

CITY OF HIGH POINT

Minority-owned, Woman-owned, Disadvantaged-owned Outreach Plan and Guidelines



Municipal Office Building
211 South Hamilton Street
High Point, North Carolina

OUTREACH PLAN AND GUIDELINES FOR RECRUITMENT AND SELECTION OF
MINORITY BUSINESSES FOR PARTICIPATION IN CITY
OF HIGH POINT BUILDING CONSTRUCTION CONTRACTS

GOALS

In accordance with G.S. 143-128.2 (effective January 1, 2002) these guidelines establish goals for minority participation in single-prime bidding, separate-prime bidding, dual bidding, Construction Manager-at-Risk, and alternative contracting methods on City of High Point building construction projects in the amount of \$300,000 or more. The Outreach Plan shall also be applicable to the selection process of architectural, engineering, surveying and Construction Manager-at-Risk services.

City of High Point's current goal for minority participation for public building construction is ten percent (10%). The overall goal will be reviewed annually or as soon as relevant data is available.

INTENT

The intent of these guidelines is that City of High Point, as awarding authority for construction projects, and the contractors and subcontractors performing the construction contracts awarded, shall cooperate and in good faith do all things, legal, proper and reasonable to achieve the statutory goal of ten percent (10%) for participation by minority businesses in each construction project as mandated by GS 143-128.2. Nothing in these guidelines shall be construed to require contractors or awarding authorities to award contracts or subcontracts to or to make purchases of materials or equipment from minority-business contractors or minority-business subcontractors who do not submit the lowest responsible responsive bid or bids.

DEFINITIONS

1. Minority – a person who is a citizen or lawful permanent resident of the United States and who is:
 - a. Black, that is, a person having origins in any of the Black racial groups in Africa;
 - b. Hispanic, that is, a person of Spanish or Portuguese culture with origins in Mexico, South or Central American, or the Caribbean Islands, regardless of race;
 - c. Asian American, that is, a person having origins in any of the original peoples of the Far East, Southeast Asia and Asia, the Indian subcontinent, the Pacific Islands;
 - d. American Indian or Alaskan Native, that is, a person having origins in any of the original peoples of North America; or
 - e. Female
 - f. Disadvantaged Business Enterprise, A firm certified as a Disadvantage Business Enterprise through the North Carolina Unified Certification Program.

2. Minority Business – means a business
 - a. In which at least fifty-one percent (51%) is owned by one or more minority persons, or in the case of a corporation, in which at least fifty-one percent (51%) of the stock is owned by one or more minority persons or socially and economically disadvantaged individuals; and
 - b. Of which the management and daily business operations are controlled by one or more of the minority persons or socially and economically disadvantaged individuals who own it.
3. Socially and economically disadvantaged individual – means the same as defined in 15 U.S.C. 637. “Socially disadvantaged individuals are those who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities”. “Economically disadvantaged individuals are those socially disadvantaged individuals whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same business area who are not socially disadvantaged”.
4. Public Entity – means State and all public subdivisions and local government units.
5. Owner – City of High Point.
6. Designer – Any person, firm, partnership, or corporation, which has contracted with City of High Point to perform architectural or engineering work.
7. Bidder – Any person, firm, partnership, corporation, association, or joint venture seeking to be awarded a public contract or subcontract.
8. Contract – A mutually binding legal relationship, or any modification thereof, obligating the seller to furnish equipment, materials or services, including construction, and obligating the buyer to pay for them.
9. Contractor – Any person, firm, partnership, corporation, association, or joint venture which has contracted with City of High Point to perform construction work or repair.
10. Subcontractor – A firm under contract with the prime contractor or Construction Manager-at-Risk for supplying materials or labor and materials and/or installation. The subcontractor may or may not provide materials in the subcontract.
11. Good Faith Effort – An activity performed by Bidders and the City of High Point to assure that participation of minority, women, and socially and economically disadvantaged in contracts covered under this plan.

CITY OF HIGH POINT RESPONSIBILITIES AND OUTREACH PLAN

1. Work with minority-focused and small business groups that support MBE and small business inclusion in the solicitation of bids. These groups include the CMSDC (Carolinians Minority Suppliers Development Council, High Point, Greensboro and Winston Salem Chambers of Commerce, Greensboro Small Business Development Center and others.
2. Place more emphasis on the importance of soliciting certified MBE firms and small businesses for subcontracting opportunities at pre-bid conferences and in the bid documents. Examine specifications to identify special subcontracting opportunities and strongly encourage prime contractors to solicit bids for subcontracts from MBE firms.
3. Provide detailed information to majority contractors concerning the Guidelines for Recruitment and Selection of Minority Business and Outreach Plan and provide information on G.S. 143-129 by holding meetings with the contractors.

