

**Target Area Contract Preference Act (TACPA), Enterprise Zone Act (EZA),
and the Local Agency Military Recovery Area Act (LAMBRA)**

PROGRAM REQUIREMENTS SUMMARY

Under the provisions of the TACPA, Government Code Section 4530 et seq., EZA, Government Code Section 7070 et seq., and LAMBRA, Government Code Section 7118 et seq., preferences are available to California based companies that demonstrate and certify under penalty of perjury that at least 50% of the total labor hours for manufactured goods, or 90% of the total labor hours for services will be performed in distressed areas. The Acts also make available additional preferences to California based bidders who certify under penalty of perjury to hire eligible persons in targeted employment areas. Bidders are not required to apply for TACPA/EZA/LAMBRA preferences, and denial of preference requests is not a basis for rejection of the bid.

Pre-award Demonstration Requirements

If bidders wish to be considered for the preferences, they must a) provide a reasonable demonstration of contract labor hours for the solicitation's corresponding industry and b) certify that they will comply with the requirements of these Acts. Bidders must complete and submit all included or referenced solicitation preference program forms to be considered for a preference.

- Preference Request Forms (Std. 830/831/832) for goods and services.
- Manufacturer Summary Form (DGS/PD525) for goods only.
- Bidder Summary Form (DGS/PD526) for goods and services.

It is the bidder's responsibility to clearly demonstrate its ability to comply with the terms and provisions of the preference programs which includes a description of the complete supply chain from manufacturer to point of delivery. The State, as part of its evaluation process, reserves the right to verify, validate, and clarify all information contained in the bid. This may include, but is not limited to, information from bidders, manufacturers, subcontractors and any other sources available at the time of bid evaluation. Refusal to agree to and/or comply with these terms, or failure to provide additional supporting information at the State's request, may result in denial of the preferences requested.

Contract Award Compliance Requirements

Contracts awarded with applied preferences will be monitored throughout the life of the contract for compliance with the statutory, regulatory, and contractual requirements. If awarded the contract, the contractor agrees to: (1) comply with the requirements of the Act(s) and with attendant rules and regulations, (2) allow the state contracting agency to have access to its facilities or premises to inspect, review, obtain and copy all records pertinent to the performance of the

contract or to determine compliance with the Act(s), and (3) to retain such records for three years following final payment on the contract.

Contractors who receive a workforce preference agree, with respect to certification, to hire eligible persons with high risk of unemployment, or from high unemployment areas, and to act in good faith to retain the employees for the duration of the contract, and, if necessary, replace such persons with other persons meeting the same qualifications. Contractors are to promptly notify the State of the names of persons that have been terminated or who have been absent for more than three consecutive days to communicate the reasons for the termination or absence. Contractors agree, under such circumstances, to consult with the state contracting agency and the Employment Development Department with respect to replacement of such persons. Bidders should review the detailed requirements for TACPA at 2 CCR § 1896.40, Contract Provisions, and for EZA at 2 CCR §1896.110, Contract Provisions.

Contractors who do not comply with the preference reporting requirements or fail to provide the information necessary to monitor compliance are subject to sanctions as set forth in the statutes.

MANUFACTURER'S SUMMARY Of Contract Activities and Labor Hours

Section I
SOLICITATION NUMBER

AGENCY/DEPT

To be eligible for bidding preferences, the following data/information must be provided AND signed, as indicated, by both the Manufacturer and the Bidder. Any person furnishing false certifications, willfully providing false information, omitting information, or failing to comply with the preference requirements is subject to sanctions as set forth in the statutes.

Section II Manufacturer's Information: Must be completed by the Manufacturer

Report the projected production capacity of the facility for each product type/solicitation line item. This form must accompany any bid preference request form(s) (STD 830, STD 831, STD 832) submittal to the designated contracting official at the awarding department. Enter the number of all employee labor hours in an 8-hour shift at this site required and necessary to perform the contract. Employee labor hours may cover such activities as manufacturing, packaging, handling, warehousing and/or shipping the product (see reverse for additional information). Do not include labor-free time (automation or machine hours/storage/etc). If additional lines are needed, copies of this form may be used.

