

Minority and Disadvantage Business Enterprise Requirements

It is the policy of the City of Springfield, Ohio that Minority and Disadvantage Business Enterprises, as defined in Chapter 153 of the City of Springfield Codified Ordinances, shall have the maximum practical opportunity to participate in the performance on contracts let by the City of Springfield, Ohio.

For the purpose of complying with the ordinance, the following definitions apply:

- a. 1. "Minority Business Enterprises," (hereinafter "MBE") means a business concern which is at least fifty-one percent (51%) owned by one or more minorities or females, or in the case of a publicly-owned business, at least fifty-one percent (51%) of the stock is owned by minorities or females; whose management and daily business operations are controlled by one or more such minority or female individuals; and that at least fifty-one percent (51%) of the net profits or losses attributable to the business enterprise accrues to minority or female person;
 2. "Socially and economically disadvantaged individuals" (hereinafter "disadvantaged individuals") means those individuals who are citizens of the United States (or lawfully admitted permanent residents) and who are women, Black Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans, or Asian-Indian Americans and any other minorities or individuals found to be disadvantaged by the Small Business Administration pursuant to section 8 (a) of the Small Business Act.
- I. The policy statement, goals and objectives the City established for the Minority and Disadvantage Business Enterprises program are:
- a. To ensure that Minority Business Enterprises (MBE's) and Disadvantage Business Enterprises (DBE's) have maximum opportunity to participate in all City contracts;
 - b. To require that all City contractors make conscientious efforts, consistent with sound procurement practices and applicable law, to utilize MBE's and DBE's in their subcontracting or supplying processes;
 - c. Each department of the City shall, whenever possible utilize these goals.
 1. U.S. Department of Housing and Urban Development (HUD) and City 18% MBE (Use forms titled MBE)
 2. U.S. Department of Transportation (DOT) 14% DBE (Use forms titled DBE)
 3. Federal Aviation Administration (FAA) 18% DBE (Use forms titled DBE)
 4. Federal Transportation Administration (FTA) 14% DBE (Use forms titled DBE)
 - d. Private corporations, firms, or persons receiving development incentives from the City, including, by not limited to, tax abatement, leases or sales of City property below market value and the

expenditure of public funds to aid in development, shall award their construction and purchase contracts in order to reach the goals set forth in this section.

II. Assurance of Meeting Percentage Requirements:

- a. By submitting a signed bid, said bidder assures that he shall meet the required percentage goals for MBE/DBE utilization appropriate to the project on which he bids, unless said bidder timely demonstrates to the City his good faith efforts to attain the required percentage goals and the City modifies or waives the percentage goals of that bidder.
- b. If bidder requires assistance in locating Minority or Disadvantage Business Enterprises whose capabilities are consistent with contract requirements, please contact:

MINORITY BUSINESS COORDINATOR
City of Springfield
Minority Business Office
76 East High Street
Springfield, Ohio 45502
(937) 324-7379
(937) 328-3489 Fax

III. Waiver or Modification of percentage goals:

- a. Where a contractor proposes to seek modification or waiver of the required MBE/DBE participation goals on the projects on which he bids, the bidder shall within ten (10) days notice to the City, satisfy the City with acceptable documentation demonstrating his/her good faith efforts to attain MBE/DBE participation percentage goals, including but not limited to the following:
 1. Attendance at pre-bid meeting, if any, scheduled by the Department to inform MBE's/DBE's of subcontracting opportunities under a given solicitation;
 2. Advertisement in general circulation media, trade association publications, and minority focus media for at least 20 days before bids are due. If 20 days are not available, publication for a shorter reasonable time is acceptable;
 3. Written notification to MBE's/DBE's that their interest in the contract is solicited;
 4. Efforts made to select portions of the work proposed to be performed by MBE's/DBE's in order to increase the likelihood of achieving a stated goal;
 5. Efforts to negotiate with MBE's/DBE's for specific sub-bids including at a minimum:
 - a. The names, addresses, and telephone numbers of MBE's/DBE's that were contracted.
 - b. A description of the information provided to MBE's/DBE's regarding the plans and specifications for portions of the work to be performed; and

- c. A statement of why additional agreements with MBE's/DBE's were not reached.
6. Concerning each MBE/DBE the bidder contacted, but rejected as unqualified, the reasons for the bidders conclusion;
7. Effort made to assist the MBE's/DBE's contracted that need assistance in obtaining bonding or required insurance.

