Act;
- (e) Prohibit retaliation against any covered employee who alleges noncompliance with the requirements of the LWO;
- (f) Permit access for authorized City representatives to work sites and records to review compliance with the LWO;
- (g) Maintain wage and benefit records for covered employees for 3 years after final payment;
- (h) Perform at least fifty percent (50%) of the work with its own employees; and
- (i) File a Living Wage Ordinance Certification of Compliance with the City within 30 days of becoming a covered employer.

If a subcontractor fails to submit this completed form, the prime contractor may be found in violation of the LWO for failure to ensure its subcontractor's compliance. This may result in a withholding of payments or termination of the agreement.

CONTRACTOR CERTIFICATION

By signing, the contractor certifies under penalty of perjury under laws of the State of California to comply with the requirements of the Living Wage Ordinance.

Robert Smith

 Name of Signatory


 Signature

San Diego Site Director

 Title of Signatory
 11/21/19

 Date

FOR OFFICIAL CITY USE ONLY

Date of Receipt: LWO Analyst: Contract Number:

LWP-001 (07/01/2017)



STATE OF CALIFORNIA
FRANCHISE TAX BOARD
PO BOX 1286
RANCHO CORDOVA CA 95741-1286

In reply refer to
755:AFF:ARJ

October 1, 2010

CENTER FOR EMPLOYMENT OPPORTUNITIES INC
32 BROADWAY FL 15
NEW YORK NY 10004-1634

Purpose : CHARITABLE
Code Section : 23701d
Form of Organization : Foreign Corporation
Accounting Period Ending: June 30
Organization Number : 3312750

EXEMPT ACKNOWLEDGEMENT LETTER

This letter acknowledges that the Franchise Tax Board (FTB) has received your federal determination letter that shows exemption under Internal Revenue Code (IRC) Section 501(c)(3). Under California law, Revenue and Taxation Code (R&TC) Section 23701d(c)(1) provides that an organization is exempt from taxes imposed under Part 11 upon submission of the federal determination letter approving the organization's tax-exempt status pursuant to Section 501(c)(3) of the IRC.

The effective date of your organization's California tax-exempt status is 02/01/1996.

R&TC Section 23701d(c)(1) further provides that the effective date of an organization's California tax-exempt status is the same date as the federal tax-exempt status under IRC Section 501(c)(3).

Under R&TC Section 23701d(c), any change to your organization's operation, character, or purpose that has occurred since the federal exemption was

October 1, 2010
CENTER FOR EMPLOYMENT OPPORTUNITIES, INC.
ENTITY ID : 3312750
Page 2

originally granted must be reported immediately to this office.
Additionally, organizations are required to be organized and operating for
nonprofit purposes to retain California tax-exempt status.

For filing requirements, get FTB Pub. 1068, Exempt Organizations -
Filing Requirements and Filing Fees. Go to ftb.ca.gov and search for 1068.

Note: This exemption is for state franchise or income tax purposes only.
For information regarding sales tax exemption, contact the State Board of
Equalization at 800.400.7115, or go to their website at boe.ca.gov.

A JENKINS
EXEMPT ORGANIZATIONS
BUSINESS ENTITIES SECTION
TELEPHONE (916) 845-4605
FAX NUMBER (916) 845-9029

RTF:
CC :WILLIAM H. SAULS

COPY

CINCINNATI OH 45999-0038

In reply refer to: 0248206070
June 10, 2019 LTR 4168C 0
13-3843322 000000 00
00012763
BODC: TE

CENTER FOR EMPLOYMENT OPPORTUNITIES
INC
% PANAGIOTA MAHENDRU
50 BROADWAY 16TH FLOOR
NEW YORK NY 10004

Employer ID number: 13-3843322
Form 990 required: Yes

Dear Taxpayer:

We're responding to your request dated May 30, 2019, about your tax-exempt status.

We issued you a determination letter in February 1996, recognizing you as tax-exempt under Internal Revenue Code (IRC) Section 501(c)(3).

We also show you're not a private foundation as defined under IRC Section 509(a) because you're described in IRC Sections 509(a)(1) and 170(b)(1)(A)(vi).

Donors can deduct contributions they make to you as provided in IRC Section 170. You're also qualified to receive tax deductible bequests, legacies, devises, transfers, or gifts under IRC Sections 2055, 2106, and 2522.