Product Type Or Line Item (Manufactured At This Site)	Contract Quantity (Include Product Units)	Production Capacity (Units Per 8-Hr Shift)	Number Of Employees Used In 8-Hr Shift (Of The Product Production Cycle)					Total Employee Contract Labor Hours Per Product Type Or Line Item
			Manufacturing	Packaging	Handling	Warehousing	Shipping	
1.								
2.								
3.								
4.								
5.								
6.								
7.								
GRAND TOTAL (Employee labor hours)								

*EXPLAIN OTHER ACTIVITIES OF THE MANUFACTURING CYCLE MUST BE DEFINED HERE. IF USED: (Use additional sheets, if necessary)

Section III Manufacturer's Information and certification: Must be completed and signed by the Manufacturer

Separate "Manufacturer's Summaries" are required for each site that is identified as a manufacturer of the contract goods.

MANUFACTURER'S NAME AND ADDRESS	NAME AND TITLE OF PERSON SIGNING AS MANUFACTURER	PHONE NUMBER ()	DATE
	MANUFACTURER'S SIGNATURE	FAX NUMBER ()	

Section IV Bidder's Certification: Must be completed and signed by the Bidder to be eligible for bidding preferences

I hereby certify under penalty of perjury that the manufacturer provided the above information to me. The proposed employee labor hours indicated above correlate with the hours reported on the preference request form(s) [STD 830, STD 831, and/or STD 832] that accompany this bid.

BIDDER'S NAME AND TITLE	BIDDER'S SIGNATURE	PHONE NUMBER ()	DATE
		FAX NUMBER ()	

MANUFACTURER'S SUMMARY References and Instructions

The California Legislature has declared that it serves a public purpose and is a benefit to the State to encourage business investment, promote job development, and to facilitate job maintenance in economically distressed areas of the state. It is the intent of the Legislature to further these goals by providing appropriate preferences to California based companies submitting bids or proposals for state contracts to be performed at worksites in economically distressed areas when the contract is for goods or services in excess of \$100,000. To obtain preferences, the bidder must demonstrate that a minimum 50% (for goods contracts) or 90% (for services contracts) of the projected employee labor hours necessary for the contract will be performed within the economically distressed area. This includes manufacturer's employee labor hours.

If the bidder requests TACPA, EZA, and/or LAMBRA contract preferences¹, the completed *Manufacturer's Summary* must be signed by both the manufacturer² and the bidder for each requested preference. The information provided on this form will be used to evaluate the total manufacturing employee labor hours required to complete this contract.

Section I To be completed by the Bidder

Solicitation Number: Enter the solicitation number identified on the front page of the Invitation For Bid for which this form is being submitted.

Agency/Dept: Enter the name of the buying Agency and/or Department (e.g., State and Consumer Services Agency, Department of General Services)

Section II To be completed by the Manufacturer

This section identifies the projected production capacity of the manufacturer's facility; number of employees used for each type of the bid product and total of the projected employee contract labor hours used to manufacture the bid product for the entire contract period.

¹ Target Area Contract Preferences Act, GC § 4530 et seq., Enterprise Zone Act GC Section 7070 et seq.; and/or Local Agency Military Recovery Area Act (LAMBRA), GC § 7118 et seq.

² The State considers the manufacturer to be the company or companies that add value to the product by converting or transforming it from the raw or bulk product into the final bid product.

Product Type or Line Item:

List the product type or line item as specified on the solicitation. Identify each product type or match the line items on the solicitation.

Contract Quantity:

List the number of product unit(s) (i.e. # cases, pounds, etc.). Use the same quantity and unit of measure used in the state's solicitation.

Production Capacity:

Indicate the manufacturing capacity for each product type/line item in an 8-hour period.

Employees Used In 8-Hr Period:

Indicate the number of employees used for the various production segments during an 8-hour period (example: .5, 1.5, 2). List only the production processes pertaining to the production of the bid product/line item. Production tasks may include: manufacturing, packaging, handling, shipping, and/or other. Production hours listed under "other" must be defined.

Total Hours:

For each product type/line item, identify the total number of employee contract labor hours projected to be used for the entire contract period.

Section III To be completed by the Manufacturer

Firm & address:

Enter the manufacturer's name & address.

Authorized Representative:

Type or print the name and title of the person signing the form.

Contact phone number:

Enter the telephone number and fax number for the manufacturer.

Date:

Enter the date the form is completed and signed by the manufacturer

Signature:

Signed by the manufacturer

Section IV To be completed by the Bidder

Section IV must be completed and signed by the bidder to be eligible for the bidding preference.