4. Assess the effectiveness of the MBE Program, and identify opportunities to enhance it, by evaluating MBE participation and compliance and reviewing the “good faith efforts” provided in bid packages.
5. Identify subcontracting opportunities unique to each construction contract and project and concentrate heavily on targeting certified MBE firms and small businesses that have expressed an interest in City of High Point projects. Identify these opportunities and contact interested businesses no later than 10 days prior to the bid opening and provide a list of prime contractors plan to participate in the project.
6. Build new business relationships through networking and continue networking with other North Carolina cities and counties to find out how their Outreach Program and MBE program is working and sharing “best practices” and ideas to improve the program.
7. Participate in education opportunities throughout the community as they become available and offer training sessions to share the City’s Outreach Plan with interested businesses and organizations.
8. Be visible through participation in trade shows and business organizations of interest to MBE firms, majority contractors and small businesses, and provide information to the general public about the MBE Program, and continue outreach efforts to the business community.
9. Enhance the City’s web page by including the Outreach Plan and Guidelines, listing good faith efforts, and creating links to MBE resources, and creating awareness of specific subcontracting opportunities.
10. Make available to minority-focused agencies, a list of subcontracting opportunities when they are identified, no later than 10 days prior to the bid opening, and a list of prime bidders that subcontractors may wish to contact for subcontracting consideration.
11. Maintain a database specifically for MBE firms and majority contractors to ensure those firms wishing to do business with City of High Point have access to up to date information.
12. Advertise upcoming bid opportunities in minority-focused media.
13. Work with architects, surveyors and engineers to make subcontracting opportunities more noticeable and more easily understood by potential contractors and subcontractors.

GRIEVANCE PROCEDURE

Any bidder feeling himself/herself aggrieved by implementation of the Minority, Woman, Disadvantaged Outreach Plan and Guidelines may present such grievance to the City. A written description of the grievance with appropriate supporting evidence shall be presented to the Purchasing Manager. The Purchasing Manager will review the grievance and supporting evidence and make a written response to the participant within ten (10) working days. In the event the participant is not satisfied, said participant may appeal the grievance by filing a written description thereof and supporting evidence with the City Manager. The City Manager shall hear the grievance within ten (10) working days and shall make a decision thereon, this decision shall be final. Any participant not satisfied by a decision of the City Manager may avail himself/herself of any remedy available under the law.

DESIGNER RESPONSIBILITIES

Under the single-prime bidding, separate prime bidding, dual bidding, Construction Manager-at-Risk, or alternative contracting method, the designer must do all of the following:

1. Attend the scheduled prebid conference to reiterate minority business requirements to the prospective bidders.
2. Assist the owner to identify and notify prospective minority business prime and subcontractors of potential contracting opportunities.
3. Maintain documentation of any contacts, correspondence, or conversations with minority business firms made in an attempt to meet the goals.
4. Review jointly with the owner, all requirements of G.S. 143-128.2(c) and G.S. 143-128.2(f) – (i.e. bidders’ proposal for identification of the minority businesses that will be utilized with corresponding dollar value of the bid and affidavit listing Good Faith Efforts or affidavit of self-performance of work, if the contractor will perform work under contract by its own workforce) – prior to recommendation of an award.
5. During the construction phase of the project, review “MBE Documentation for Contract Payment” form with monthly pay applications to the owner and forward copies to the City of High Point.

CONTRACTOR(S) CONSTRUCTION MANAGER-AT RISK, AND FIRST-TIER SUBCONTRACTORS

Under the single-prime bidding, the separate-prime bidding, dual bidding, Construction Manager-at-Risk and alternative contracting methods, contractor(s) and first tier subcontractors must do all of the following:

1. Attend the scheduled prebid conference.
2. Identify or determine those work areas of a subcontract where minority businesses may have an interest in performing subcontract work.
3. At least ten (10) days prior to the scheduled day of bid opening, notify minority businesses of potential subcontracting opportunities listed in the proposal. The notification must include all of the following:
 - a. A description of the work for which the subbid is being solicited.
 - b. The date, time and location where subbids are to be submitted.
 - c. The name of the individual within the company who will be available to answer questions about the project.
 - d. Where bid documents may be reviewed.
 - e. Any special requirements that may exist, such as insurance, licenses, bonds and financial arrangements.
4. During the bidding process, comply with the contractor(s) requirements listed in the proposal for minority participation.
5. Identify on the bid the minority businesses that will be utilized on the project with corresponding total dollar value of the bid and affidavit listing good faith efforts as required by G.S. 143-128.2(c) and G.S. 143-128.2(f) or Intent to Perform Contract With Own Workforce affidavit.
6. Make documentation-showing evidence of implementation of Prime Contractor, Construction Manager-at-Risk and First Tier Subcontractor responsibilities available for review by City of High Point upon request.

