

## **Construction Manager at Risk for Broad Street Arts Center Project Information/ Outreach Meeting**

Wednesday September 28<sup>th</sup>, 2022

Wolfe Park Shelter – 105 Park Dr (43209)

Project Name: *Broad Street Arts Center*  
Location: *43-51 South Douglass Street (43205)*  
Contracting Department: *Recreation & Parks*  
Design Firm: *Moody Nolan*  
Owner's Representative: *The Pizzuti Companies*  
Construction MWBE Goal: *20%*

- I. Introductions (*Suzy*)
  - a. Recreation & Parks (*Director or Deputy Director*)
  - b. Office of Diversity & Inclusion (*Director*)
- II. Project Description (*Jim*)
  - a. Location & Site Conditions
  - b. Design Concept
  - c. Expectations of selected CMaR
    - i. Programming & Design Reviews
    - ii. Construction Cost Estimates & Schedules
    - iii. Diverse Business Outreach Events
- III. Office of Diversity & Inclusion Program (*DaWanna*)
- IV. Questions?

Attachments: ODI MWBE Goal Paperwork that will be used for contracting of construction work.

For further information please contact:

Project Specific – James Miller at [jcmiller@columbus.gov](mailto:jcmiller@columbus.gov)

Diversity & Inclusion Info – DaWanna Allen at [dwallen@columbus.gov](mailto:dwallen@columbus.gov)

**Bid Discount /Proposal Incentive Request Form**

This Bid Discount/Proposal Incentive Request Form must be included with the bid and proposal and submitted no later than the bid or proposal due date. Please complete the sections that apply.

The Minority Business Enterprise (MBE) and Woman-Owned Business Enterprise (WBE) Programs provide a bid discount and proposal incentive points to eligible businesses seeking to bid on City of Columbus contracts as prime contractors/prime consultants. To be eligible for either the bid discount or the proposal incentive credits, the prime contractor must be certified with the Office of Diversity and Inclusion in the necessary work classification at the time the submittal is due.

**The Proposal Incentive points apply to professional service solicitations/contracts.** For these contracts, the prime contractor’s ethnicity and gender are part of the evaluation criteria. A prime contractor that is a minority-owned or a woman-owned business certified with the Office of Diversity and Inclusion in the relevant field of work is assigned 5 percentage points during the evaluation process. The Proposal Incentive points are used in scoring the proposals and ranking the submittals.

**The Bid Discount applies to construction and goods and services contracts when the award is based on low bid,** and the prime contractor is a minority or woman-owned business or a minority or woman-owned joint venture certified with the Office of Diversity and Inclusion in the relevant work classification. The Bid Discount is 5% for construction and goods and services bids, not to exceed \$50,000 on a single bid. The Bid Discount allows an original bid amount to be discounted by 5% for purposes of evaluating and determining the lowest responsive bid. The original bid amount is the basis for the contract award. For example, a \$100,000 bid with a 5% Bid Discount is evaluated at \$95,000. However, \$100,000 would be paid if the bidder eligible for the discount was the successful bidder.

For additional information about the Minority and Woman-Owned Business Enterprise Program, please visit the Office of Diversity and Inclusion’s website.

***(Please Attach Copy of Current MBE/WBE Certification Approval Letter)***

<b>CERTIFICATION OF AFFIDAVIT</b>		
The information provided is true and complete to the best of my knowledge and belief. I further understand and agree that this certification shall become a part of my contract with the Columbus of Columbus		
Bid Name:	Bid Number:	Bid Opening Date:
Contracting Department:	Bid/Project Manager Name (as listed in bid documents):	
Certified Prime Contractor/Consultant Authorized Signature & Date: X	Printed name of the authorized signatory:  X	Business Name:
Office of Diversity and Inclusion Staff Authorized Signature Only		
Office of Diversity and Inclusion Official Authorized Designee Signature: X	Date:	<b>Approved</b> <b>Not Approved</b>



## DECLARATION OF PROPOSED MBE/WBE UTILIZATION

*This Page Must Be Completed By Prime Bidder To Indicate The Amount (Percentage) Of MBE/WBE Participation. This Form is a Required Submission with the Bid / Proposal to the city.*

The undersigned, as a representative of the entity, \_\_\_\_\_, submitting a ~~bid~~/proposal for the \_\_\_\_\_ project, hereby acknowledges that the MBE/WBE goal established for this project is \_\_\_\_%.

**Note: Bidder Shall Make One Of The Two Certifications Noted Below:**

- MBE/WBE Goal Met.** The Bidder represents that the proposed level of MBE/WBE participation as set forth in the enclosed Schedule of MBE/WBE participation for this project is \_\_\_\_\_% and Bidder represents attainment of the MBE/WBE participation goal. The Bidder has met the overall Minority/Women Business Enterprise participation goal with a total MBE/WBE Commitment Amount of N/A (dollars). The Bidder agrees that the MBE/WBE firm(s) listed in the below Schedule of MBE/WBE Participation will be used to accomplish the MBE/WBE participation commitment for this contract, for at least the ~~dollar~~ amounts set forth herein. Affidavits of Intent confirming the proposed participation of the MBE/WBE s set forth on the Schedule of MBE/WBE Participation are attached.
  
- MBE/WBE Goal Not Met.** The Bidder represents that it is unable to achieve the MBE/WBE participation goal set for this contract and hereby requests a full or partial waiver of the goal. The Bidder verifies that it has employed good faith efforts to meet the established MBE/WBE goal and has submitted documentation of those efforts along with its bid documentation. The Bidder further agrees that the MBE/WBE firms listed in the below Schedule of MBE/WBE Participation will be used to accomplish the MBE/WBE participation goal for this contract, for at least the dollar amounts set forth herein. Affidavits of Intent confirming the proposed participation of the MBE/WBE s set forth on the Schedule of MBE/WBE Participation are attached.

**Schedule of MBE/WBE Participation**

City Project Number	not applicable	Total bid/ Contract Amount	\$ not applicable	
Name of MBE/WBE Company	Contact Person	Scope of Work	Percentage of Total Bid ÷ Subcontract Amount	Amount of Subcontract
			%	N/A
			%	N/A
			%	N/A
			%	N/A
<b>Total MBE/WBE Commitment</b>			not applicable	
<b>Total Percentage of MBE/WBE Commitments (Total \$ MBE/WBE participation ÷ Total \$ Bid Amount)</b>				

\*Attach Additional Copies, If Necessary.\*

The undersigned further agrees to enter into formal agreements with the MBE/WBE s listed above or approved substitutions, for the work described in this schedule conditioned upon the award of a contract by the city. The undersigned will provide the City of Columbus, Office of Diversity and Inclusion a copy of the executed contract(s) with all MBE/WBE firms to perform on this contract, upon request.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date



## AFFIDAVIT OF MBE/WBE INTENT TO PERFORM AS A SUBCONTRACTOR/SUBCONSULTANT/SUPPLIER {PART 1 OF 2}

**INSTRUCTIONS:** Complete one (1) form for **EACH** certified Minority/Women Business Enterprise (MBE/WBE) committed to performing on this contract.