BIDDER'S SUMMARY Of Contract Activities and Labor Hours

Section I
SOLICITATION NUMBER

AGENCY/DEPT

To be eligible for the bidding preferences, the following data/information must be provided AND signed by the BIDDER. Any person furnishing false certifications, willfully providing false information, omitting information, or failing to comply with the preference requirements is subject to sanctions as set forth in the statutes

Section II

The "Bidder's Summary" of the contract activity and employee labor hours must be completed and signed by the Bidder. This form must accompany any bid preference request form(s) (STD 830, STD 831, STD 832) submittal to the designated contracting official at the awarding department.

Report the projected contract labor hours for each contract activity for administration, receiving, order processing, order shipping preparation, and transportation to state delivery point (see reverse for additional information). Report all employee labor hours necessary to perform this contract. Do not include labor-free hours (automated processing/storage time, etc).

Product Type Or Line Item	Contract Quantity (Total Product Units)	Number Of Bidder Contract Labor Hours To Be Used For This Contract					Total Number Of Contract Labor Hours Per Product Type Or Line Item
		Administration	Receiving	Order Processing (pick/pull)	Order Shipping Preparation	Transportation	
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							
GRAND TOTAL (Employee labor hours)							

* EXPLAIN "OTHER" ACTIVITIES OF CONTRACT PERFORMANCE USED MUST BE DEFINED HERE. (Use additional sheets, if necessary)

Section III *To be eligible for bidding preferences, the following certification statement must be complete and signed by the Bidder.*

I hereby certify under penalty of perjury that the information and labor hours reported on this form are accurate and complete. I understand that any person falsely certifying, willfully providing false information, omitting information, or failing to comply with the preference statutes may be subject to sanctions as set forth in the statutes.

BIDDERS NAME AND TITLE BIDDERS SIGNATURE: ▶	PHONE NUMBER () FAX NUMBER ()	DATE
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BIDDER'S SUMMARY References and Instructions

The California Legislature has declared that it serves a public purpose and is a benefit to the State to encourage business investment, promote job development, and to facilitate job maintenance in economically distressed areas of the State. It is the intent of the Legislature to further these goals by providing appropriate preferences to California based companies that submit bids or proposals for state contracts to be performed at worksites in economically distressed areas when the contract is for goods or services in excess of \$100,000. To obtain preferences, the bidder must demonstrate that a minimum 50% (for goods contracts) or 90% (for services contracts) of the projected employee labor hours necessary for the contract will be performed within the economically distressed area.

If the bidder requests TACPA, EZA, and/or LAMBRA contract preferences¹, the *Bidder's Summary* form must be completed and signed by the bidder for each requested preference. The information provided on this form will be used to evaluate the total number of bidder employee labor hours required to complete the contract.

Section I

Solicitation Number: Enter the solicitation number identified on the front page of the Invitation For Bid for which this form is being submitted.

Agency/Dept: Enter the name of the buying Agency and/or Department (e.g., State and Consumer Services Agency, Department of General Services)

Section II

This section identifies the number of bidder's projected employee labor hours that will be performed for the contract. Hours projected should only be those that the bidder will perform. Do not include manufacturing or any other subcontracted hours.

Product Type or Line Item: List the product type or line item as specified on the solicitation. Separate each product type to match the line items on the solicitation.

Contract Quantity: List the number of product units (i.e., cases, pounds, etc.). Use the same quantity and unit measure used in the state's solicitation.

Hours For This Contract: Enter the projected number of employee contract labor hours expected in the performance of the contract. Hours may include, for example: administrative, receiving (only include hours required to stock receive and/or physically place product into or out of storage), processing orders (pulling or picking), preparation of orders for shipment (routing, master billing, loading trucks), transportation hours (from shipping point to point of delivery) and/or other (contract labor hours identified as "other" must be defined). Do not include labor hours for time the product is stationary.

Grand Total: List the total number of employee labor hours for the entire contract period.

Section III

Section III must be completed and signed by the bidder.

¹ Target Area Contract Preferences Act, GC § 4530 et seq., Enterprise Zone Act GC § 7070 et seq., and/or Local Agency Military Recovery Area Act (LAMBRA), GC § 7118 et seq.