In the heading of this letter, we indicated whether you must file an annual information return. If you're required to file a return, you must file one of the following by the 15th day of the 5th month after the end of your annual accounting period:

- Form 990, Return of Organization Exempt From Income Tax
- Form 990EZ, Short Form Return of Organization Exempt From Income Tax
- Form 990-N, Electronic Notice (e-Postcard) for Tax-Exempt Organizations Not Required to File Form 990 or Form 990-EZ
- Form 990-PF, Return of Private Foundation or Section 4947(a)(1) Trust Treated as Private Foundation

According to IRC Section 6033(j), if you don't file a required annual information return or notice for 3 consecutive years, we'll revoke your tax-exempt status on the due date of the 3rd required return or notice.

You can get IRS forms or publications you need from our website at www.irs.gov/forms-pubs or by calling 800-TAX-FORM (800-829-3676).

If you have questions, call 877-829-5500 between 8 a.m. and 5 p.m.,

0248206070
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CENTER FOR EMPLOYMENT OPPORTUNITIES
INC
% PANAGIOTA MAHENDRU
50 BROADWAY 16TH FLOOR
NEW YORK NY 10004

local time, Monday through Friday (Alaska and Hawaii follow Pacific
time).

Thank you for your cooperation.

Sincerely yours,



Kim A. Billups, Operations Manager
Accounts Management Operations 1



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Center for
Employment
Opportunities

EXECUTIVE SUMMARY

November 21, 2019

Beverly Asbill-Gumbs, Senior Procurement Contracting Officer
1200 Third Avenue, Suite 200
San Diego, California 92101

Dear Ms. Beverly Asbill-Gumbs:

I am excited to propose a partnership between the Center for Employment Opportunities (CEO) and the City of San Diego to meet City needs and improve the community. Despite ongoing success with the Clean San Diego initiative, local neighborhoods continually face a growing need for litter and waste removal. By partnering with CEO, the City of San Diego can achieve its urban beautification needs while supporting a sustainable workforce development pipeline.

CEO has nearly 30 years of experience operating flexible work crews comprised of formerly incarcerated citizens who are screened, trained, and motivated to work. Our value is built on flexibility and reliability, which will allow the City of San Diego to customize our service to meet its ever-changing needs. In addition to CEO's expertise in litter abatement, Homeless Encampment cleanup, and beautification, our community-driven model can provide a sustainable workforce pathway for San Diego's returning citizens.

This document outlines the proposed partnership between the Center for Employment Opportunities and the City of San Diego. We thank you for the opportunity and look forward to further discussing our partnership.

Sincerely,

Robert Smith, San Diego County Director
Center for Employment Opportunities
CA DIR Registration #: 1000052090



RFP RESPONSE

CEO'S UNDERSTANDING

The Center for Employment Opportunities (CEO) is dedicated to providing immediate, effective, and comprehensive employment services to individuals recently released from incarceration. Our highly structured and tightly supervised programs help participants regain the skills and confidence needed for successful transitions to stable, productive lives. CEO's vision is that anyone with a recent criminal history who wants to work has the preparation and support needed to find a job and stay connected to the labor force. CEO currently serves over 7,500 individuals annually at over 25 sites across 9 states.

In the past year, CEO San Diego has experienced tremendous growth. In this short time, we have greatly increased our capacity to serve justice-involved individuals throughout San Diego County. In our previous fiscal year, we served 485 participants; this year, our goal is to provide services to more than 700. Since CEO San Diego's inception in 2011, we have engaged over 2,000 individuals in our program services, and placed over 1,500 in full-time employment.

As a result, CEO has developed the necessary expertise and organizational infrastructure to ensure that crews are fully staffed, the services provided meet contract expectations, and all crews operate following the highest standards of workplace safety. CEO has worked with a total of 298 employers since it launched in 2011, more than 26% of whom were repeat customers. Public agencies such as Caltrans and the City of Chula Vista are important partners with contracts that provide work orders to CEO transitional job crews, where participants gain valuable on-the-job experience and earn income in the form of a daily paycheck. CEO also works with local employers to place participants in full-time positions and promote employee development pipelines for beautification and waste handling services.