7. Provide one of the following upon being named the apparent low bidder: (1) an affidavit that includes a description of the portion of work to be executed by minority businesses, expressed as a percentage of the total contract price, which is equal to or more than the applicable goal. This affidavit shall give rise to a presumption that the bidder has made the required good faith effort; or (2) if the percentage is not equal to the applicable goal, then documentation of all good faith efforts taken to meet the goal. The documentation must include evidence of all good faith efforts that were implemented, including any advertisements, solicitations, and evidence of other specific actions demonstrating recruitment and selection of minority businesses for participation in the contract. Failure to comply with these requirements is grounds for rejection of the bid and award to the next lowest responsible and responsive bidder.
8. Identify the name(s) of minority business subcontractor(s) and corresponding dollar amount of work on the schedule of values.
9. Submit with each monthly pay requests(s) and final payment(s), "MBE Documentation for Contract Payment" for designer's review.
10. If at any time during the construction of a project, it becomes necessary to replace a minority business subcontractor, immediately advise the owner in writing of the circumstances involved. The prime contractor shall make a good faith effort to replace a minority business subcontractor with another minority business subcontractor.
11. Make a good faith effort to solicit subbids from minority businesses during the construction of a project if additional subcontracting opportunities become available.

MINORITY BUSINESS RESPONSIBILITIES

City of High Point does not certify minority, disadvantaged or woman-owned businesses. Any business, which desires to participate as an MBE maybe required completing and submitting for certification, documents required by the agencies listed below. Only those firms holding current certification through at least one of the following agencies will be considered eligible for inclusion in meeting the MBE participation percentage goals:

North Carolina Administration Department Historically Underutilized Business (HUB) certification.

North Carolina Department of Transportation Minority/Disadvantage/Woman-owned Business certification.

Small Business Administration 8(a) certification.

City of Greensboro, M/WBE Program

City of Winston Salem, M/WBE Program

Liz Mills Ltd., Charlotte North Carolina

CMSDC (Carolinas Minority Suppliers Development Council)

Other governmental agencies on a case-by-case basis.

The City encourages businesses to specifically avail themselves of the North Carolina Department of Transportation DBE Certification Program to insure that they are not precluded from State and Federal funded contract opportunities as provided later.

A copy of these guidelines will be issued with each bid package for City of High Point building construction projects. These guidelines shall apply to all contractors regardless of ownership.

MINIMUM COMPLIANCE REQUIREMENTS

All written statements, affidavits or intentions made by the Bidder shall become a part of the agreement between the Contractor and City of High Point for the performance of the contract. Failure to comply with any of these statements, affidavits or intentions, or with the minority business guidelines shall constitute a breach of contract. A finding by the City that any information submitted either prior to award of the contract or during the performance of the contract, is inaccurate, false or incomplete shall constitute a breach of the contract. Any such breach may result in termination of the contract in accordance with the termination provisions contained in the contract. It shall be solely at the option of City of High Point whether to terminate the contract for breach.

In determining whether a contractor has made Good Faith Efforts, City of High Point will evaluate all efforts made by the Contractor and will determine compliance in regard to quantity, intensity, and results of these efforts. At least five of the following ten good faith efforts must be made in order to meet the Good Faith Efforts requirement:

1. Contacting minority businesses that reasonably could have been expected to submit a quote and that were known to the contractor or available on State or local government maintained lists at least 10 days before the bid or proposal date and notifying them of the nature and scope of the work to be performed.
2. Making the construction plans, specifications and requirements available for review by prospective minority businesses, or providing these documents to them at least 10 days before the bid or proposals are due.
3. Breaking down or combining elements of work in economically feasible units to facilitate minority participation.
4. Working with minority trade, community, or contractor organizations identified by the Office for Historically Underutilized Businesses and those included in the bid documents to provide assistance in recruitment of minority businesses.
5. Attending any prebid meetings scheduled by the public owner.
6. Providing assistance in getting required bonding or insurance or providing alternatives to bonding or insurance for subcontractors.
7. Negotiating in good faith with interested minority businesses and not rejecting 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.
8. Providing assistance to an otherwise qualified minority business 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. Assisting minority businesses in obtaining the same unit pricing with the bidder's suppliers in order to help minority businesses in establishing credit.
9. Negotiating joint venture and partnership arrangements with minority businesses in order to increase opportunities for minority business participation on a public building construction or repair project when possible.
10. Providing quick pay agreements and policies to enable minority contractors and suppliers to meet cash-flow demands.