STD. 830 (REV. 1/2005) (REVERSE)
**TARGET AREA CONTRACT PREFERENCE ACT
PREFERENCE REQUEST FOR GOODS AND SERVICES SOLICITATIONS**

STATE OF CALIFORNIA – DEPARTMENT OF GENERAL SERVICES
DISPUTE RESOLUTION AND PREFERENCE PROGRAMS

Target Area Contract Preference Act Preferences and Instructions

The Target Area Contract Preference Act (TACPA), GC §4530 et seq., and 2 CCR §1986.30 et seq., promotes employment and economic development at designated distressed areas by offering 5% worksite and 1% to 4% workforce bidding preferences in specified state contracts. The TACPA preferences do not apply to contracts where the worksite is fixed by the contract terms. These preferences only apply to bidders who are California based firms, and only when the lowest responsible bid and resulting contract exceed \$100,000. Bidders must certify, under penalty of perjury to perform either 50% (for GOODS contracts) or 90% (for SERVICES contracts) of the labor hours required to complete this contract in the eligible TACPA area worksite(s) identified in Section I on the reverse side of this page. TACPA preferences are limited to 9%, or a maximum of \$50,000 per bid. In combination with any other preferences, the maximum limit is 15% of the lowest responsible bid; and, in no case more than \$100,000 per bid.

**Section I
Worksite Preference Eligibility and Labor Hours**

Bidders must identify at least one eligible TACPA worksite by entering the criteria letter A, B, C, D, E or F in the "Criteria" column and enter the "Census Tract" and "Block Group" Numbers to be eligible for the preference. You must name each and every firm or site where contract labor hours will be worked. Preference requests may be denied if an eligible California TACPA worksite is not identified, or all firms performing contract labor hours are not identified. Enter one of the following "Criteria" letters to identify each TACPA worksite on the reverse page:

- A. The firm is located in a California eligible distressed area(s).
- B. The firm will establish a worksite(s) in a California eligible distressed area(s).
- C. The firm is in a census tract with a contiguous boundary adjacent to a California eligible distressed area.
- D. The firm will establish a worksite(s) located directly adjoining a valid TACPA census tract/block group that when attached to the California eligible distressed area(s) forms a contiguous boundary.
- E. The bidder will purchase the contract goods from a manufacturer(s) in a California eligible distressed area(s). **This option applies to solicitations for GOODS only.**
- F. The bidder will purchase contract goods from a manufacturer(s) in directly adjoining census tract blocks that when attached to the California eligible distressed area(s) forms a contiguous boundary. **This option applies to solicitations for GOODS only.**

Enter labor hours for each listed firm and site. The hours shall be reasonable and shall only include the labor hours necessary and required to complete the contract activities. Artificially increasing hours at a claimed TACPA worksite, or understating labor hours worked outside the eligible worksite may result in a denied preference request. Do not include machine time and non-labor time when projecting contract labor hours. Report all bidder work hours and those of any subcontractor performing this contract. All transportation hours must be reported for each carrier separately and must not be combined or included with hours for manufacturing, processing, or administration, or at any eligible TACPA site. Failure to list all the labor hours to be performed at the reportable sites will result in a denial of this preference request.

The bidder must explain, by activity, their firm's projected contract labor hours by completing and signing the *Bidder's Summary* form (included with this solicitation).

If supplying goods, the bidder must also provide a completed and signed *Manufacturer's Summary* form (included with this solicitation) that specifies the number of projected labor hours necessary to make the product(s).

**Section II
Workforce Preference**

Eligibility to request a workforce preference is based on the bidder first claiming and receiving approval of the 5% TACPA worksite preference. The workforce preferences are only awarded if the bidder hires and employs the TACPA qualified individuals. Workforce preferences will not be approved for another firm's employees. By claiming a workforce preference percentage, the bidder must have its eligible employees perform the specified percentage of the total contract workforce labor hours. See Section I, "Total Projected Labor Hours," STD. 830. To claim the workforce preferences select or check the appropriate box for percent of requested bid preferences in Section II.

**Section III
Certification for Worksite and Workforce Preferences**

Bidder must sign, under penalty of perjury, the certification contained in Section III to be eligible for any of the preferences requested pursuant to this form. The penalties associated with the TACPA statute are: GC §4535.1, a business which requests and is given the preference by reason of having furnished a false certification, and which by reason of that certification has been awarded a contract to which it would not otherwise have been entitled, shall be subject to all of the following:

- (a) Pay to the State any difference between the contract amount and what the State's cost would have been if the contract had been properly awarded.
- (b) In addition to the amount specified in subdivision (a), be assessed a penalty in an amount of not more than 10 percent of the amount of the contract involved.
- (c) Be ineligible to directly or indirectly transact any business with the State for a period of not less than six months and not more than 36 months.

Prior to the imposition of any sanction under this chapter, the contractor or vendor shall be entitled to a public hearing and to five days notice of the time and place thereof. The notice shall state the reasons for the hearing.

If you receive an award based on these preferences you will be required to report monthly on your contract performance, labor hours, and TACPA compliance.