City Project Name		Project No.	N/A
Prime Contractor/Consultant Company Name			
Name of Person Completing This Form			
Is Prime Contractor/Consultant certified as a Minority/Women Business Enterprise (MBE/WBE)?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>MBE/WBE FIRM INFORMATION</b>			
MBE/WBE Firm Name			
MBE/WBE Firm Contact			
MBE/WBE Firm Address		City	State/Zip
Phone:		Email:	
MBE/WBE Subcontract <del>Amount</del> Percentage			

1. The undersigned MBE/WBE firm intends to perform work in connection with the above referenced project as:

An individual     
  A partnership     
  A corporation     
  A joint venture     
  Other

2. The undersigned affirms that (s)he is a duly authorized official representing the proposed MBE/WBE or (Minority, Women-Owned, if specified as eligible to count toward the MBE/WBE goal) and affirms its certification has not expired nor been revoked. The undersigned also affirms that the MBE/WBE firm is certified to perform the work described herein and that its current certification letter will reflect appropriate NAICS codes associated with the described scope of work.

**(Attach Copy of Current Certifications approval letter):**

3. If awarded the contract, the undersigned intends to enter into subcontract to perform the work described in Part 2 of this form for the prices/subcontract amount indicated.

\* If MBE/WBE Firm Is A Third-Tier Subcontractor, This Form Must Also Be Executed By The Second-Tier Subcontractor That Has The Subcontract Agreement With The MBE/WBE Firm.

X	
Authorized Signature of Prime Contractor	Title:
X	
Authorized Signature of MBE/WBE Subcontractor/ Consultant/ Supplier <b>(FIRST TIER):</b>	Title:
X	
Authorized Signature of MBE/WBE Subcontractor/ Consultant/Supplier <b>(SECOND TIER):</b>	Title:
X	
Authorized Signature of MBE/WBE Subcontractor/ Consultant/Supplier <b>(THIRD TIER):</b>	Title:

(THIS FORM CONTINUES ON THE NEXT PAGE)

## AFFIDAVIT OF MBE/WBE INTENT TO PERFORM AS A SUBCONTRACTOR/SUBCONSULTANT/SUPPLIER {PART 2 OF 2}

\* Please Use A Separate Form for EACH MBE/WBE Firm To Be Utilized On The Project.

\* Fill In ONLY The Appropriate Section For The Specified MBE/WBE Firm Listed On Part 1 Of This Form.

Description of Work To Be Performed by MBE/WBE Certified				Subcontractors		
Bid Item #	Item Description	Scope of Work	NAICS Code	Unit Price	Quantity	Total
				\$		\$
				\$		\$
Total Value of Work To Be Performed By Certified MBE/WBE Firm					\$	
Subtract (Minus) Any Amount to Be Sublet to a <u>Non-MBE/WBE Firm(s)</u>					(                    )	
<b>Total Value MBE/WBE Subcontractor</b>					\$	
Description of Work To Be Performed by MBE/WBE Certified				SubConsultants		
Work Item(s) to be performed by MBE/WBE	Description of Work	#Hours or Units	Total Value			
		NA	\$ NA			
		NA	\$ NA			
		NA	\$ NA			
Total Value of Work To Be Performed By Certified MBE/WBE Firm					\$	NA
Subtract (Minus) Any Amount to Be Sublet to a <u>Non-MBE/WBE Firm(s)</u>					( NA	) )
<b>Total Value of MBE/WBE Subconsultant</b>					\$	N/A
Items of Work To Be Performed By MBE/WBE			Trucking Firm(s)			
Description of Material(s) Hauled	Estimate of Ton/C.Y	Estimate of # of Trucks Required	Number of Trucks Owned or Leased		Total Dollar Value	
			O=		\$	
			L=			
			O=		\$	
			L=			
			O=		\$	
			L=			
<b>Total Value MBE/WBE Trucking Firm</b>					\$	
						%
Items of Work To Be Performed by MBE/WBE			Supplier [Non-Manufacturer]:			
Description of Material(s) Supplied	Total Contract Value	Multiply X .60		Total MBE/WBE Credit Allowed (ContractValue*.60)		
		60%				
		60%				
<b>Total Value of MBE/WBE Supplier</b>					\$	

**\*Note: Count only the portions of work to be performed by a certified MBE/WBE firm for all of the above mentioned categories.**

**\*Important Notice:** Failure to submit **BOTH PARTS** of this completed and signed form for each MBE/WBE firm whose quote/bid is being counted toward the established MBE/WBE participation goal, may constitute a **MATERIAL DEFECT** in your bid submission and may result in a determination of your bid as **NON- RESPONSIVE**.

## Appendix E

### Request for MBE/WBE Goal Waiver and Documentation of Good Faith Effort

The City of Columbus' Minority and Women-Owned Business Enterprise & Small Local Business Enterprise Program Manual requires prime contractors/prime consultants to document a good faith effort to meet MBE/WBE subcontracting goals. Bidders who do not meet the City's MBE/WBE subcontracting goal, as outlined in the Manual, must earn a minimum of 80 points in the categories outlined and described below in order to demonstrate a Good Faith Effort. The form must be completed in its entirety in order to be considered. The Office of Diversity and Inclusion shall be responsible for approving/disapproving the Good Faith Effort Request.

<b>This document must be accurately completed, signed, and submitted with the bid or proposal at the time of bid opening.</b>
<b>Project Name</b>
<b>Project Number:</b>
<b>Date Submitted:</b>
<b>Total Contract Value:</b>
<b>Prime Contractor Name:</b>
<b>Address:</b>
<b>Federal Tax ID#:</b>
<b>Contact Person:</b>
<b>Telephone:</b>
<b>Email:</b>
<b>Prime Contractor/Consultant Authorized Signature and Date:</b> X

## Request for MBE/WBE Goal Waiver and Documentation of Good Faith Effort

The undersigned, as a representative of the entity, \_\_\_\_\_, submitting a bid/proposal for the \_\_\_\_\_ project, hereby acknowledges that the MBE/WBE goal established for this project is \_\_\_\_\_%.

- Full Waiver.** The prime contractor has concluded that it is unable to achieve the MBE/WBE participation goal set for this contract and hereby requests a waiver of the overall goal. The bidder verifies it has employed good faith efforts to meet the established MBE/WBE goal and has submitted documentation of those efforts along with its bid documentation.
- Partial Waiver.** The prime contractor has concluded that it is unable to achieve the MBE/WBE participation goal set for this contract and hereby requests a waiver of the overall goal. It further represents that the proposed level of MBE/WBE participation as set forth in the enclosed Schedule of MBE/WBE participation for this project is \_\_\_\_\_% and represents attainment of the MBE/WBE participation goal. The bidder has met the overall Minority/Women Business Enterprise participation goal with a total MBE/WBE Commitment Amount of \_\_\_\_\_ (dollars). The bidder agrees that the MBE/WBE firm(s) listed in Schedule of MBE/WBE Participation will be used to accomplish the MBE/WBE participation commitment for this contract, for at least the dollar amounts set forth herein. Affidavits of Intent confirming the proposed participation of the MBE/WBE s set forth on the Schedule of MBE/WBE Participation are attached. The bidder further agrees that the MBE/WBE firms listed in the Schedule of MBE/WBE Participation will be used to accomplish the MBE/WBE participation goal for this contract, for at least the dollar amounts set forth herein. Affidavits of Intent confirming the proposed participation of the MBE/WBE s set forth on the Schedule of MBE/WBE Participation are attached.