SANCTIONS FOR FAILURE TO ADEQUATELY DOCUMENT GOOD FAITH EFFORTS

For contracts in the amount provided by G.S.143-129 or any local act pertaining thereto where there are minority, women and disadvantaged business enterprise firms available for subcontracting, failure by the contractor to comply with pre-bid requirements under this Outreach Plan and Guidelines or to adequately document good faith efforts to subcontract with minority, women and disadvantaged business enterprise firms or to purchase materials or supplies from minority, women and disadvantaged business enterprise firms shall subject the contractor to any one of the following actions:

1. Failure by the contractor to adequately document good faith efforts to subcontract minority, women and disadvantaged business enterprise firms will subject the bid to rejection as being non-responsive.
2. If the contractor is found to be in non-compliance and fails to correct such noncompliance within ten (10) working days after notification, the City will withhold five (5%) percent of the amount of completed work on all monthly payment until good faith effort requirements are satisfied. (The ten (10) working days to correct non-compliance is not applicable to bids rejection for failure of the contractor to document good faith efforts to utilize minority, women and disadvantaged business enterprise firms prior to submission of bids.
3. The imposition of a penalty in an amount up to five (5%) percent of the contract price.
4. This shall be deemed an element of "poor performance" and grounds to suspend the contractor from bidding on future City contracts for a specified period of one (1) year.
5. Termination for breach of contract for non-compliance provided a reasonable time 15 (fifteen) working days shall be given the contractor to comply.

In the event any of the sanctions set forth above are to be utilized then appropriate provisions shall be contained in the specifications which will expose the contractor to any of those sanctions so set out therein.

The forms to be used for minority participation for projects being funded by local dollars are shown in Exhibit A.

GUIDELINES FOR STATE FUNDED TRANSPORTATION PROJECTS

136-28.4. State policy concerning participation by disadvantaged minority-owned and women-owned businesses in highway contracts.

(a) It is the policy of this State, based on a compelling governmental interest, to encourage and promote participation by disadvantaged minority-owned and women-owned businesses in contracts let by the Department pursuant to this Chapter for the planning, design, preconstruction, construction, alteration, or maintenance of State highways, roads, streets, or bridges and in the procurement of materials for these projects. All State agencies, institutions, and political subdivisions shall cooperate with the Department of Transportation and among themselves in all efforts to conduct outreach and to encourage and promote the use of disadvantaged minority-owned and women-owned businesses in these contracts.

Pursuant to the above excerpt from the North Carolina General Statutes, the City of High Point will comply with the guidelines of the Department of Transportation when participating in State Funded transportation projects. Except where prohibited elsewhere, it will remain the policy of the City to exceed the Department of Transportation's project specific MBE/WBE goals where such goals may be less than 10% participation. The City will use, when required, the forms for Minority Business Enterprise and Women Business Enterprise as shown in Exhibit B.

GUIDELINES FOR FEDERAL FUNDED TRANSPORTATION PROJECTS

It is the policy of the North Carolina Department of Transportation that Disadvantaged Business Enterprises (DBE) as defined in 49 CFR Part 26 shall have the equal opportunity to compete fairly for and to participate in the performance of contracts financed in whole or in part by Federal Funds.

Pursuant to the above Department of Transportation DBE Policy excerpt the City of High Point shall comply with the above guidelines when participating in Federal Funded transportation projects. Except where prohibited elsewhere, it will remain the policy of the City to exceed the Department of Transportation's project specific DBE goals where such goals may be less than 10% participation. The City will use, when required, the forms for Disadvantaged Business Enterprise (DBE) as shown in Exhibit C.

ADMINISTRATIVE PROVISIONS

The City Council empowers the City Manager to enforce and/or amend this policy as may be required by changes in State law or Federal regulation.

EXHIBIT A

FORMS FOR

LOCAL FUNDED MINORITY PARTICIPATION

AFFIDAVIT A

CITY OF HIGH POINT

"GOOD FAITH EFFORT"

County of _____

Affidavit of _____
(Name of Bidder)

I have made a good faith effort to comply under the following areas checked:

BIDDER MUST EARN AT LEAST 50 POINTS FROM THE GOOD FAITH EFFORT LIST FOR THEIR BID TO BE CONSIDERED RESPONSIVE.

(Y/N)

- _____ (1) Contacting minority businesses that reasonably could have been expected to submit a quote and that were known to the contractor or available on State or local government maintained lists at least 10 days before the bid or proposal date and notifying them of the nature and scope of the work to be performed. **(10 POINTS)**
- _____ (2) Making the construction plans, specifications and requirements available for review by prospective minority businesses or providing these documents to them at least 10 days before the bid or proposals are due. **(10 POINTS)**
- _____ (3) Breaking down or combining elements of work into economically feasible units to facilitate minority participation. **(15 POINTS)**
- _____ (4) Working with minority trade, community, or contractor organizations identified by the Office of Historically Underutilized Businesses and in the bid documents that provide assistance in recruitment of minority businesses. **(10 POINTS)**
- _____ (5) Attending any pre-bid meetings scheduled by the public owner. **(10 POINTS)**
- _____ (6) Providing assistance in getting required bonding or insurance or providing alternatives to bonding or insurance for subcontractors. **(20 POINTS)**
- _____ (7) Negotiating in good faith with interested minority businesses and not rejecting them as unqualified without sound reasons based on their capabilities. Any rejection of minority business based on lack of qualification should have the reasons documented writing. **(15 POINTS)**
- _____ (8) Providing assistance to an otherwise qualified minority business 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 is required.