For questions concerning preferences and calculations, or if a bid solicitation does not include preference request forms, please call the awarding Department's contract administrator. Only another California certified small business can use TACPA, EZA or LAMBRA preferences to displace a California certified small business bidder.

To identify TACPA distressed worksites contact the local city or county Planning/Economic Development offices of the proposed worksite, or go to <http://factfinder.census.gov> and click on "Enter a street address" to find a Census Tract and Block Group. Verify the Census Tract and Block numbers for TACPA sites by calling the DGS, Procurement Division preference line at (916) 375-4609.

STD. 831 (REV. 1/2005) (FPON1)
**ENTERPRISE ZONE ACT PREFERENCE (EZA) REQUEST
 FOR GOODS AND SERVICES SOLICITATIONS**

STATE OF CALIFORNIA - DEPARTMENT OF GENERAL SERVICES
DISPUTE RESOLUTION AND PREFERENCE PROGRAMS

Complete this form only to request EZA preferences for this bid.

SOLICITATION NUMBER	AGENCY/DEPT
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Enterprise Zone Act (EZA) preferences are available only if the lowest responsible bid and resulting contract exceeds \$100,000. Your firm must be California based. You must certify under penalty of perjury to perform either 50% of the labor hours required to complete a contract for GOODS or 90% of the labor hours required to complete a contract for SERVICES in an eligible enterprise zone worksite(s). (Identify in Section I.) The EZA provides bid selection preferences of 5% for eligible worksites (Section I), and 1% to 4% for hiring eligible workforce employees (Section II). EZA addresses can be verified or confirmed with city-county Economic Development Offices or visit the Department of Housing and Community Development website (www.hcd.ca.gov).

Section I. 5% WORKSITE(S) PREFERENCE ELIGIBILITY AND LABOR HOURS

To the Bidder: Preference may be denied for failure to provide the following required information:

- (1) Identify each firm in the supply chain, including yours, that will perform any of the contract labor hours required to complete this contract. Identify your role in the distribution process. Transportation hours performed by each carrier must be reported separately.
- (2) List complete addresses for each firm named below.
- (3) Report projected number of labor hours required to perform the contract for each firm.
- (4) Enter the Enterprise Zone Name.
- (5) Identify the California designated EZA worksite(s) by entering the proper Criteria letter A, B, or C (see reverse for instructions) in the Criteria column.

(1) FIRM NAME and CONTRACT FUNCTION: <small>(Manufacturing, transportation, shipping, warehousing, admin, etc.) Use additional pages, as needed, to fully report worksite information.</small>	(2) WORKSITE ADDRESS <small>Street Address, City, County, State, Zip Code, Phone Number</small>	(3) Projected Labor Hours	COMPLETE FOR ALL SITES LOCATED WITHIN THE EZA PREFERENCE AREA(S)	
			(4) Enterprise Zone Name	(5) Criteria (A, B, C)
TOTAL PROJECTED LABOR HOURS:		0.00		

Section II. 1% TO 4% WORKFORCE PREFERENCE

Bidders must qualify their firm's worksite eligibility to request an additional 1% to 4% workforce preference in Section II.

- I request a 1% preference for hiring eligible persons to perform 5 to 9.99% of the total contract labor hours.
- I request a 2% preference for hiring eligible persons to perform 10 to 14.99% of the total contract labor hours.
- I request a 3% preference for hiring eligible persons to perform 15 to 19.99% of the total contract labor hours.
- I request a 4% preference for hiring eligible persons to perform 20% or more of the total contract labor hours.

Section III. CERTIFICATION FOR WORKSITE AND WORKFORCE PREFERENCES

To receive EZA preferences, the following certification must be completed and signed by the Bidder.

I hereby certify under penalty of perjury that the bidder (1) is a California based company as defined in the EZA regulations; (2) shall ensure that at least 50% of the labor hours required to complete a contract for Goods, or 90% of the labor hours to complete a Services contract shall be performed at the designated EZA worksite(s) claimed in Section I; (3) shall hire persons who are EZA eligible employees to perform the specified percent of total contract labor hours as claimed in Section II; (4) has provided accurate information on this request to receive EZA preferences. I understand that any person furnishing false certifications, willfully providing false information or omitting information, or failing to comply with the EZA requirements is subject to sanctions as set forth in the statutes.