CEO San Diego has a successful relationship with Abcana Industries, a Southern California-based pool and water treatment company. This partnership initially began as Abcana contracted with a staffing agency to meet the company's workforce needs. CEO participants were connected with Abcana on an individual basis via the staffing agency and quickly established a positive impression. This was reflected not only on participants' skills and aptitude as employees, but on CEO's overall expertise as a job skills training provider. As additional CEO participants joined Abcana, the company made the decision to work directly with CEO as their outsourced staffing service partner. CEO ultimately ended up providing a work crew to Abcana for eight (8) hours per day, five (5) days per week. By filling public and private sector job orders with participants matched to each business' unique needs, CEO provides key human resource support across the City.



CEO'S SOLUTION

Overview

CEO proposes to partner with the City of San Diego to assist local neighborhoods in addressing Clean San Diego's growing needs, while increasing employment opportunities for individuals recently released from incarceration in the Site community. If awarded this contract, CEO would be ready to launch this project in January 2020. Start-up activities would include hiring 1-2 additional site supervisors and transferring current on-call site supervisors into full-time positions. CEO already has the vans to transport crews across designated sites.

Proposed Scope of Work

CEO crews are trained by CEO, and also receive on-the-job training by the CEO Site Supervisor that is specified for City of San Diego's specific needs. CEO will provide one (1) work crew comprised of seven (7) workers and one (1) Site Supervisor to service Clean San Diego locations. While a full work crew shall consist of eight (8) persons, CEO can also adapt its crew size to match the size of scope. Our crews successfully operate in teams of five (5), four (4), and two (2) person work crews. The CEO crew will be available as-needed twenty-four (24) hours, seven (7) days a week for trash removal, as well as, from 6:00 AM – 9:00 PM for waste removal associated with illegal homeless encampments. Typical service hours may be 5 days/week, 6.5 hours/day (08:00 AM - 3:00 PM, Monday through Friday) to complete the necessary scope of activities.

The CEO Crew can provide a diverse set of services to the City of San Diego, including but not limited to:

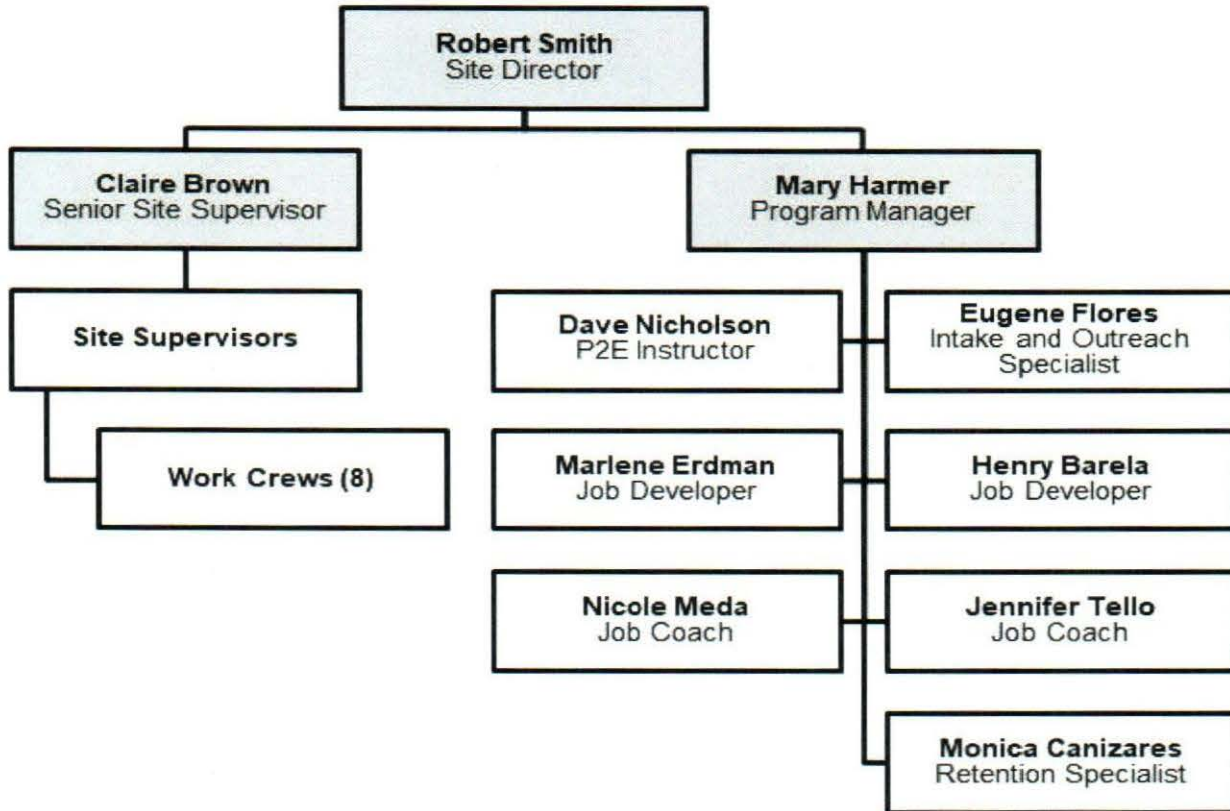
- As-needed services for the removal of trash, debris, and weeds from Clean San Diego designated locations twenty-four (24) hours, seven (7) days a week;
- General waste removal and sweeping services from City-owned or Department-operated facilities;
- Brush management in open space areas, public right of way, waterways, canyons, and channels;
- Removal of waste from curbside during community cleanup events;
- Services for waste removal associated with illegal homeless encampments; and
- All other duties as assigned.