Assisting minority businesses in obtaining the same unit pricing with the bidder's suppliers in order to help minority businesses in establishing credit. **(25 POINTS)**

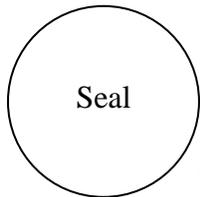
____ (9) Negotiating joint venture and partnership arrangements with minority businesses in order to increase opportunities for minority business participation on a public construction or repair project when possible. **(20 POINTS)**

____ (10) Providing quick pay agreements and policies to enable minority contractors and suppliers to meet cash-flow demands. **(20 POINTS)**

In accordance with GS143-128.2 (d) the undersigned will enter into a formal agreement with the firms listed in the Identification of Minority Business Participation schedule conditional upon execution of a contract with the Owner. Failure to abide by this statutory provision will constitute a breach of the contract.

The undersigned hereby certified that he or she has read the terms of the minority business commitment and is authorized to bind the bidder to the commitment herein set forth.

Date: _____ Name of Authorized Officer: _____



Signature: _____

Title: _____

State of North Carolina, County of _____
Subscribed and sworn to before me this _____ day of _____ 20____
Notary Public _____
My commission expires _____

AFFIDAVIT B

City of High Point Intent to Perform Contract With
Own Workforce

County of _____

Affidavit of _____
(Name of Bidder)

I hereby certify that it is our intent to perform 100% of the work required for the
_____ contract.
(Name of Project)

In making this certification, the Bidder states that the Bidder does not customarily subcontract elements of this type project, and normally performs and has the capability to perform and will perform all elements of the work on this project with his/her own current work forces; and

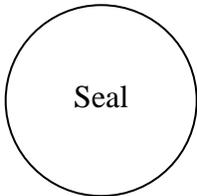
The Bidder agrees to provide any additional information or documentation requested by the owner in support of the above statement.

The undersigned hereby certifies that he or she has read this certification and is authorized to bind the Bidder to the commitments herein contained.

Date: _____ Name of Authorized Officer: _____

Signature: _____

Title: _____



State of North Carolina, County of _____

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

Notary Public _____

My commission expires _____

Do Not Submit With Bid

Do Not Submit With Bid

Do Not Submit With Bid

AFFIDAVIT C

City of High Point

-Portion of the Work to be Performed by Minority Firms

(Note this form is to be submitted only by the apparent lowest responsible, responsive bidder.)

If the portion of the work to be executed by minority businesses as defined in GS 143-128.2(g) is equal to or greater than 10% of the bidders total contract price, then the bidder must complete this affidavit. The apparent lowest responsible responsive bidder shall provide this affidavit within **72 hours** after notification of being low bidder.

Affidavit of: _____ I do hereby certify that on the
(Bidder)

(Project Name)

Project ID # _____ Amount of Bid \$ _____

I will expend a minimum of _____% of the total dollar amount of the contract with minority business enterprises. Minority Businesses will be employed as construction subcontractors, vendors, suppliers or providers of professional services. Such work will be subcontracted to the following firms listed below.

Attach additional sheets if required.

Name and Phone Number	*Minority Category	Work Description	Dollar Value

*Minority categories: Black, African American (**B**), Hispanic (**H**), Asian American (**A**), American Indian (**I**), Female (**F**), Socially and Economically Disadvantaged (**D**)

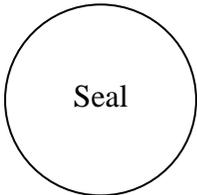
Pursuant to GS 143-128.2 (d), the undersigned will enter into a formal agreement with Minority Firms for work listed in this schedule conditional upon execution of a contract with the Owner. Failure to fulfill this commitment may constitute a breach of the contract.

The undersigned hereby certifies that he or she has read the terms of this commitment and is authorized to bind the bidder to the commitment herein set forth.

Date: _____ Name of Authorized Officer: _____

Signature: _____

Title: _____



State of, County of _____
Subscribed and sworn to before me this _____ day of _____ 20____
Notary Public _____
My commission expires _____

Do Not Submit With Bid

Do Not Submit With Bid

Do Not Submit With Bid

AFFIDAVIT D

City of High Point

-Good Faith Efforts

(Note this form is to be submitted only by the apparent lowest responsible, responsive bidder.)

If the goal of 10% participation by minority business is not achieved, the Bidder shall provide the following documentation to the Owner of his good faith efforts. The apparent lowest responsible responsive bidder shall provide this affidavit and supporting documentation within **72 hours** after notification of being low bidder.

Affidavit of: _____
(Bidder)

I do certify the attached documentation as true and accurate representation of my good faith efforts.