BIDDERS NAME AND TITLE	BIDDERS SIGNATURE	PHONE NUMBER	DATE
		FAX NUMBER	

Enterprise Zone Act References and Instructions

The Enterprise Zone Act (EZA), GC §7070 et seq., and 2CCR §1896.100 et seq. promotes employment and economic development at designated Enterprise Zones by offering 5% worksite, and 1% to 4% workforce bidding preferences in specified State contracts. The EZA preferences do not apply to contracts where the worksite is fixed by the contract terms. These preferences only apply to bidders who are California based firms, and only when the lowest responsible bid and resulting contract exceeds \$100,000. Bidders must certify, under penalty of perjury, to perform either 50% (for GOODS contracts) or 90% (for SERVICES contracts) of the contract labor hours required to complete this contract in the eligible EZA area worksite(s) identified in Section I on the reverse side of this page. EZA preferences are limited to 9%, or a maximum of \$50,000 per bid. In combination with any other preferences, the maximum limit is 15% of the lowest responsible bid; and, in no case more than \$100,000 per bid.

**SECTION I
Worksite Preference Eligibility and Labor Hours**

Bidders must identify at least one eligible EZA worksite by entering the EZA Zone Name and the "Criteria" letter A, B, or C in section 4 and 5, on the reverse of this form, to be eligible for the preference. You must name each and every firm or site where contract labor hours will be worked. Preference requests may be denied if an eligible California EZA worksite is not identified, or if all firms performing contract labor hours are not identified. Enter one of the following "Criteria" letters to identify each EZA worksite on the reverse page:

- A. The firm is located in a California designated Enterprise Zone(s).
- B. The firm will establish a worksite(s) in a California eligible distressed EZA area(s).
- C. The bidder will purchase the contract goods from a manufacturer(s) located in a California designated EZA area(s). **This option applies to solicitations for GOODS only.**

Enter labor hours for each listed firm and site. The hours shall be reasonable and shall only include the labor hours necessary and required to complete the contract activities. Artificially increasing hours at a claimed EZA worksite, or understating labor hours worked outside the eligible worksite may result in a denied preference request. Do not include machine time and non-labor time when projecting contract labor hours. Report all bidder work hours and those of any subcontractor performing this contract. All transportation hours must be reported for each carrier separately and must not be combined or included with hours for manufacturing, processing, or administration, or at any eligible EZA site. Failure to list all the labor hours to be performed at the reportable sites will result in a denial of this preference request.

The bidder must explain, by activity, their firm's projected contract labor hours by completing and signing the *Bidder's Summary* form (included with this solicitation).

If supplying goods, the bidder must also provide a completed and signed *Manufacturer's Summary* form (included with this solicitation) that specifies the number of projected labor hours necessary to make the product(s).

**SECTION II
Workforce Preference**

Eligibility to request a workforce preference is based on the bidder first claiming and receiving approval of the 5% EZA worksite preference. The workforce preferences are only awarded if the bidder hires and employs the EZA qualified individuals. Workforce preferences will not be approved for another firm's employees. By claiming a workforce preference percentage the bidder must have its eligible employees perform the specified percentage of the total contract workforce labor hours. See Section I, "Total Projected Labor Hours," form STD. 831. To claim the workforce preference select or check the appropriate box for percent of requested bid preferences in Section II.

**SECTION III
Certification for Worksite and Workforce Preferences**

Bidder must sign, under penalty of perjury, the certification contained in Section III to be eligible for any of the preferences requested. The penalties associated with the EZA statute are: GC §7084 (g)(1), a business that requests and is given the preference by reason of having furnished a false certification, and that by reason of this certification has been awarded a contract to which it would not otherwise have been entitled, shall be subject to all of the following:

- (A) Pay to the State any difference between the contract amount and what the State cost would have been if the contract had been properly awarded.
- (B) In addition to the amount specified in subparagraph (A), be assessed a penalty in an amount of not more than 10% of the amount of the contract involved.
- (C) Be ineligible to directly or indirectly transact any business with the State for period of not less than 6 months and not more than 36 months

Prior to the imposition of any sanction under this chapter, the contractor or vendor shall be entitled to a public hearing and to five days' notice of the time and place thereof. The notice shall state the reasons for the hearing.

If you receive an award based on these preferences, you will be required to report monthly on your contract performance, labor hours and EZA compliance.

For questions concerning preferences and calculations, or if bid solicitation does not include preference request forms, please call the awarding department's contract administrator. Only another California certified small business can use TACPA, EZA or LAMBRA preferences to displace a California certified small business bidder.