Bidder/Proposer shall check each item applicable to its overall reason for a waiver request. Additionally, supporting documentation shall be submitted with this request.

- Lack of sufficient qualified MBEs and/or WBEs capable of providing the goods or services required by the contract.
- The specifications and necessary requirements for performing the contract make it impossible or economically infeasible to divide the contract to enable the contractor to utilize MBEs and/or WBEs in accordance with the applicable participation.
- Price(s) quoted by potential MBEs and/or WBEs are above competitive levels and increase cost of doing business and would make acceptance of such MBE and/or WBE bid economically impracticable, taking into consideration the percentage of total contract price represented by such MBE and/or WBE bid.
- There are other relevant factors making it impossible or economically infeasible to utilize MBE and/or WBE firms.

**Prime Contractor/Consultant Authorized Signature and Date:**

X \_\_\_\_\_

GOOD FAITH EFFORT SUMMARY SHEET							
Criterion	Bidder Action				Points (internal use only)		
<b>Advertising (5 Points)</b>	<p>Publish the advertisement on digital media platforms, including ethnic-focused media publications. Utilize the services of available minority/women community organizations, MBE/WBE contractor groups, MBE/WBE business assistance centers and other organizations, when feasible. Publication shall occur 21 days prior to submission unless the Office of Diversity and Inclusion waives this requirement due to time constraints.</p> <p>Advertisement must be specific to the Office of Diversity and Inclusion contract or procurement and not be generic. It must not be a plan holder advertisement provided by the publication.</p> <p>Advertisement must be worded to ensure it does not exclude or limit the number of potential respondents.</p>				<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Total</b>
Subcontract Information Published							
Publications	Publication Name	Publication Date	Project Name	Items of Work Solicited	Response Due Date		
<b>General Circulation</b>							
<b>Trade Association</b>							
<b>Minority-focused</b>							
<b>Woman-focused</b>							
<p>It is hereby certified that the above firms were contacted and offered an opportunity to respond on the above project. We further certify that the above statements are a true account of our firm's efforts. Copies of all published material will be made available upon request.</p>							



**GOOD FAITH EFFORTS SUMMARY SHEET CHECKLIST**

GOOD FAITH EFFORTS SUMMARY SHEET CHECKLIST							
Criterion	Bidder Action				Points (internal use only)		
<b>Outreach to Identify MBE/WBEs (15 Points)</b>	List the names of the MBE/WBEs, their contact information, and date of contact. Copies of correspondence received from subcontractors responding to the outreach or seeking subcontract work must be provided.				<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Total</b>
<b>Subcontractor Contacted</b>	<b>Call Date</b>	<b>Email Date</b>	<b>Mail Date</b>	<b>Type of Correspondence</b>	<b>Documentation of Receipt</b>		
<p>It is hereby certified that the above firms were contacted and offered an opportunity to respond to the above project. We further certify that the above statements are a true account of all firms' responses to the solicitation. Copies of all bids or proposals will be made available upon request.</p>							

**GOOD FAITH EFFORTS SUMMARY SHEET CHECKLIST**

GOOD FAITH EFFORTS SUMMARY SHEET CHECKLIST							
Criterion	Bidder Action				Points (internal use only)		
<b>Timely Written Notification (20 Points)</b>	Solicit written subcontract bids, material quotes, and proposals from certified MBE/WBEs at least ten (10) business days prior to bid opening. The written solicitations must invite MBE/WBEs that can perform a commercially useful function to participate in the contract as a subcontractor, or supplier. The prime contractor's written notice must include the following information:				<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Total</b>
	i. Prime contractor's name, address, telephone number and email address. ii. Project location and description. iii. Solicited items of work to be subcontracted or materials to be purchased, including a specific description of the work involved. iv. Place where bid, plans, and specifications can be reviewed. Date and time when MBE/WBE quotes must be received by the contractor.						
<b>Company Name and Contact Person</b>	<b>Company Address/Phone/E mail</b>	<b>Type of Work/Service(s) Solicited</b>	<b>Method of Contact (email, phone, letter)</b>	<b>Response to Solicitation (bid/proposal, no response, not interested)</b>	<b>Bid/Proposal Amount</b>		
It is hereby certified that the above firms were contacted and offered an opportunity to respond on the above project. We further certify that the above statements are a true account of all firms' responses to our solicitation. Copies of all bids and proposals will be made available upon request.							

**GOOD FAITH EFFORT SUMMARY SHEET CHECKLIST**

GOOD FAITH EFFORT SUMMARY SHEET CHECKLIST						
Criterion	Bidder Action				Points (internal use only)	
<b>Contact Follow-up (15 Points)</b>	Demonstrate follow-up efforts, including telephone calls, facsimiles, or emails during normal business hours. The contact must include direct written or oral communication with an executive representative of the MBE/WBE within a reasonable amount of time to allow the prospective subcontractor an opportunity to submit a competitive bid.				<b>Yes</b>	<b>No</b>
					<input type="checkbox"/>	<input type="checkbox"/>
<b>Company Name and Contact Person</b>	<b>Company Address/Phone/E mail</b>	<b>Type of Work/Service Solicited</b>	<b>Contact Date</b>	<b>Contact Log Attached?</b>	<b>Agreement Reached? If Not, Why?</b>	
<p>It is hereby certified that the above firms were contacted and offered an opportunity to respond to the above project. We further certify that the above statements are a true account of all firms' responses to our solicitation. Copies of all bids and proposals will be made available upon request.</p>						

**GOOD FAITH EFFORTS SUMMARY SHEET CHECKLIST**

GOOD FAITH EFFORTS SUMMARY SHEET CHECKLIST						
Criterion	Bidder Action				Points (internal use only)	
<b>Negotiate in Good Faith (15 Points)</b>	Negotiate fairly with interested MBE/WBEs, even if selection of the MBE/WBE would increase costs. A prime contractor shall not unjustifiably reject bids prepared by eligible MBE/WBEs. However, the prime contractor may choose a low bid if two or more bids for the same item of work are received.				<b>Yes</b>	<b>No</b>
					<input type="checkbox"/>	<input type="checkbox"/>
<b>Company Name and Contact Person</b>	<b>Company Address/Phone/E mail</b>	<b>Item of Work/Service Solicited</b>	<b>Reason for Rejecting Bid/Proposal</b>	<b>Date of Rejection</b>	<b>Bid/Quote Received Attached?</b>	
<p>It is hereby certified that the above firms were contacted and offered an opportunity to respond to the above project. We further certify that the above statements are a true account of all firms' responses to our solicitation. Copies of all bids and proposals will be made available upon request.</p>						