(Attach additional sheets if required)

Name and Phone Number	*Minority Category	Work Description	Dollar Value

*Minority categories: Black, African American (**B**), Hispanic (**H**), Asian American (**A**), American Indian (**I**), Female (**F**), Socially and Economically Disadvantaged (**D**)

Documentation of the Bidder's good faith efforts to meet the goals set forth in these provisions. Examples of documentation shall include the following evidence:

- A. Copies of solicitation for quotes to at least three (3) minority business firms from the source list provided for each subcontract to be let under this contract (if 3 or more firms are shown on the source list). Each solicitation shall contain a specific description of the work to be subcontracted, location where bid documents can be reviewed, representative of the Prime Bidder to contract, and location, date and time when quotes must be received.

- B. Copies of quotes or responses received from each firm responding to the solicitation.
- C. A telephone log of follow-up calls to each firm sent a solicitation.
- D. For subcontracts where a minority business firm is not considered the lowest responsible sub-bidder, copies of quotes received from all firms submitting quotes for that particular subcontract.
- E. Documentation of any contacts or correspondence to minority business, community, or contractor organizations in an attempt to meet the goal.
- F. Copy of pre-bid roster.
- G. Letter documenting efforts to provide assistance in obtaining required bonding or insurance for minority business.
- H. Letter detailing reasons for rejection of minority business due to lack of qualification.
- I. Letter documenting proposed assistance offered to minority businesses in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letter of credit, including waiving credit that is ordinarily required.

Failure to provide the documentation as listed in these provisions may result in rejection of the bid and award to the next lowest responsible and responsive bidder.

Date: _____ Name of Authorized Officer: _____



Signature: _____

Title: _____

State of, County of _____

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

Notary Public _____

My commission expires _____

ATTACHMENT E

City of High Point **MBE DOCUMENTATION FOR CONTRACT PAYMENTS**

Prime Contractor/Architect: _____

Address & Phone: _____

Project Name: _____

Pay Application #: _____ Period: _____

The following is a list of payments to be made to minority business contractors on this project for the above-mentioned period.

Firm Name	*Minority Category	Payment Amount	Owner Use Only

*Minority categories: Black, African American (**B**), Hispanic (**H**), Asian American (**A**), American Indian (**I**), Female (**F**), Socially and Economically Disadvantaged (**D**)

Date: _____

Approved/Certified By: _____
Name

Title

Signature

****THIS DOCUMENT MUST BE SUBMITTED WITH EACH PAY REQUEST & FINAL PAYMENT****

ATTACHMENT F

LETTER OF INTENT TO PERFORM AS A SUBCONTRACTOR

Project _____

To _____
(Name of Prime or General Bidder)

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

- Minority Business Enterprise Women Business Enterprise Disadvantaged
- An Individual A Corporation A Partnership A Joint Venture

The MWBE and/or Disadvantaged status of the undersigned are certified by the City of High Point. The undersigned is prepared to provide the following described work in connection with the above project (*Specify in detail particular work items or parts thereof to be performed*):

at the following price: \$ _____.

You have projected the following commencement date for such work, and the under-signed is projecting completion of such work as follows:

Items	Projected Commencement Date	Projected Completed Date

_____ % of the dollar value of the subcontract will be sub-let to minority/women/disadvantaged contractors. The undersigned will enter into a formal agreement for the above work with you conditioned upon your execution of a contract with the City of High Point.

Date

Name of Minority, Woman & Disadvantaged Contractor

Signature/Title

**ATTACHMENT G
LETTER OF INTENT TO PROVIDE MATERIALS OR SUPPLIES**

Project _____

To _____
(Vendor)

The undersigned intends to provide materials or supplies in connection with the above project as:

- Minority Business Enterprise Women Business Enterprise Disadvantaged
 An Individual A Corporation A Partnership A Joint Venture

The MWBE and/or Disadvantaged status of the undersigned is certified by the City of High Point. The under-signed is prepared to provide the following materials or supplies in connection with the above project (*Specify in detail particular materials or services to be performed*):

at the following price: \$ _____

You have projected the following delivery for such materials or supplies:

Items	Delivery Date
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

_____ % of the dollar value of the subcontract will be sub-let to minority/women/disadvantaged material suppliers or service organizations. The undersigned will enter into a formal agreement for the above items conditioned upon your execution of a contract with the City of High Point.

Date

Name of Minority, Woman, Disadvantaged Supplier

Signature/Title

ATTACHMENT H

Identification of Minority Business Participation

I, _____, (Name of Bidder)

do hereby certify that on this project, we will use the following minority business enterprises as construction subcontractors, vendors, suppliers or providers of professional services.

Firm Name, Address and Phone #
Category

Work type

*Minority

Table with 3 columns: Firm Name, Address and Phone # / Category; Work type; *Minority. The table contains 18 empty rows for data entry.