To locate California designated EZA sites visit the Department of Housing and Community Development website (www.hcd.ca.gov) and select "Community Affairs." Scroll down and select "Enterprise Zone Programs." Scroll down and select "Enterprise Zone Maps and Street Ranges." You may contact the city or county Planning/Economic Development offices for the proposed worksite location, or the Department of General Services, Procurement Division preference line at (916) 375-4609.

Complete this form if you request LAMBRA preferences for this bid.

SOLICITATION NUMBER	AGENCY/DEPT
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Local Agency Military Base Recovery Area (LAMBRA) Act preferences are available only if the lowest responsible bid and the resulting contract exceeds \$100,000. Your firm must be California based. You must certify, under penalty of perjury, to perform either 50% of the labor hours required to complete a contract for GOODS, or 90% of the labor hours required to complete a contract for SERVICES in the LAMBRA area you identify in Section I. The LAMBRA provides bid selection preferences of 5% for eligible worksites (Section I), and 1% to 4% for hiring eligible workforce employees (Section II). To identify LAMBRA worksites contact the city or county Planning / Economic Development offices, or visit the Department of Housing and Community Development website (www.hcd.ca.gov).

Section I. 5% WORKSITE(S) PREFERENCE ELIGIBILITY AND LABOR HOURS

To the Bidder: Preference may be denied for failure to provide the following required information:

1. Identify each firm in the supply chain, including yours, that will perform any of the contract labor hours required to complete this contract.
2. Identify your role in the distribution process. Transportation hours performed by each carrier must be reported separately.
3. List complete addresses for each firm named below.
4. Report projected number of labor hours required to perform the contract for each firm.
5. Enter the name of the designated LAMBRA site.
6. Identify the California designated LAMBRA worksite(s) by entering the proper Criteria letter A, B, or C (see reverse for instructions) in the Criteria column.

(1) Firm Name and Contract Function: <i>(Manufacturing, Transportation, Shipping, Warehousing, Administration, etc.) Use additional pages, as needed, to fully report worksite information.</i>	(2) WORKSITE ADDRESS Street Address, City, County, State, Zip Code, Phone Number	(3) Projected Labor Hours	(4) COMPLETE FOR ALL SITES LOCATED WITHIN THE LAMBRA PREFERENCE AREA(S) LAMBRA Site Name		(5) Criteria (A, B, or C)
		TOTAL PROJECTED LABOR HOURS:	0.00		

Section II. 1% TO 4% WORKFORCE PREFERENCE

Bidders must qualify their firm's worksite eligibility to request an additional 1% to 4% workforce preference in Section II.

- I request a 1% preference for hiring eligible persons to perform 5 to 9.99 % of the total contract labor hours.
- I request a 2% preference for hiring eligible persons to perform 10 to 14.99 % of the total contract labor hours.
- I request a 3% preference for hiring eligible persons to perform 15 to 19.99 % of the total contract labor hours.
- I request a 4% preference for hiring eligible persons to perform 20% or more of the total contract labor hours.

Section III. CERTIFICATION FOR WORKSITE AND WORKFORCE PREFERENCES

To receive LAMBRA preferences, the following certification must be completed and signed by the Bidder.

I hereby certify under penalty of perjury that the bidder: (1) is a California based company as defined in the LAMBRA regulations; (2) shall ensure that at least 50% of the labor hours required to complete a Goods contract, or 100% of the labor hours to complete a Services contract shall be performed at the designated LAMBRA worksite claimed in Section I; (3) shall hire persons who are LAMBRA eligible employees to perform the specified percent of total contract labor hours as claimed in Section II; (4) has provided accurate and complete information on this request. I understand that any person falsely certifying, willfully providing false information or omitting information, or furnishing false certification with the LAMBRA requirements is subject to sanctions as set forth in the statutes.

BIDDER'S NAME AND TITLE	BIDDER'S SIGNATURE	PHONE NUMBER	DATE
		FAX NUMBER	

STD. 832 (REV. 4/2002) (BACK)
**LOCAL AGENCY MILITARY BASE RECOVERY AREA ACT
FOR GOODS AND SERVICES SOLICITATIONS**

STATE OF CALIFORNIA – DEPARTMENT OF GENERAL SERVICES
DISPUTE RESOLUTION AND PREFERENCE PROGRAMS

LAMBRA Preferences and Instructions

The Local Agency Military Base Recovery Area Act (LAMBRA) GC §7118 et seq. promotes employment and economic development at designated military bases by offering 5% worksite and 1% to 4% workforce bidding preferences in specified State contracts. The LAMBRA preferences do not apply to contracts where the worksite is fixed by the contract terms. These preferences only apply to bidders who are California based firms, and only when the lowest responsible bid and resulting contract exceed \$100,000. Bidders must certify, under penalty of perjury, to perform either 50% (for GOODS contracts) or 90% (for SERVICES contracts) of the labor hours required to complete this contract in the eligible LAMBRA area worksite(s) identified in Section I on the reverse side of this page. LAMBRA preferences are limited to 9%, or a maximum of \$50,000 per bid. In combination with any other preferences, the maximum limit is 15% of the lowest responsible bid, and in no case more than \$100,000 per bid.