IV. MBE/DBE Participation on Construction General Service Contracts

- a. Pursuant to Chapter 153 of the Codified Ordinances of the City of Springfield, each agency or department of the City of Springfield shall, unless otherwise exempted, award its construction and general service contracts consistent with the following goals:
 1. U.S. Department of Housing and Urban Development (HUD) and City 18% MBE (Use forms titled MBE)
 2. U.S. Department of Transportation (DOT) 14% (Use forms titled DBE)
 3. Federal Aviation Administration (FAA) 18% DBE (Use forms titled DBE)
 4. Federal Transportation Administration (FTA) 14% DBE (Use forms titled DBE)

Minority Business Enterprises (MBE) Participation Project: _____

The City of Springfield has adopted a goal for participation by Minority Business Enterprise of Eighteen percent (18%) of the total dollar value of this public works prime contract. To be eligible for award of a contract under this Invitation for Bids, a bidder must execute this Minority Business Enterprise Participation.

When determining the level of MBE participation, only the total of work performed by MBE's, either singularly or severally, will be considered.

Minority Firm Name (MBE) IRS Number & Mailing Address	Prime Contract Bid	Joint Venture Bid	Supply Service Sub- contract	Type of Service/ Supply	Constructio n Sub-contract	Type of Construct -ion	\$ Amount to go to MBE	% of Total Bid
MFN _____ IRS # _____ Street _____ City/State _____ Zip _____ Phone () _____	__ Yes	__ Yes	__ Yes					
MFN _____ IRS # _____ Street _____ City/State _____ Zip _____ Phone () _____	__ Yes	__ Yes	__ Yes					
MFN _____ IRS # _____ Street _____ City/State _____ Zip _____ Phone () _____	__ Yes	__ Yes	__ Yes					

Total Dollar Amount of Bid \$ _____ Total Dollars Amount for (MBE) _____

Percent of MBE Dollars in Bid _____

CONTRACTOR'S NAME _____

CONTRACTOR'S ADDRESS _____

M.B.E. Unavailability Certification

I, _____, _____, of _____
(Name) (Title) Prime or General Bidder
certify that on _____, I contacted the following minority contractor to obtain a bid for
work items to be performed on Authority Contract No. _____.

<u>Minority Contractor</u>	<u>Work Items Sought</u>	<u>Form of Bid Sought (i.e., Unit Price, Materials & Labor, Labor Only, etc.)</u>
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To the best of my knowledge and belief, said minority contractor was unavailable (exclusive of unavailability due to lack of agreement on price) for work on this project, or unable to prepare a bid, for the following reason(s):

SIGNATURE _____ DATE _____

_____ was offered an opportunity to bid on the
(Name of Minority Contractor)

above-identified work _____ by _____.
(Date) (Source)

The above statement is a true and accurate account of why I did not submit a bid on this project.

SIGNATURE _____
(Minority Contractor) (Title)

Disadvantage Business Enterprise (DBE) Participation Project: _____

The City of Springfield has adopted a goal for participation by Disadvantaged Business Enterprise of Fourteen percent (14%) of the total dollar value of this public works prime contract. To be eligible for award of a contract under this Invitation for Bids, a bidder must execute this Disadvantaged Business Enterprise Participation.

When determining the level of DBE participation, only the total of work performed by DBE's, either singularly or severally, will be considered. (or percentage required by FAA)

Disadvantaged Firm Name (DBE) IRS Number & Mailing Address	Prime Contract Bid	Joint Venture Bid	Supply Service Sub- contract	Type of Service/ Supply	Construction Sub-contract	Type of Construct -ion	\$ Amount to go to DBE	% of Total Bid
MFN _____ IRS # _____ Street _____ City/State _____ Zip _____ Phone () _____	__ Yes	__ Yes	__ Yes					
MFN _____ IRS # _____ Street _____ City/State _____ Zip _____ Phone () _____	__ Yes	__ Yes	__ Yes					
MFN _____ IRS # _____ Street _____ City/State _____ Zip _____ Phone () _____	__ Yes	__ Yes	__ Yes					

Total Dollar Amount of Bid _____ Total Dollars Amount of (DBE) _____

Percent of DBE Dollars in Bid _____

CONTRACTOR'S NAME _____

CONTRACTOR'S ADDRESS _____