*Minority categories: Black, African American (B), Hispanic (H), Asian American (A) American Indian (I), Female (F) Socially and Economically Disadvantaged (D)

The total value of minority business contracting will be (\$)_____.

EXHIBIT B

FORMS FOR

STATE FUNDED MINORITY PARTICIPATION

Field	Instructions
<i>Subgrantee Letterhead / Name & Address Goes Here</i>	Enter the name and address of the company, firm, governmental entity or subgrantee requesting payment from the North Carolina Department of Transportation
Submit with Invoice To:	Update this section with the name and address of the NCDOT representative that is responsible for processing payment requests for your contracts.
Firm Invoice No. Reference	Enter the invoice number that was submitted to NCDOT that corresponds with the payment information contained on this form.
NCDOT PO / Contract Number	Enter the NCDOT Purchase Order or Contract number that corresponds with the information contained on this form.
WBS No. (State Project No.)	Enter the NCDOT WBS element number assigned to this project.
Date of Invoice	Enter the date of the invoice that was submitted for payment.
Signed	Enter the name of the person responsible for the validity of the information contained on this form.
Invoice Line Item Reference	Enter the invoice line item or pay item that the Subcontractor payment information is related to.
Payer Name	Enter the name of the company, firm, governmental entity or subgrantee that is responsible for paying the subcontractor.
Payer Federal Tax ID	Enter the Federal Tax Identification number of the Payer (See Payer Name)
Subcontractor / Subconsultant / Material Supplier Name	Enter the name of the Subcontractor, Subconsultant or Material Supplier that is being paid for goods or services related to the NCDOT PO / Contract Number.
Subcontractor / Subconsultant / Material Supplier Federal Tax ID	Enter the Federal Tax Identification number of the Subcontractor, Subconsultant or Material Supplier that is being paid for goods or services related to the NCDOT PO / Contract Number.
Amount Paid To Subcontractor / Subconsultant / Material Supplier This Invoice	Enter the amount paid to the Subcontractor, Subconsultant or Material Supplier for the invoice referenced.
Date Paid To Subcontractor / Subconsultant / Material Supplier This Invoice	Enter the date that the Subcontractor / Subconsultant / Material Supplier was paid for the items referenced on the invoice.
Total Amount Paid to Subcontractor Firms	Enter the total payments made to all Subcontractor / Subconsultant / Material Supplier for the invoice referenced.

LETTER OF INTENT TO PERFORM AS A SUBCONTRACTOR

CONTRACT:	NAME OF BIDDER:
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The undersigned intends to perform work in connection with the above contract upon execution of the bid and subsequent award of contract by the Local Public Agency as:

Name of MBE/WBE/DBE Subcontractor _____
 Address _____
 City State _____ Zip _____

Please check all that apply:

- Minority Business Enterprise (MBE) __
- Women Business Enterprise (WBE) __
- Disadvantaged Business Enterprise (DBE) __

The MBE/WBE/DBE status of the above named subcontractor is certified by the North Carolina Department of Transportation. The above named subcontractor is prepared to perform the described work listed on the attached MBE/WBE/DBE Commitment Items sheet, in connection with the above contract upon execution of the bid and subsequent award of contract by the Local Public Agency. The above named subcontractor is prepared to perform the described work at the estimated Commitment Total for Subcontractor Price identified on the MBE/WBE/DBE Commitment Items sheet and amount indicated below.

Commitment Total based on estimated Unit Prices and Quantities on the "attached" MBE/WBE/DBE Commitment Items sheet:

Amount \$ _____

The above named bidder and subcontractor mutually accepts the Commitment Total estimated for the Unit Prices and Quantities. This commitment total is based on estimated quantities only and most likely will vary up or down as the project is completed. Final compensation will be based on actual quantities of work performed and accepted during the pursuance of work. The above listed amount represents the entire dollar amount quoted based on these estimated quantities. No conversations, verbal agreements, and/or other forms of non-written representations shall serve to add, delete, or modify the terms as stated.

This document shall not serve in any manner as an actual subcontract between the two parties. A separate subcontractor agreement will describe in detail the contractual obligations of the bidder and the MBE/WBE/DBE subcontractor.

Affirmation

The above named MBE/ WBE/ DBE subcontractor affirms that it will perform the portion(s) of the contract for the estimated dollar value as stated above.

Name of MBE/WBE/DBE Subcontractor

Name of Bidder

Signature/Title

Signature/Title

Date

Date

EXHIBIT C

FORMS FOR

FEDERAL FUNDED MINORITY PARTICIPATION

City of High Point, North Carolina Subcontractor Payment Information

Submit with Invoice To: City of High Point, North Carolina
211 South Hamilton, Suite 210
P.O. Box 230
High Point, NC 27261

Firm Invoice No. Reference _____
 City of High Point PO / Contract Number _____
 TIP # E - _____
 WBS No. (State Project No.) _____
 Date of Project _____
 Signed _____

Invoice Line Item Reference	Payer Name	Payer Federal Tax ID	Subcontractor / Subconsultant / Material Supplier Name	Subcontractor / Subconsultant / Material Supplier Federal Tax ID	Amount Paid To Subcontractor / Subconsultant / Material Supplier This Invoice	Date Paid To Subcontractor / Subconsultant / Material Supplier This Invoice

Total Amount Paid to Subcontractor Firms \$ _____

NOTE: - These documents are scanned into our Fiscal program. Please do not highlight or shade the figures.