**Section I
Worksite Preference Eligibility and Labor Hours**

Bidders must identify at least one eligible LAMBRA worksite by entering the qualifying "Criteria" letter A, B, or C in section 5 and the LAMBRA name in section 4, in order to be eligible for the 5% preference. You must name each and every firm or site where contract labor hours will be worked. Preference requests may be denied for failure to identify an eligible California LAMBRA worksite, or if all firms performing contract labor hours are not identified. Enter one of the following "Criteria" letters to identify each LAMBRA worksite on the reverse page:

- A. The firm is located in a designated California LAMBRA site.
- B. The firm will establish a worksite within a designated California LAMBRA site.
- C. The bidder will purchase the contract goods from a manufacturer(s) located in a California designated LAMBRA site. **This option applies to solicitations for GOODS only.**

Enter labor hours for each listed firm and site. The hours shall be reasonable and shall only include the labor hours necessary and required to complete the contract activities. Artificially increasing hours at a claimed LAMBRA worksite, or understating labor hours worked outside the eligible worksite may result in a denied preference request. Do not include machine time and non-labor time when projecting contract labor hours. Report all bidder work hours and those of any subcontractor performing this contract. All transportation hours must be reported for each carrier separately and must not be combined or included with hours for manufacturing, processing, or administration, or at any eligible LAMBRA site. Failure to list all the labor hours to be performed at the reportable sites will result in a denial of this preference request.

The bidder must explain, by activity, their firm's projected contract labor hours by completing and signing the *Bidder's Summary* form (included with this solicitation). If supplying goods, the bidder must also provide a completed and signed *Manufacturer's Summary* form (included with this solicitation) that specifies the number of projected labor hours necessary to make the product(s).

**Section II
Workforce Preference**

Eligibility to request a workforce preference is based on the bidder first claiming and receiving approval of the 5% LAMBRA worksite preference. The workforce preferences are only awarded if the bidder hires and employs the LAMBRA qualified individuals. Workforce preferences will not be approved for another firm's employees. By claiming a workforce preference percentage the bidder must have its eligible employees perform the specified percentage of the total contract workforce hours. See Section I, "Total Projected Labor Hours," form STD. 832. To claim the workforce preference, select the appropriate box for percent of requested bid preferences in Section II.

**Section III
Certification for Worksite and Workforce Preferences**

Bidder must sign, under penalty of perjury, the certification contained in Section III to receive any of the preferences requested pursuant to this form. The penalties associated with the LAMBRA statute are: GC §7118 (g)(1): A business that requests and is given the preference by reason of having furnished a false certification, and that by reason of this certification has been awarded a contract to which it would not otherwise have been entitled, shall be subject to all of the following:

- a) Pay to the state any difference between the contract amount and what the State's cost would have been if the contract had been properly awarded.
- b) In addition to the amount specified in subparagraph (a), be assessed a penalty in an amount of not more than 10 percent of the amount of the contract involved.
- c) Be ineligible to transact any business with the state for period of not less than six months and not more than 36 months.

Prior to the imposition of any sanction under this chapter, the contractor or vendor shall be entitled to a public hearing and to five days' notice of the time and place thereof. The notice shall state the reasons for the hearing.

If you receive an award based on these preferences you will be required to report monthly on your contract performance, labor hours, and LAMBRA compliance.

For questions concerning preferences and calculations, or if a bid solicitation does not include preference request forms, please call the awarding department's contract administrator. Only another California certified small business can use TACPA, EZA or LAMBRA preferences to displace a California certified small business bidder.

To locate California designated LAMBRA sites visit the Housing and Community Development website (www.hcd.ca.gov) and select "Community Affairs." Scroll down and select "Enterprise Zone Programs." Scroll down and select "Local Agency Military Base Reuse Act." You may contact the city or county Planning/Economic Development offices for the proposed worksite location, or the Department of General Services, Procurement Division preference line at (916) 375-4609.