GOOD FAITH EFFORTS SUMMARY SHEET CHECKLIST				
Criterion	Bidder Action	Points (internal use only)		
<b>Items of Work Identification (20 Points)</b>	Attempt to break down items of work into smaller unit that MBE/WBEs may find economically feasible to perform. The smaller units of work must constitute a commercially useful function that could reasonably be expected to produce a level of participation sufficient to meet the goals. Prime contractors must not deny a subcontract to a qualified and competitive MBE/WBE solely because the MBE/WBE cannot perform the entire package unless unbundling would jeopardize scheduling or increase costs by more than five (5) percent.	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Total</b>
	<b>Original Item of Work</b>	<b>Smaller Units of Work</b>		

**GOOD FAITH EFFORTS SUMMARY SHEET CHECKLIST**

<b>GOOD FAITH EFFORTS SUMMARY SHEET CHECKLIST</b>							
<b>Criterion</b>	<b>Bidder Action</b>				<b>Points</b> (internal use only)		
<b>Assistance in Financing, Bonding, Insurance, or Mentoring (10 Points)</b>	Document efforts to provide technical assistance to MBE/WBEs in obtaining bonds, lines of credit, or insurance required by the City. The prime contractor must not deny a subcontract solely because the certified MBE/WBE cannot obtain a bond. Assistance should be provided to facilitate securing a bond or the subcontract bond requirement should be waived by the City and the subcontractor carried under the prime contractor's bond.				<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Total</b>
<b>Company Name</b>	<b>Company Contact Person</b>	<b>Company Address</b>	<b>Company Phone</b>	<b>Company Email</b>	<b>Assistance Provided</b>		
<p>It is hereby certified that the above firms were contacted and offered an opportunity to respond to the above project. We further certify that the above statements are a true account of all firms' responses to our solicitation. Copies of all bids and proposals will be made available upon request.</p>							

## **MINORITY-OWNED & WOMEN-OWNED BUSINESS ENTERPRISE (MBE/WBE) PROGRAMS SPECIAL PROVISIONS**

The City of Columbus is committed to ensuring meaningful opportunities for Minority-Owned and Women-Owned Business Enterprises (MBE/WBE) to participate in the City funded contracts. In furtherance of this commitment, the City has established an MBE/WBE program City funded contracts based upon the disparities found in the City's 2019 Disparity Study. This Special Provision adds to and/or changes the terms and conditions in the City Department's Name standard Request for Proposal (RFP) and contract documents to comply with the City's MBE/WBE program.

### **PROGRAM POLICY**

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The City of Columbus has a long history of supporting businesses owned by minorities, women, and disadvantaged individuals, including small businesses. This Minority and Women Business Enterprise (MBE/WBE) Policy seeks to foster participation by MBE/WBE businesses in construction, architectural and engineering, and professional and non-professional services in contracting and procurement opportunities at the City of Columbus by increasing the capacities of such firms to perform as prime vendors, subcontractors, and suppliers (the "Policy"). The Policy shall allow the City of Columbus to more effectively target MBE/WBE participation and create greater opportunities relating to the City's contracting and procurement.

This Policy seeks to promote full and fair opportunities for MBE/WBE firms certified by the City of Columbus, and whose place of business is located in the City's relevant market service area.

The purpose of this Policy is:

1. To ensure nondiscrimination in the award and administration of contracts;
2. To create a level playing field on which diverse suppliers can compete fairly for contracts;

3. To ensure that the Office of Diversity and Inclusion's MBE/WBE and SLBE Programs are narrowly tailored in accordance with applicable law;
4. To ensure that only business entities that fully meet eligibility standards are permitted to participate as certified diverse suppliers;
5. To help remove barriers to the participation of diverse suppliers in contracts; and-
6. To provide opportunity for SLBEs located in the City to participate in a sheltered market as prime contractors on City construction, professional services, and goods and services contracts.

### **MBE & WBE INCENTIVE CREDITS/BID DISCOUNTS**

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#### **Professional Services Incentive Credit**

An incentive credit of five (5) percent of the total evaluation points used to score the request for proposals and statements of qualifications shall be applied in ranking the submittals of MBE/WBE prime consultants who are members of the ethnic and gender groups determined by the City's 2019 Disparity Study to have a statistically significant disparity in the awarding of City professional services contracts. To be eligible for the incentive credit, the MBE/WBE prime consultant must be certified with the Office of Diversity and Inclusion at the time the requests for proposals and statements of qualifications are received by the City as capable of providing the type of professional services sought by the City.

#### **Construction and Goods and Services Bid Discounts**

A bid discount shall be applied during the bid ranking process to the bids of MBE/WBE prime contractors who are members of the ethnic and gender groups determined by the City's 2019 Disparity Study to have a statistically significant disparity in the awarding of City construction or general goods and services contracts. The bid discount shall be five 5 percent of the bid amount. The maximum discount shall not exceed \$50,000. The contract amount shall be the full value of the bid. To be eligible for the bid discount, the MBE/WBE prime contractor must be certified with the Office of Diversity and Inclusion at the time the

bid is received by the City as capable of providing the type of construction or goods and general services sought by the City.

**See Bid Discount/Proposal Incentive Request Form**

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## **APPLICABILITY**

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The City of Columbus has established overall MBE and WBE goals derived from the subcontract disparity documented in the 2019 Disparity Study. The overall MBE goal is 25 percent representing 19 percent for construction and 6 percent for professional services. The overall WBE goal is 19 percent representing 11 percent for construction and 8 percent for professional services. The Policy applies to all City procurements over \$100k in individual contract value spanning all procurement categories: general goods and services, construction and professional services.

In the absence of conflicting federal or state grant/loan provisions, MBE/WBE contract-specific goals are applicable to: (i) City-funded contracts, excluding not-for-profit procurements and (ii) City blended funds contracts that include state and/or federal funds not otherwise subject to state/federal Disadvantaged Business Enterprise goals.

All procurements valued above \$100,000 and greater, unless exempted or excluded by the Director of the Office of Diversity and Inclusion, will be assessed for MBE/WBE contract-specific subcontracting goals. MBE/WBE goals are limited to those certified firms whose MBE or WBE certification applications have been approved by the Office of Diversity and Inclusion. Any firm carrying a minority or woman-owned designation from an outside entity such as: State of Ohio, Ohio Department of Transportation, Ohio Minority Supplier Development Council, Women’s Business Enterprise National Council or others, must certify with the City of Columbus Office of Diversity and Inclusion, to be considered eligible to meet any stated MBE/WBE contract specific goals.

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## **ORDER OF PRECEDENCE**

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The City’s bid and contract documents include: the advertisement; the Request for Proposal (RFP); all addenda issued to the RFP; electronic bidding software file(s); contract; contract forms; supplements; special provisions; plans; plan notes; standard drawings; technical drawings; the construction and material specifications manual referenced in the IFB; “accepted” and “accepted as noted working drawings”; notice to proceed; city purchase order; and any other document specifically designated as an RFP or contract document.