This partial list is representative of potential activities and can be adjusted based on City of San Diego's ongoing and evolving needs.



Staffing Plan

Rob Smith, CEO San Diego Director, joined CEO in early 2015. In his role, he will oversee and manage the project, ensuring that the scope is completed with quality. Rob is also responsible for managing vocational services, program performance, and contract management.



Work crews are comprised of 7 CEO participants who have progressed through CEO's program and been hired by the organization to provide these services. Each work crew is managed by one (1) CEO Site Supervisor who is an experienced project manager that drives quality assurance. At the end of each work day, participants receive daily pay and performance feedback using CEO's performance assessment tool. CEO management infrastructure also allows our crews to easily navigate multiple job site in a week or day.

Overseeing the on-site property maintenance is our Senior Site Supervisor, Claire Brown, who will be the lead day-to-day contact overseeing the supervisor of CEO's work crew for Clean San Diego. Supervisors liaise with City staff to review work assignments, provide transportation for participants to and from worksites, and provide direct oversight of participant's work on the property. Upon award, CEO may hire additional Site Supervisors as needed based on the bundle size.



Equipment On-Hand:

- Square and round shovels
- Hammers
- Screwdrivers
- Chainsaws
- Weed whips
- Blowers
- Dump Truck
- Dump Trailer
- Passenger Van

CEO has the majority of necessary equipment on-hand to continue delivering landscape services. CEO also has the ability and petty cash to purchase new equipment as needed. Additionally, our crew has a van that enables our employees to easily move from site-to-site as needed throughout the workweek or during a single work day.

To ensure that CEO continually evolves alongside its partners, our program offers industry-recognized certifications focused on meeting vendor needs. We aligned our participants' levels of education to target pre-placement training toward the following certificate programs:

- OSHA 40-Hour HAZWOPER
- OSHA 4-Hour Confined Spaces
- OSHA 10-Hour Construction Safety
- OSHA HAZMAT/DOT
- Traffic Control and Flagger Safety
- Forklift (Beginners and Advanced)

Working in Partnership

CEO staff will work closely with the City of San Diego team to understand their needs, processes, and expectations. CEO Site Supervisors and the City of San Diego management will meet regularly to ensure project success. CEO works in partnership with its City of San Diego to ensure work crews provide timely, effective, and successful service.

Responsibility	CEO	City of San Diego
Provide daily or weekly work order		✓
Transport workers and utility vehicles to and from work location daily	✓	
Ensure that work crew members are properly trained and supervised in how to	✓	



safely perform the Services		
Schedule workers and confirm adequate labor daily	✓	
Provide safety equipment, attire and tools	✓	
Cover insurance and administrative costs, including workers compensation.	✓	
Communicate throughout work day to identify work plan changes.	✓	✓
Discuss scope of work and adjust services based on the City of San Diego's needs.	✓	✓
Provide hand tools and power equipment.	✓	
Provide live route coordinator with 24/7 on-call availability.	✓	
Coordinate as-needed services from multiple City of San Diego departments.	✓	✓
Track documentation and receipts of properly disposed waste.	✓	
Provide pre-identified locations for to service.		✓
Provide trash bags and litter pickup sticks.		✓
Reimburse disposal fees upon proof of payment.		✓
Ensure employee assigned to perform services on City premises is prepared with a Photo Identification Badge	✓	

Benefits to the City of San Diego

In addition to receiving high-quality, reliable services, the City of San Diego will benefit from CEO's comprehensive work crew support. CEO's crews are flexible and scalable, and able to adapt to the Clean San Diego short- and long-term service needs. All CEO crews include:

- *Insurance and Workers Compensation:* CEO carries robust insurance coverage and can name a



crew partner as an insured party on our general liability policy. We also cover workers compensation and provide full indemnification to Work Crew partners.

