



APPENDIX J - MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES UTILIZATION

THIS PROJECT IS SUBJECT TO SCBE Policy 2010: MINORITY, WOMEN-OWNED AND SMALL BUSINESS ENTERPRISE PARTICIPATION.

The Bidder shall take affirmative action to ensure that minority-owned and women-owned businesses, which have been certified by the City of Memphis, Memphis and Shelby County Airport Authority, Mid-South Minority Business Council Continuum – Uniform Certification Agency (UCA), Shelby County Government or TriState Minority Supplier Development Council (TSMSDC) and approved by SCBE are utilized when possible as sources of supplies, equipment, construction and services for Shelby County Schools.

MWBE PROJECT SPECIFIC GOAL

The contractor or supplier who provides materials, supplies, equipment, professional/ non-professional service and construction for this project shall attempt to achieve the MWBE participation goal for this project.

In achieving this established project goal, the **MWBE participation goal of 50%** is defined as the total dollar value of the subcontracts awarded to certified minority business enterprises (MBE), or certified woman-owned business enterprises (WBE), divided by the total dollar value bid amount. One or more MWBE may be utilized to meet the established goal. The type of work to be performed by the MWBE participant(s) and must be a commercially useful function of the project.

The bidder certifies that the amount of the contract will be performed by certified minority or woman-owned business enterprises. A copy of the non-expired certification will be submitted with bid materials. Eligible MWBEs must be certified by the bid opening date. Bidders are required to complete and submit all of the MWBE Participation Documents including **GOOD FAITH EFFORTS FORM** when MWBE participation goals are not satisfied in the bid response.

ELIGIBLE MWBE FIRMS

IT IS THE RESPONSIBILITY OF THE BIDDER AND THE BIDDER MUST VERIFY WITH SHELBY COUNTY SCHOOLS (CONTACT INFO BELOW) THAT ANY MWBE FIRM(S) UTILIZED TO MEET THE PARTICIPATION GOAL ARE CERTIFIED AS A MWBE FIRM WITHIN SHELBY COUNTY. A listing of current MWBE certified firms can be found on Shelby County Schools-Department of Minority & Women-Owned Business Enterprises webpage <http://www.scsk12.org/mwbe/>. One or a combination of several MWBEs may be utilized to meet the established project goal.

GOOD FAITH EFFORTS

If the established project goal in Architecture & Engineering, Construction, Goods, Nonprofessional Services and/or Professional Services participation by MWBE businesses is not achieved, responsive bidder shall provide the required documentation of good faith efforts and the MWBE firms that will be used on the project (*see attached Good Faith Effort form*).

MINORITY BUSINESS ENTERPRISE (MBE)

A business enterprise which is at least 51% owned operated and independently controlled by a person or persons who are minority group members. For these purposes, minority group



members are: African Americans, Native Americans, Hispanic Americans, Asian-Pacific Americans, who are United States citizens. The business must be certified by an accredited certification agency in order to be counted for purposes of achieving the MWBE participation goals.

WOMEN BUSINESS ENTERPRISE (WBE)

A business, which is at least 51% owned, operated and controlled by a female or group of females and who is/are United States citizens. The business must be certified by an accredited certification agency in order to be counted for purposes of achieving the MWBE participation goals.

JOINT VENTURE (JV)

When a certified MWBE performs as a participant in a joint venture, SCS will count the portion of the total dollar value of the contract equal to the distinct, clearly-defined portion of the work of the contract that the certified MWBE performs with its own forces toward fulfilling the contract goal, and not more than the percentage of the contract performed by the joint venture.

| SHELBY COUNTY SCHOOLS SUPPLIER DIVERSITY PROGRAM DOCUMENTATION OVERVIEW | | |
|---|---|-------------------------|
| Form | Submission Requirements | Required Form |
| <p>M/WBE Utilization Commitment</p> <p>Lists the total dollar amount of such participation by M/WBE subcontractors and suppliers the Vendor will use on the project</p> | <p>Due with bid/proposal</p> | <p>Form A</p> |
| <p>Listing of Good Faith Efforts (GFE)</p> <p>Indicates the actions you undertook to recruit and solicit minority vendors, subcontractors, vendors, or suppliers for this project and/or other aspects of the company's business</p> | <p>Due with bid/proposal, IF the bidder fails to achieve the MWBE established project goal</p> | <p>Affidavit</p> |
| <p>Letter of Intent to Perform as a Subcontractor or Subconsultant</p> <p>Identifies M/WBE participation that will be used on the project</p> <p>Form B is signed by the M/WBE</p> | <p>Due with bid/proposal, IF the bidder has identified M/WBE participation that will be used on the project</p> <p>Must match firms listed on Form A</p> | <p>Form B</p> |
| <p>MWBE GOOD FAITH EFFORT DOCUMENTATION LIST ALL CERTIFIED MWBE FIRMS NOTIFIED</p> <p>Submit FORM C with Good Faith Efforts Affidavit along with other supporting documents</p> | <p>Due with bid/proposal, IF the bidder fails to achieve the M/WBE established project goal</p> | <p>Form C</p> |