If there should be a conflict between this Special Provision and any other RFP or contract documents issued for this contract, this Special Provision takes precedence over the other documents unless another Special Provision was issued as part of a bid document specifically stating it takes precedence over this Special Provision.

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## **CONTRACT COMPLIANCE – EQUAL OPPORTUNITY ASSURANCES**

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The City of Columbus, Mayor's Office of Diversity and Inclusion is responsible for ensuring that all contractors, including subcontractors, vendors, and suppliers, who desire to be a party to a City of Columbus contract, as defined by Section 3901.01 of the Columbus City Codes, must hold a valid contract compliance verification number, and must comply with all provisions of Title 39.

The consultant/contractor/vendor or sub-consultant/sub-contractor shall not discriminate on the basis of race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status or military status in hiring, tenure, training, terms, conditions or privileges of employment. The consultant/contractor/ vendor or sub-consultant/sub-contractor shall carry out applicable requirements of Columbus City Codes Title 39 in the award and administration of City of Columbus funded contracts. Failure of the consultant/contractor/ vendor or sub-consultant/sub-contractor to carry out these requirements is a material breach of contract, which may result in the termination of the contract and/or such other remedies as the City of Columbus



may have in law or in equity including, but not limited to: (1) Withholding monthly progress payments; (2) Assessing sanctions; (3) Liquidated damages; (4) Disqualifying the consultant from submitting SOQs, or any other forms of proposals, as non-responsible; (5) Cancellation, termination, or suspension of the Contract, in whole or in part. The consultant/contractor/ vendor shall ensure that all subcontract agreements contain this nondiscrimination assurance.

## **DETERMINING CITY OF COLUMBUS MBE/WBE CERTIFIED COMPANIES**

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The City's Office of Diversity and Inclusion (ODI) is the City agency that certifies companies as eligible to participate in the City's MBE/WBE Program. A list of MBE/WBE companies certified by ODI, along with the types of goods or services they provide that are eligible to be counted toward the program goals is available at [Columbus.diversitycompliance.com](http://Columbus.diversitycompliance.com). Contact the Office of Diversity and Inclusion, Tia Roseboro, Contract Compliance and Certification Programs Manager at [THRoseboro@Columbus.gov](mailto:THRoseboro@Columbus.gov) with any questions concerning any company's eligibility to participate in the program, certifications, types of goods or services a certified company is eligible to provide, or commercially useful functions.

## **COMMERCIALLY USEFUL FUNCTION**

Commercially Useful Function means work performed by an MBE/WBE for which the MBE/WBE is responsible for the execution of the contracted work and is performing its responsibilities by directly delivering, managing, and supervising the work involved. With respect to materials and supplies used on the contract, the MBE/WBE must negotiate the price, determine the quality and quantity, order the goods, supplies, and/or materials, and install and pay for the materials. An MBE/WBE that stocks or maintains sufficient quantities of supplies in direct inventory held for sale or resale to cover anticipated future demands for the supplies is performing a commercially useful function.

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The following will be considered when determining if an MBE/WBE is performing a commercially useful function:

Does the amount of work subcontracted conform to normal industry standards and practices?

Does the amount the MBE/WBE is to be paid for the goods and services listed in the Declaration of MBE/WBE Utilization Plan (see the FORM B10 section of this special provision for details concerning the utilization plan) conform to the portion of work that the business is listed to perform?

Is the amount of the MBE/WBE credit claimed consistent with the amount of work to be performed?

Information the bidder is to supply to demonstrate a commercially useful function for MBE/WBE's is listed in FORM B10.

## **COUNTING MBE/WBE SPEND TOWARD SUBCONTRACTING GOALS**

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In order to receive credit for the participation of a MBE/WBE subcontractor, the bidder/proposer must use MBE/WBEs certified by the City of Columbus Office of Diversity and Inclusion at the time of bid. The Office of Diversity and Inclusion only counts MBE/WBE subcontracting down to the third tier and only counts the value of the work actually performed by the MBE/WBE toward the goals. Under the program, An MBE/WBE company awarded a prime contract is also required to meet the contract's MBE/WBE goals.

The Office of Diversity and Inclusion counts expenditures toward MBE/WBE subcontracting goals only if the MBE/WBE is performing a commercially useful function on that contract. An MBE/WBE performs a commercially useful function when it is responsible for the execution of the work of the contract and is carrying out its responsibilities by actually performing, managing, and supervising the work involved. To perform a commercially useful function, the MBE/WBE must also be responsible, with respect to materials and supplies used on the contract, for negotiating price, determining quality and quantity, ordering the material, and installing (where applicable) and paying for the material itself. An MBE/WBE does not perform a commercially useful function if its role is limited to that of an extra participant in a transaction, contract, or project through which funds

are passed in order to obtain the appearance of MBE/WBE participation.

A certified MBE or WBE awarded a contract as a prime contractor may count 100% of the dollar value of the work it intends to perform with its own forces toward the applicable contract participation goal. The cost of supplies and materials obtained by the MBE or WBE for the work of the contract, including equipment leased, may be credited toward the goal (except supplies and equipment the MBE or WBE subcontractor purchases or leases from the prime contractor or its affiliate). The MBE or WBE prime contractor must be certified for the services it intends to self-perform at the time of bid.

Bidder/Proposer will receive 60% credit toward goal attainment for use of MBE/WBE suppliers (i.e., where a Bidder/Proposer proposes to purchase \$100,000 worth of construction materials from a MBE/WBE Supplier, \$60,000 will be credited toward the Bidder/Proposer's MBE/WBE participation goal). However, where the supplier is the manufacturer of the product supplied, Bidders/Proposers will receive MBE/WBE credit for 100% of the dollar amount of the supply contract.

The Office of Diversity and Inclusion (ODI) has the sole responsibility for determining what spend is eligible to be counted toward the contract MBE/WBE subcontracting goals and how it will be counted.

#### **Documenting MBE/WBE Spend With Bid Submission**

- a. Bidders must demonstrate their plan for achieving the contract MBE/WBE subcontracting spend goals in their bid submission.
- b. Bidders must submit the Declaration of Proposed MBE/WBE Utilization Plan with their bid submission detailing their plan for obtaining the contract MBE/WBE subcontracting spend goals or the bid will be considered non-responsive and ineligible for contract award.
- c. If the bidder failed to meet the MBE/WBE goal, FORM B11 (Documenting MBE/WBE Good Faith Effort) must also be submitted demonstrating a bona fide effort was made to meet the goals or the bid will be considered non-responsive and ineligible for contract award.
- d. The City's Office of Diversity and Inclusion (ODI) has the sole responsibility for determining if a bidder has met the MBE/WBE goals or has demonstrated a sufficient good faith effort to be considered for bid award.

- e. At the sole discretion of ODI, as to matters pertaining to the Policy, the bidder may be asked or allowed to clarify information in their response or may be asked or allowed to correct an obvious error.