- *Trained Professional Site Supervisor:* Every CEO work crew is managed by a CEO Site Supervisor. This individual is an industry expert that provides onsite supervision and support to crews. The Site Supervisor will also serve as the primary point of contact for the City of San Diego to ensure complete satisfaction with CEO's workers.
- *Administrative and Logistical Support:* CEO assumes all responsibility for directly paying and managing the Crew and ensures the crew is fully staffed to get the job done each day. To meet this guarantee CEO will provide reliable transportation to and from the worksite each day.
- *Flexible and Responsive Work Crews:* CEO work crews can be available on short notice for special projects and weekend work. CEO also has the ability to adjust the Crew size and work hours to best meet our partners' labor needs.

Benefits to the San Diego Community

Each year, one CEO work crew provides 75 individuals with barriers to employment an opportunity to enter the San Diego workforce.

CEO's program adds value to San Diego by providing transitional jobs to individuals who need a more supportive entry into the world of work. Social enterprise work crews provide participants with access to immediate work and daily pay which is essential as they transition from incarceration back to our San Diego community. Once they have gained both the hard and soft skills necessary to re-enter the permanent workforce, they begin applying to full-time jobs. After securing full-time employment, participants receive a year of individualized job retention services. Through this model, CEO has been proven to show statistically significant impacts on both recidivism and employment.

CEO's program model focuses specifically on high-need individuals under criminal justice supervision. This focus requires an extremely strong relationship and collaboration with Parole Agents and Probation Officers, which has been built into the DNA of our organization. CEO is the only Transitional Jobs provider contracted with San Diego County Probation to offer employment readiness and retention services for the formerly incarcerated. We engage Probation Officers not only to refer participants to the program, but to be key partners in ensuring the success of every participant; including the provision of additional wraparound supports beyond employment. Additionally, given that CEO's high-need target population faces significant barriers to reentry, collaboration with multiple CBOs is also critical to our program model. Through relationships with local agencies and organizations, CEO ensures the provision of wrap-around services for participants' complex non-employment needs.

CEO staff commit to working with participants and Probation Officers to identify personal barriers to employment (such as housing, transportation, childcare, substance use, and healthcare) outside of the scope of CEO's programming and will make referrals to such services as needed.



Work Crew Services

CEO crews are flexible and can provide a diverse set of services over the course of the partnership with the City of San Diego. In addition to the services proposed above, CEO crews offer the following services:



Outdoor

- Planting/plant maintenance
- Mowing/weed eating
- Clearing parking lots & sidewalks
- Litter abatement/recycle management
- Graffiti removal
- Snow removal
- Window washing
- Power washing



Event Services

- Pre/post event clean up
- Event site set-up and tear-down
- Loading and hauling
- Trash removal
- Stadium clean up



Indoor

- Janitorial & maintenance work
- Stripping, waxing, buffing floors
- Rubbish removal
- Furniture moving
- Processing recyclables
- Light demolition
- Warehouse operations
- Manufacturing services



Specialty Services

- Construction site prep
- Bridge preservation
- Painting / beautification
- Brush fire clean up
- Disaster clean up

PRICING

CEO's "All-In" pricing includes all costs of services to the City of San Diego, including workers' wages, supervision, equipment, benefits, insurance, workers comp and associated transportation and supply costs.

Prices are to be firm, fixed, fully burdened, FOB destination, and include any applicable delivery or freight charges, and any other costs required to provide the requirements as specified in this RFP.

The full work crew shall consist of eight (8) persons; five (5), four (4), and two (2) person work crews will be available pending need.

Unit Costs

Title	Cost per Hour
Site Supervisor	\$ 33.00
Employee	\$ 16.50
Dump Truck	\$ 60.00
Stake Bed	\$ 40.00
Pickup Truck	\$ 32.00

Crew Assignment	8 Hour Crew
5 Person Crew working 8 hours (Using <i>Dumptruck, Passenger Van and Dump Trailer</i>)	\$1272.00
2 Person Crew (Stake Bed)	\$716.00
2 Person Crew (Pick up Truck)	\$652.00