



**CITY OF OAKLAND
CONSTRUCTION
JOINT VENTURE REGULATIONS**

JOINT VENTURES

- A. A business that is bidding or competing for City contracts may associate with a certified SLBE business to compete for contracts as a joint venture. A joint venture should be between two entities with the same discipline or license as required by the awarding department. Joint ventures receive bid discounts depending upon the SLBE percentage of participation as set forth in Program.
- B. Application of Bid Discounts Joint Ventures - Construction

To be eligible for a bid discount, at the time of bid submittal, each joint venture partner must have an approved Joint Venture Agreement and/or Joint Venture Management Plan, hold a Joint Venture License and each must have the license that is appropriate for the project as required in the contract document of the contract awarding department.
- C. If a joint venture is bidding on a single trade project, at the time of bid submittal, each of the joint venture partners must hold a Joint Venture License and possess the requisite specialty license for that trade bid.
- D. The SLBE partner must clearly define the portion of the works to be performed during the project. This work must be of the similar type of work the SLBE partner performs in the normal course of its business. The Joint Venture Participation Form (Form Number?) must specify the project bid items to be performed by each individual joint venture partner. Lump sum joint venture participation is not acceptable.
- E. Each member of the joint venture must perform a "commercially useful function" as that term is defined in the Program. An SLBE that relies on the resources and personnel of a non-SLBE firm will not be deemed to perform a "commercially useful function."
- F. Unless permission is granted by the Division of Contract Compliance and Employment Services for good cause shown, based on sudden and unexpected necessity, the following actions are not permitted: i) the non-SLBE partner performing work for the SLBE partner; ii) leasing of equipment or property by the SLBE partner from the non-SLBE partner; and iii) the hiring of the non-SLBE partner's employees by the SLBE partner.
- G. Responsibilities of the SLBE partner:
 - 1. The SLBE partner must share in the ownership, control, management responsibilities, risks, and profits of the joint venture in proportion with level of participation in the project.
 - 2. The SLBE partner must perform work that is commensurate with its experience.
 - 3. The SLBE partner must use its own employees and equipment to perform its portion of the project.
 - 4. For construction contracts only, the joint venture as a whole, must perform bid item work that equals or exceeds ten percent (10%) of the total value of the contract, excluding the cost of manufactured items, in order to be eligible for a joint venture discount.
- H. A joint venture must submit a two weeks prior to the bid-opening or submittal due date a Joint Venture Management Plan and/or a Joint Venture Agreement, containing but not limited to the following:
 - 1. A detailed explanation of the financial contribution of each partner.
 - 2. A list of the personnel and equipment used by each partner.
 - 3. A detailed breakdown of the responsibilities of each partner.
 - 4. An explanation of how the profits and losses will be distributed.

5. A description of the bonding capacity of each partner.
 6. Any management or incentive fees available for any one of the partners.
- I. The Division of Contract Compliance and Employment Services must first approve the SLBE Joint Venture Agreement and/or Management Plan before the joint venture is eligible for bid discounts. Any changes in the joint venture agreement and/or management plan must also receive the prior approval of Contract Compliance and Employment Services.
 - J. A business requesting to be approved as an SLBE joint venture shall supply the Division of Contract Compliance and Employment Services with all such additional information as the Division may deem relevant in order to make a determination of the joint venture's status.
 - K. Each SLBE joint venture must provide, in addition to any other information required by these regulations, a completed Form #? and invoices, cancelled checks and any other financial records to the Division of Contract Compliance and Employment Services to determine whether both joint venture partners are actively involved in the project.



**CITY OF OAKLAND
CONSTRUCTION
JOINT VENTURE PARTICIPATION SCHEDULE**

The Joint Venture applicant must submit this form to the Office of the City Administrator—Contracts and Compliance Unit by 5 p.m. 10 days prior to Bid opening.

SECTION 1: GENERAL INFORMATION

1. Project Number: _____ Project Name _____

2. List below the number of workers in each trade that will be assigned to this project by each joint venture partner and estimated number of new hires:

Name of JV Partner	Trade: e.g. plumber, superintendent	Number	# New Hires

3. List below equipment that will be rented to the joint venture for this project by each JV partner or which the joint venture will rent from an equipment rental company:

Item of Equipment	Estimated Rental Cost	Name of JV Partner or probable rental Co.

4. List below the financial contributions of all joint venture partners:

Name of JV Partner	Financial Contribution	Percentage (%)

5. List below all sources and amounts of loans, borrowing capacity and other sources of capital available to the joint venture. Please attach letter of credit:

Name of JV Partner	Source of Capital	\$ Amount or Line or Credit

6. Name of JV Partner whose bonding company was used for this Project: _____

Name of Bonding Co. _____

Name of Contact Person _____ Phone #: (____) _____

7. Describe below profit and loss distribution (including special conditions such as the results of an individual JV partner's inability to capitalize its share of the joint venture) unless included in the joint venture agreement:

8. Describe below the management of the joint venture:

Name of JV Partner	Name of Management Staff	Management Role

9. Describe below the contract administration of the joint venture:

	Name of JV Partner	Location of Personnel
Accounting		
Payroll:		
Purchaser of supplies		
Other contract administration functions (specify)		

10. Describe below management or incentive fees not included in the joint venture agreement:

11. Describe below the supervision of field operations for the joint venture:

Name of JV Partner	Name of Supervisor	Job Title/Role	Employee Reports To: (name, job, title, firm)

12. List below names of persons that will be authorized to sign checks for the joint venture. Indicate under what conditions such as below a specified dollar amount, or for certain uses, or with a co-signer.

Name: _____

Conditions: _____

Name: _____

Conditions: _____

Name: _____

Conditions: _____

13. Attach a copy of joint venture agreement (a joint venture agreement must be submitted to be eligible for any L/SLBE joint venture participation credit or bid discount).

14. Attach copies of joint venture license and licenses held by all joint venture partners.

15. Attach copy of the bank signature cards for the joint venture. Indicate bank name and address.

16. Attach copies of all tax returns for the joint venture submitted over the last 3 years.

ALL JOINT VENTURE PARTNERS MUST SIGN THIS FORM

Owner/Authorized Representative (Signature)	
Name & Title (Please Print)	
Firm Name	
Telephone	Date
LBE _____	SLBE _____

Owner/Authorized Representative (Signature)	
Name & Title (Please Print)	
Firm Name	
Telephone	Date
LBE _____	SLBE _____