## **DIVERSITY COMPLIANCE**

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### **Reporting**

The prime consultant/contractor shall submit reports in a form, system, or format to be provided by the Office of Diversity and Inclusion, and at intervals as agreed by the parties, but no less than monthly, regarding the work under this Contract performed by subcontractors and the portion of contract funds expended for work performed by subcontractors, including but not limited to, MBE/WBE firms. "Subcontractors" includes subcontractors through the third-tier. **See Monthly Subcontractor Utilization Reporting Form.**

Where subcontracting work exists, the prime consultant/contractor shall maintain written procedures related to subcontracting, and copies of all subcontracts and records related to subcontracts. For cause, the Office of Diversity and Inclusion may request in writing copies of subcontracts for review and compliance with program standards and objectives.

### **Subcontractor Substitution/Changes**

Pursuant to Section 108.01 of the CMSM, a Contractor must obtain written consent from the director or designee of the contracting Department prior to subletting, selling, transferring, assigning, or otherwise relinquishing any rights, title, or interest in the work to any subcontractor not listed in the bid submittal or contract. The contracting director or designee must, within a reasonable time, approve or disapprove a Contractor's request. **See Request for Approval of Change to Original Schedule of Subcontractors Form.** The decision shall be final. The Contractor may seek the aforementioned written consent for reasons including, but not limited to, the following: 1. After reasonable opportunity to do so, the subcontractor fails or refuses to execute a written contract for the scope of work specified in the bid and at the price specified in the bid; 2. The subcontractor becomes insolvent or the subject

of an order for relief in bankruptcy; 3. The subcontractor fails or refuses to meet the requisite licensing or bonding set before bid submittal; 4. The contractor demonstrates to the contracting agency that the name of the subcontractor was listed as the result of an inadvertent clerical error; 5. The subcontractor fails or refuses to perform its subcontract after reasonable opportunity to do so; or 6. The contractor determines that additional specialty work not reasonably anticipated in the bid must be performed by subcontract.

If the substitution of the MBE/WBE subcontractor is approved, the prime contractor must make a good faith effort to find a substitute MBE/WBE subcontractor to meet its MBE/WBE contractual commitment. The good faith effort shall include documented steps to find another MBE/WBE to perform or provide the same amount of work, material, or service as set forth in the contract with the substituted MBE/WBE. The Office of Diversity and Inclusion must verify that the substitute MBE/WBE is certified to perform the scope of work or provide the goods that remain unfilled on the substituted MBE/WBE's subcontract prior to their substitution.

#### **Prompt Payment, Subcontract Completion and Return of Retainage Withheld**

Pursuant to Section 4113.61 of the Ohio Revised Code: (A)(1) if a subcontractor or material supplier submits an application or request for payment or an invoice for materials to a contractor in sufficient time to allow the contractor to include the application, request, or invoice in the contractor's own pay request submitted to an owner, the contractor, within ten calendar days after receipt of payment from the owner for improvements to property, shall pay to the:

(a) Subcontractor, an amount that is equal to the percentage of completion of the subcontractor's contract allowed by the owner for the amount of labor or work performed;

(b) Material supplier, an amount that is equal to all or that portion of the invoice for materials which represents the materials furnished by the material supplier.

#### **Penalties for Non-Compliance**

A consultant/contractor's failure to comply with the MBE/WBE Program policies may result in a breach of contract, possible disqualification of the Contractor's ability to bid on or receive future contracts, including as provided under Title 329 and Title 39 of the Columbus City Codes, and/or the assessment of penalties. The City has an expectation that if a Contractor is awarded a contract, and identifies that it intends to subcontract with MBE/WBE firms, then the Contractor will actually use stated MBE/WBE firms.

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### **GOOD FAITH EFFORTS:**

#### **Good Faith Effort Evaluation Criteria**

A prime contractor/consultant that fails to meet the MBE/WBE subcontracting goal at the time of bid opening / proposal submission must provide sufficient proof of a good faith effort to achieve the goal or be deemed non-responsive.

Documentation of the prime consultants'/prime contractors' intent to comply with MBE/WBE Program Goals and procedures include, but are not limited to: (1) documentation as stated in the solicitation reflecting the bidder's commitment to comply with MBE/WBE Goals as established by the Office of Diversity and Inclusion for a particular contract; or (2) documentation of efforts made toward achieving the MBE/WBE Goals (e.g., solicitations of bids/proposals/qualification statements from all qualified MBE/WBE firms listed in the Office of Diversity and Inclusion's directory of certified MBE, WBE, and SLBEs. Scoring of Good Faith Efforts documentation and administrative determinations regarding the adequacy of such Good Faith Efforts is the responsibility of the Office of Diversity and Inclusion. The scoring, determinations, and notices of such Good Faith Effort determinations by the Office of Diversity and Inclusion shall be in accordance with the procedures established in Title 39 of the Columbus City Codes and the MBE/WBE Program Manual.

The good faith effort evaluation criteria include seven (7) factors that shall enable the prime contractor/consultant to secure the MBE/WBEs needed to meet the goal. Each factor is quantifiable, and the prime

contractor/consultant must achieve a minimum score of 80 points to demonstrate a sufficient good faith effort to be considered a responsive bidder. **See Attachment I**

## **MBE & WBE INCENTIVE CREDITS/BID DISCOUNTS**

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### **Professional Services Incentive Credit**

An incentive credit of five (5) percent of the total evaluation points used to score the request for proposals and statements of qualifications shall be applied in ranking the submittals of MBE/WBE prime consultants who are members of the ethnic and gender groups determined by the City's 2019 Disparity Study to have a statistically significant disparity in the awarding of City professional services contracts. In ranking the submittals contractor/consultant as capable of providing the type of professional services sought by the City

### **Construction and Goods and Services Bid Discounts**

A bid discount shall be applied during the bid ranking process to the bids of MBE/WBE prime contractors who are members of the ethnic and gender groups determined by the City's 2019 Disparity Study to have a statistically significant disparity in the awarding of City construction or general goods and services contracts. The bid discount shall be five (5) percent of the bid amount. The maximum discount shall not exceed \$50,000. The contract amount shall be the full value of the bid as capable of providing the type of construction or goods and general services sought by the City.

#### **1. Documenting MBE/WBE Spend With Bid Submission**

- a. Bidders must demonstrate their plan for achieving the contract MBE/WBE spend goal in their proposal.
- b. Bidders must submit the Declaration of Proposed MBE/WBE Utilization Plan with their proposal/bid detailing their plan for obtaining the contract MBE/WBE spend goal

- c. If the bidder failed to meet the MBE/WBE goal, the Request for MBE/WBE Goal Waiver and Documentation of Good Faith Effort must also be submitted demonstrating a bona fide effort was made to meet the goals or the bid/proposal will be considered non-responsive and ineligible for contract award.
- d. The City's Office of Diversity and Inclusion (ODI) has the sole responsibility for determining if a bidder has met the MBE/WBE goals or has demonstrated a sufficient good faith effort to be considered for contract award.
- e. At the sole discretion of the Office of Diversity and Inclusion, the bidder may be asked or allowed to clarify information in their response or may be asked or allowed to correct an obvious error.