Request for verification must be submitted to the Shelby County Schools- Department of Minority & Women-Owned Business Enterprises listed below:

Joyce Douglas, MWBE Manager
 Shelby County Schools
 Department of Minority & Women-Owned Business Enterprises
 160 S. Hollywood Street, Suite 318
 Memphis, TN
 Phone: (901) 416-4737
 Email: douglasja@scsk12.org

(SUBMIT AFFIDAVIT WITH BID)

MWBE GOOD FAITH EFFORT DOCUMENTATION

Note: Completion of this form is **not** required if established goals are met or exceeded.

RFP#110420TJ Custodial Cleaning Services

Contractor Firm: _____

Project Title: _____ Project Number: _____

This document is to be completed if the bidder fails to achieve the Minority and Women-Owned Business Enterprise (M/WBE) established goals for the project. The bidder must, at the time of response, submit a Good Faith Efforts statement accompanied by the appropriate documentation justifying its submitted M/WBE percentage. The ability of the bidder to perform the work with its own workforce will not be in itself excuse the bidder from making good faith efforts to meet participation goals.

Criteria listed below are excerpted from the Shelby County Schools M/WBE Program Administrative Procedures Manual. A response is required to address each sited paragraph.

Additional pages may be added as necessary.

1. Attendance at pre-bid meeting, if held: **Yes**, **No**, **Not Held**;
2. Followed up with M/WBEs that attended and the pre-bid or pre-proposal meetings to discuss subcontracting and supplier opportunities and contacted M/WBEs listed in the SCS online directory;
3. Notification of Subcontracting Opportunities: Bidder **must** provide to SCS copies of solicitations for quotes sent to SCS – M/WBE listed firms in the online directory. Please attach list of all firms notified, detail when and how they were notified (*form attached*);
4. M/WBE Contact: A detailed statement of the efforts made by the contractor prior to and up to 10 days before the bid opening to solicit minority business enterprises through written notices that describe the categories of work for which bid documents can be reviewed, representative of the Prime Bidder to contact, and location, date and time when quotes must be received;
5. Making Project Documents Available: Made the construction plans, specifications, and requirements available for review by prospective M/WBEs, or providing these documents to them at least ten (10) days before the bids are due;
6. Identified and designated portions of the work to be performed by M/WBEs to increase the likelihood of meeting the Contract Goals (including where appropriate breaking down the contract into reasonably sized subcontracts to ensure participation);
7. Working with M/WBE Assistance Organizations: Worked with minority and women trade, community, or contractor organizations identified by SCS- M/WBE Program and included in the bid documents that aid in recruitment of minority businesses;

8. Bonding or Insurance Assistance: Aided in getting required bonding or insurance or provided alternatives to bonding or insurance for subcontractors or sub-consultants;
9. Negotiate in Good Faith: Negotiated in good faith with interested M/WBEs and did not reject them as unqualified without sound reasons based on their capabilities. Any rejection of a minority business based on lack of qualification should have the reasons documented in writing. Provide the names of the M/WBE businesses and email addresses;
10. Financial Assistance: Aided an otherwise qualified M/WBE in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letters of credit, including waiving credit that is ordinarily required. Assisted M/WBEs in obtaining the same unit pricing with the bidder's suppliers in order to help the M/WBEs in establishing credit;
11. Joint Ventures: Negotiated joint venture and partnership arrangements with M/WBEs in order to increase opportunities for M/WBE participation when possible;
12. Quick Pay Agreements: Provided quick pay agreements and policies to enable M/WBE to meet cash-flow;
13. M/WBE Participation on Non-SCS Contracts: The Bidder must document that during the eighteen (18) month period before bid opening, the bidder paid M/WBEs on non-School Board contracts.
14. Bidder notified SCS MWBE Office at mwbe@scsk12.org concerning difficulties with the established project MWBE goal (*must attach copy of notification*). **Yes** or **No**
15. Other good faith efforts:

Name of Authorized Officer: _____

Signature: _____

Title: _____

State of Tennessee

County of _____

Subscribed and sworn to before me this _____ day of _____ 20_____

Notary Public

My commission expires _____

MWBE GOOD FAITH EFFORT DOCUMENTATION – ALL CERTIFIED MWBE FIRMS NOTIFIED – FORM C
RFP#110420TJ Custodial Cleaning Services

Note: Completion of this form is not required if established project goals are met or exceeded.

Please list of all certified MWBE firms notified, detail when and how they were notified as well as the results of your efforts. Submit additional sheets, if necessary.