I certify that this information accurately reflects actual payments made and the dates the payments were made to Subcontractors/
Subconsultants/Material Suppliers on the above referenced project.

Signature _____ Title _____
 Print Name _____ Date _____

Field	Instructions
<i>Subgrantee Letterhead / Name & Address Goes Here</i>	Enter the name and address of the company, firm, governmental entity or subgrantee requesting payment from the North Carolina Department of Transportation
Submit with Invoice To:	Update this section with the name and address of the NCDOT representative that is responsible for processing payment requests for your contracts.
Firm Invoice No. Reference	Enter the invoice number that was submitted to NCDOT that corresponds with the payment information contained on this form.
NCDOT PO / Contract Number	Enter the NCDOT Purchase Order or Contract number that corresponds with the information contained on this form.
WBS No. (State Project No.)	Enter the NCDOT WBS element number assigned to this project.
Date of Invoice	Enter the date of the invoice that was submitted for payment.
Signed	Enter the name of the person responsible for the validity of the information contained on this form.
Invoice Line Item Reference	Enter the invoice line item or pay item that the Subcontractor payment information is related to.
Payer Name	Enter the name of the company, firm, governmental entity or subgrantee that is responsible for paying the subcontractor.
Payer Federal Tax ID	Enter the Federal Tax Identification number of the Payer (See Payer Name)
Subcontractor / Subconsultant / Material Supplier Name	Enter the name of the Subcontractor, Subconsultant or Material Supplier that is being paid for goods or services related to the NCDOT PO / Contract Number.
Subcontractor / Subconsultant / Material Supplier Federal Tax ID	Enter the Federal Tax Identification number of the Subcontractor, Subconsultant or Material Supplier that is being paid for goods or services related to the NCDOT PO / Contract Number.
Amount Paid To Subcontractor / Subconsultant / Material Supplier This Invoice	Enter the amount paid to the Subcontractor, Subconsultant or Material Supplier for the invoice referenced.
Date Paid To Subcontractor / Subconsultant / Material Supplier This Invoice	Enter the date that the Subcontractor / Subconsultant / Material Supplier was paid for the items referenced on the invoice.
Total Amount Paid to Subcontractor Firms	Enter the total payments made to all Subcontractor / Subconsultant / Material Supplier for the invoice referenced.

LETTER OF INTENT TO PERFORM AS A SUBCONTRACTOR

CONTRACT:	NAME OF BIDDER:
-----------	-----------------

The undersigned intends to perform work in connection with the above contract upon execution of the bid and subsequent award of contract by the Local Public Agency as:

Name of MBEI/WBE/DBE Subcontractor _____
 Address _____
 City State _____ Zip _____

Please check all that apply:
 Minority Business Enterprise (MBE) Women
 Business Enterprise (WBE) Disadvantaged
 Business Enterprise (DBE)

The MBE/WBE/DBE status of the above named subcontractor is certified by the North Carolina Department of Transportation. The above named subcontractor is prepared to perform the described work listed on the attached MBE/BE/DBE Commitment Items sheet, in connection with the above contract upon execution of the bid and subsequent award of contract by the Local Public Agency. The above named subcontractor is prepared to perform the described work at the estimated Commitment Total for Subcontractor Price identified on the MBE/WBE/DBE Commitment Items sheet and amount indicated below.

Commitment Total based on estimated Unit Prices and Quantities on the "attached" DBE Commitment Items sheet:

Amount \$ _____

The above named bidder and subcontractor mutually accepts the Commitment Total estimated for the Unit Prices and Quantities. This commitment total is based on estimated quantities only and most likely will vary up or down as the project is completed. Final compensation will be based on actual quantities of work performed and accepted during the pursuance of work. The above listed amount represents the entire dollar amount quoted based on these estimated quantities. No conversations, verbal agreements, and/or other forms of non-written representations shall serve to add, delete, or modify the terms as stated.

This document shall not serve in any manner as an actual subcontract between the two parties. A separate subcontractor agreement will describe in detail the contractual obligations of the bidder and the MBE/WBE/DBE subcontractor.

Affirmation

The above named MBE/ WBE/ DBE subcontractor affirms that it will perform the portion(s) of the contract for the estimated dollar value as stated above.

 Name of MBE/WBE/DBE Subcontractor

 Name of Bidder

 Signature/Title

 Signature/Title

 Date

 Date