#### **2. Submitting Declaration of Proposed MBE/WBE Utilization Plan**

The MBE/WBE Utilization Plan must be completed and uploaded with the bid/proposal to document the bidder's plan to obtain the contract spend for the MBE/WBE goal assigned to the contract.

#### **3. Submitting Request for MBE/WBE Goal Waiver and Documentation of Good Faith Effort**

This form is only to be completed and submitted if the Proposed MBE/WBE Percentage submitted by the bidder on Declaration of MBE/WBE Utilization Plan is less than the Project MBE/WBE Goal Percentage.

Bids/Proposals that fail to meet the contract MBE/WBE goal must demonstrate a good faith effort was made in an attempt to achieve the goal to be considered for contract award. The

steps required to demonstrate a good faith effort must be documented in accordance with the Office of Diversity and Inclusion's (ODI) good faith effort criteria described in the Program Manual.

If submitted, the Request for MBE/WBE Goal Waiver and Documentation of Good Faith Effort is to be submitted as a PDF separate from all other bid/proposal documents.

- This PDF document is to be named "Good Faith Effort".
- The document formatting requirements of the RFP (such as font type and size) will not apply to this document.
- This document will not apply to the proposal page limitation as long as it is limited to information requested.

Any documentation submitted in support of this form must be:

- Clearly marked as to what part of the Request for MBE/WBE Goal Waiver and Documentation of Good Faith Effort the documents are supporting.
- Grouped together by form Part.
- Organized and submitted in the order the Parts are listed in the form.

Failure to upload required documentation, with the documentation identified and grouped as stated in these form instructions and submitted in the order the Parts are listed in the form, may result in the disqualification of the proposal.

The following chart states the criterion that will be used to determine the good faith effort and the required documentation to be submitted as part of Request for MBE/WBE Goal Waiver and Documentation of Good Faith Effort. Partial points may be awarded for each criterion.

## **PROGRAM DOCUMENTS/ REQUIRED FORMS:**

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These will be electronic links to the forms.

- Declaration of Proposed MBE/WBE Utilization Plan
- Request for MBE/WBE Goal Waiver and Documentation of Good Faith Effort
- Request for Approval of Change to Original Schedule of Subcontractors
- Bid Discount/Proposal Incentive Request Form
- Monthly Subcontractor Utilization Form

## Good Faith Effort Criteria







Criterion	Effort	Documentation
<p>Advertising (5 points)</p>	<p>Advertise at least twice in the general circulation media, minority-focused media, or trade-related publications 21 days prior to submission, unless the Office of Diversity and Inclusion waives this requirement due to time constraints.</p> <p>Advertisement must be specific to the Office of Diversity and Inclusion contract or procurement, not generic, and must not be a plan holder advertisement provided by the publication.</p> <p>Advertisement must be worded to ensure it does not exclude or limit the number of potential respondents and the contractor's policy concerning assistance to subcontractors including bonding, financing, and/or insurance.</p>	<p>Dated copies of the advertisement or an affidavit from the periodical must be provided. The advertisement shall include the name and location of the project, the location where plans and specifications can be viewed, the subcontractor proposal due date, and the items of work or specialties being solicited.</p>
<p>Outreach to Identify MWBEs (15 points)</p>	<p>The prime contractor must list the names of the MWBEs, contact information, and date of contact. Copies of correspondence received from any subcontractor responding to the outreach or seeking subcontract work must be provided.</p>	<p>To receive the 15 points for outreach to identify MWBEs, the prime contractor must provide a copy of the required advertisements.</p>



<p>Timely Written Notification (15 points)</p>	<p>The prime contractor must solicit, in writing, subcontract bids and material quotes from certified MWBEs at least ten (10) business days prior to bid opening. The written solicitations must invite MWBEs that can perform a commercially useful function to participate in the contract as a subcontractor, supplier, or subcontractor for specific items of work. MWBEs that can perform a commercially useful function are those that will use their own workforce and facility to provide the services or supplies required for performing the work listed in the bid. The prime contractor's bid must include the following information:</p> <ul style="list-style-type: none"> <li>i. Prime contractor's name, address, and telephone number.</li> <li>ii. Project location and description.</li> <li>iii. Solicited items of work to be subcontracted or materials to be purchased, including a specific description of the work involved.</li> <li>iv. Place where bid, plans, and specifications can be reviewed.</li> <li>v. Date and time when MWBE quotes must be received by the contractor.</li> </ul>	<p>To receive 15 points for a timely written notification, the prime contractor must provide written verification of transmission date, including copies of certified mail-return receipts or copies of emails.</p>
<p>Contact Follow-up (15 points)</p>	<p>The prime contractor must demonstrate follow-up efforts, including telephone calls, facsimiles, or emails during normal business hours.</p> <p>The contact must include direct written or oral communication with an executive representative of the MWBE within a reasonable amount of time to allow the prospective subcontractor an opportunity to submit a competitive bid.</p>	<p>To receive 20 points for contact follow-up, the prime contractor must provide:</p> <ol style="list-style-type: none"> <li>1) a list of subcontractors who were contacted by telephone and their contact information, including telephone numbers, contact persons' name and title, and dates of contact.</li> <li>2) the documented results of that contact, such as a telephone log, email print-out, or automated facsimile journal/facsimile transmittal.</li> </ol>

<p>Items of Work Identification (20 points)</p>	<p>Prime contractors must attempt to break down items of work into smaller projects that MWBEs may find economically feasible to perform. The smaller portions of work must constitute a commercially useful function that could reasonably be expected to produce a level of participation sufficient to meet the goals. Prime contractors must not deny a subcontract to a qualified and competitive MWBE solely because the MWBE cannot perform the entire package unless unbundling would jeopardize scheduling or increase costs by more than five (5) percent.</p>	<p>To receive 20 points for items of work identification, the prime contractor must provide a list of the specific items of work solicited and the eligible MWBEs contacted regarding the specific items of work.</p>
<p>Negotiating in Good Faith (15 points)</p>	<p>Prime contractors must negotiate fairly with interested MWBEs, even if selection of the MWBE would increase costs. A prime contractor shall not unjustifiably reject bids prepared by eligible MWBEs. However, the prime contractor may choose a low bid if two or more bids for the same item of work are received.</p>	<p>To receive 15 points for a good faith negotiation, the prime contractor must provide the name, address, and telephone numbers of subcontractors contacted to negotiate prices or services, as well as the date and results of each negotiation. If an MWBE bid is rejected because of price, at least two of the lower bids must be provided. The lower bids must be date stamped and include the contractor's name and contact information.</p>
<p>Assistance in Financing, Bonding, Insurance, or Mentoring (10 points)</p>	<p>Prime contractors must document efforts to provide technical assistance to MWBEs in obtaining bonds, lines of credit, or insurance required by the City. The prime contractor must not deny a subcontract solely because the certified MWBE cannot obtain a bond.</p>	<p>To receive 10 points for offering assistance in financing, bonding, insurance, or mentoring, the prime contractor must provide written statements of the type of assistance offered. The name, contact person, and telephone number of the bonding company or financial institution offering assistance must also be provided.</p>



