

VALP INSTRUCTIONS TO BIDDERS/PROPOSERS AND FORMS

VALP-1 DESIGNATION OF SUBCONTRACTORS & SUPPLIERS (MBE/WBE-VALP ONLY)

In order to comply with California Public Contract Code §4100 et. seq., the Bidder/Proposer must designate in its Submittal each Subcontractor that will perform work or render services for the Bidder/Proposer in an amount that exceeds one-half of one percent (0.5%) of the Bidder/Proposer's Total Submittal Price, using the Bid/Proposal Form entitled LIST OF PROPOSED SUBCONTRACTORS /SUPPLIERS.

In order to comply with Metro's Pre-Qualification requirements, the Bidder/Proposer must designate in its Submittal each Subcontractor and Supplier who will perform work or render services in amount of \$100,000 or more, using the Bid/Proposal Form entitled LIST OF PROPOSED SUBCONTRACTORS /SUPPLIERS.

Metro advises that the MBE/WBE Voluntary Anticipated Levels of Participation (VALP) is strictly voluntary. The Bidder/Proposer should designate all proposed MBE/WBE Subcontractors and Suppliers, irrespective of their percentage of the Total Bid/Proposal Price, on the Bid/Proposal Form entitled LIST OF PROPOSED SUBCONTRACTORS/SUPPLIERS.

A Prime Contractor who is a MBE/WBE may be counted toward attainment of the MBE/WBE VALP. The work that can be counted toward the VALP consists of the percentage of work performed by the MBE/WBE Prime's own forces, (which should be clearly defined on the Bid/Proposal Form entitled LIST OF PROPOSED SUBCONTRACTORS/SUPPLIERS) plus the work performed by any other Subcontractor identified as MBE/WBEs.

Prior to recommendation for award, if a Bidder/Proposer has listed a Subcontractor/Supplier that is denied pre-qualification, the Bidder/Proposer has an opportunity to propose a substitute Subcontractor/Supplier and have that Subcontractor/Supplier submit a Pre-Qualification Application within 72 hours of Metro's request, provided that the associated dollar value of work and description of the work are not changed. In addition, the Total Bid/Proposal Price for the Contract shall not be modified.

Number of MBE/WBEs Identified by Metro	Number or Percentage to Contact
5 or less	Contact all on list
6 – 10	Contact at least 5
11-50	Contact at least 50%
51 or more	Contact at least 25

VALP-2 VOLUNTARY ANTICIPATED LEVELS OF PARTICIPATION (VALP)

It is Metro’s policy to establish Voluntary Anticipated Levels of Participation (VALP) for participation by Minority/Women Business Enterprises (M/WBE) in its Contracts. A MBE/WBE VALP for this project has been established and is stated in the Letter of Invitation. Metro advises Bidder/Proposers that the MBE/WBE VALP is strictly voluntary. The Bidder/Proposer’s level of participation committed to in its bid/proposal will become the MBE/WBE VALP of record. The MBE/WBE VALP shall be calculated as described in these instructions, entitled **Achievement and Calculation of MBE/WBE VALP.**