Bidder's Name / Company Name: _____

Project Title: _____

The following certified MBE and/or WBE firms were invited to submit a proposal.

| MWBE Type of Goal | Certified Firm Name Address, Phone No. and Email | Certified Firm Contact Person | Methods of Contact | Prime Contact Date | Certified Firm Response | Results of Contact <i>(why suitable or not suitable for work)</i> |
|--|---|--------------------------------------|---------------------------|---------------------------|--------------------------------|---|
| <input type="checkbox"/> MBE <input type="checkbox"/> WBE | | | Phone# Email Fax# | _____ _____ | | |
| <input type="checkbox"/> MBE <input type="checkbox"/> WBE | | | Phone# Email Fax# | _____ _____ | | |
| <input type="checkbox"/> MBE <input type="checkbox"/> WBE | | | Phone# Email Fax# | _____ _____ | | |
| <input type="checkbox"/> MBE <input type="checkbox"/> WBE | | | Phone# Email Fax# | _____ _____ | | |
| <input type="checkbox"/> MBE <input type="checkbox"/> WBE | | | Phone# Email Fax# | _____ _____ | | |
| <input type="checkbox"/> MBE <input type="checkbox"/> WBE | | | Phone# Email Fax# | _____ _____ | | |

Print Name: _____ **Email Address:** _____ **Phone:** _____

Authorized Signature: _____ **Date:** _____

UNLESS THE BIDDER'S MWBE SUBCONTRACTOR and SUPPLIER UTILIZATION PLAN MEETS THE ESTABLISHED PROJECT GOAL,
 FAILURE TO SUBMIT THIS FORM MAY RESULT IN THE BID BEING FOUND NON-RESPONSIVE.

SHELBY COUNTY SCHOOLS
FORM B - LETTER OF INTENT TO
PERFORM AS A SUBCONTRACTOR OR SUBCONSULTANT
(PROVIDE MATERIALS, SUPPLIES, OR/& SERVICES)
RFP#110420TJ Custodial Cleaning Services

Project Name: _____ Project/Bid # _____

Name of Prime Bidder/Proposer: _____

Address: _____
Street City State Zip Code

Telephone: _____ Email: _____

Name of Certified Vendor: _____

The undersigned intends to perform work in connection with the above project as:

____ Minority Business Enterprise ____ Women's Business Enterprise

The MWBE status of the undersigned is certified by the City of Memphis, Memphis and Shelby County Airport Authority, Mid-South Minority Business Council Continuum – Uniform Certification Agency (UCA), Shelby County Government or TriState Minority Supplier Development Council (TSMSDC) and approved by Shelby County Schools.

Our firm is certified by _____

Certification number is _____ Expiration date _____

The undersigned is prepared to perform the following described work or provide materials/supplies in connection with the above project (*specify in detail particular work items, materials or services to be performed or provided*):

Description of work to be performed by certified vendor:

Subcontracting at any tier must be reported and is subject to all MWBE compliance requirements. This form shall be used for MWBE subcontracting at any level.

Date Name of MWBE Company

Title of Authorized Officer Phone Number Email Address

(Signature)

THE PRIME CONTRACTOR OR ARCHITECT MUST GET THIS FORM COMPLETED BY THE SUBCONTRACTORS OR SUPPLIERS.

(SUBMIT WITH BID) FORM -A

**MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISE SUBCONTRACTOR PROJECT PLAN
SUBCONTRACTOR/SUPPLIER UTILIZATION
RFP#110420TJ Custodial Cleaning Services**

I, _____, do hereby certify that on this project,
(Name of Bidder/Contractor)

we will expend a minimum of _____% of the total dollar amount of the contract with the following MWBE as subcontractors, vendors and/or suppliers.

Project Title: _____ **Bid/RFP#:** _____

Signature: _____ **Date:** _____

The following sections must be completed by bidder. A certified subcontractor or supplier is defined as a firm from the list of certified firms provided on Shelby County Schools-Department of Minority & Women-Owned Business Enterprises. List all Minority and Women-Owned Business Enterprise subcontractors/suppliers, including lower tiers, to be used on this project. In accordance with Shelby County Board of Education Policy 2010, the undersigned will enter into a formal agreement for work on this project. Submit additional sheets if necessary.

| Name of Certified Sub-contractor/ Supplier | Address and Phone Number | SCS Vendor # | Type of Work to be Performed | Ownership of Business <i>(see code below)</i> | Dollar (\$) Value of Work & Scope of Work | Percentage of Total Bid Amount |
|--|--------------------------|--------------|------------------------------|--|---|--------------------------------|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

Total MBE% _____
Total WBE% _____

Code: MBE – Certified Minority Business Enterprise
WBE – Certified Woman-Owned Business Enterprise

This FORM MUST BE SUBMITTED WITH THE BID OR THE BID WILL BE CONSIDERED NON-CONFORMING.