					
SMALL LOCAL BUSINESS ENTERPRISE	MINORITY BUSINESS ENTERPRISE	WOMEN BUSINESS ENTERPRISE	EMERGING BUSINESS ENTERPRISE	VETERAN BUSINESS ENTERPRISE	LESBIAN, GAY, BISEXUAL, TRANSGENDER BUSINESS ENTERPRISE
<p>Certification through the City of Columbus</p> <p><b>SLBE PROGRAM OVERVIEW</b> The City of Columbus' Small Local Business Enterprise (SLBE) program is, race/gender-neutral, designed to promote the use of economically disadvantaged suppliers within the city's procurement and contracting process. The objective of the SLBE program is to level the playing field by facilitating small local businesses a fair opportunity to compete for city contracts.</p> <p><b>ELIGIBILITY REQUIREMENTS*</b></p> <ul style="list-style-type: none"> <li>• Small Local Business Enterprise (SLBE)"shall mean a business which is an independent and continuing for profit operation, performing a commercially useful function.</li> <li>• At least 51% independently owned, operated, and controlled by one or more individuals, having personal net worth (PNW) that does not exceed \$750,000, who are either a U.S. citizen or lawful permanent resident.</li> <li>• Average gross annual receipts, in the prior three fiscal years, that does not exceed \$1,000,000</li> <li>• Owner must have all filings, licenses, permits, and authorities required by law to perform the scope of work.</li> <li>• Minimum of six months in business, located inside of the corporation limits of the City of Columbus</li> </ul>	<p>Certification through the City of Columbus</p> <p><b>MBE PROGRAM OVERVIEW</b> The City of Columbus' Minority Business Enterprise (MBE) program is designed to promote the use of minority suppliers within the city's procurement and contracting processes. The objective of the MBE program is to level the playing field by facilitating minority businesses a fair opportunity to compete for city contracts.</p> <p><b>ELIGIBILITY REQUIREMENTS*</b></p> <ul style="list-style-type: none"> <li>• Minority-Owned Business Enterprise (MBE) shall mean a business which is an independent and continuing for profit operation, performing a commercially useful function.</li> <li>• At least 51% independently owned, operated, and controlled by one or more eligible minority group members: African Americans, Asian Americans, Hispanic Americans, and Native Americans, all as defined by the US EEOC, who are either a U.S. citizen or lawful permanent resident, as defined in Rule 3901.01 of the City Code,</li> <li>• Owner must have all filings, licenses, permits, and authorities required by law to perform the scope of work.</li> <li>• Minimum of six months in business, located inside of Franklin county</li> <li>• Eligible for goals</li> </ul>	<p>Certification through the City of Columbus</p> <p><b>WBE PROGRAM OVERVIEW</b> The City of Columbus' Women Business Enterprise (WBE) program is designed to promote the use of women suppliers within the city's procurement and contracting process. The objective of the WBE program is to level the playing field by facilitating women businesses a fair opportunity to compete for city contracts.</p> <p><b>ELIGIBILITY REQUIREMENTS*</b></p> <ul style="list-style-type: none"> <li>• Women-Owned Business Enterprise (WBE) shall mean a business which is an independent and continuing for profit operation, performing a commercially useful function.</li> <li>• At least 51% independently owned, operated, and controlled by one or more women who are either a U.S. citizen or lawful permanent resident, as defined in Rule 3901.01 of the City Code.</li> <li>• Owner must have all filings, licenses, permits, and authorities required by law to perform the scope of work.</li> <li>• Minimum of six months in business, located inside of Franklin county</li> <li>• Eligible for goals</li> </ul>	<p>Registration through the City of Columbus</p> <p><b>EBE PROGRAM OVERVIEW</b> The City of Columbus' Emerging Business Enterprise (EBE) program is designed to identify and promote the development and growth of minority and women-owned suppliers within the city's procurement and contracting process. The objective of the EBE program is to attract and encourage firms to expand its presence into the city.</p> <p><b>ELIGIBILITY REQUIREMENTS*</b></p> <ul style="list-style-type: none"> <li>• Emerging Business Enterprise (EBE) shall mean businesses which are independent and continuing for profit operation, performing a commercially useful function.</li> <li>• At least 51% independently owned, operated, and controlled by one or more women or eligible minority group members: African Americans, Asian Americans, Hispanic Americans, and Native Americans, all as defined by the US EEOC, who are either a U.S. citizen or lawful permanent resident, as defined in Rule 3901.01 of the City Code.</li> <li>• Owner must have all filings, licenses, permits, and authorities required by law to perform the scope of work.</li> <li>• Minimum of six months in business, located outside of Franklin county</li> </ul>	<p>Registration through the City of Columbus</p> <p><b>VBE PROGRAM OVERVIEW</b> The City of Columbus' Veteran Business Enterprise (VBE) registration is an initiative that identifies and provides recognition to Veteran-owned businesses.</p> <p><b>ELIGIBILITY REQUIREMENTS*</b></p> <ul style="list-style-type: none"> <li>• Veteran-Owned Business Enterprise (VBE) shall mean a registered business which is an independent and continuing for profit operation, performing a commercially useful function.</li> <li>• At least 51% independently owned, operated, and controlled by one or more veterans who are either a U.S. citizen or lawful permanent resident, as defined in Rule 3901.01 of the City Code,</li> <li>• Certificate of Release or Discharge from Active Duty (DD214)</li> <li>• Owner must have all filings, licenses, permits, and authorities required by law to perform the scope of work.</li> <li>• Minimum of six months in business, located inside of the U.S.</li> </ul>	<p>Registration through the City of Columbus. Certification through the National LGBT Chamber of Commerce (NGLCC) is required.</p> <p><b>LGBTBE PROGRAM OVERVIEW</b> The City of Columbus' Lesbian, Gay, BiSexual, Transgender Business Enterprise (LGBTBE) registration is in partnership with the National LGBT Chamber of Commerce to identify, recognize and promote LGBT-owned businesses that are certified by the NGLCC.</p> <p><b>ELIGIBILITY REQUIREMENTS*</b></p> <ul style="list-style-type: none"> <li>• LGBT Business Enterprise (LGBTBE)" shall mean a registered business which is an independent and continuing for profit operation, performing a commercially useful function.</li> <li>• At least 51% independently owned, operated, and controlled by one or more Lesbian, Gay, Bisexual &amp; Transgender persons who are either a U.S. citizen or lawful permanent resident.</li> <li>• Owner must have all filings, licenses, permits, and authorities required by law to perform the scope of work.</li> <li>• Located inside of the U.S.</li> <li>• NGLCC certification does not prove or guarantee the financial viability of any company; it only means that a company has gone through the independent process of verifying that it is LGBT-owned.</li> </ul>