

City of St. Louis DBE Program Office
 Minority/Women Owned Business Enterprise Participation

CITY OF ST. LOUIS
 M/WBE INDEX AND SUBMISSION INSTRUCTIONS

Board of Public Service (BPS)
MBE/WBE Participation

PLEASE FORWARD ALL DOCUMENTS TO BPS

FORM	WHEN TO SUBMIT
Utilization Statement & Subcontractor List (pages 1-4)	With Bid Proposal (utilization statement) By 4:30 p.m., CT 2 Business Days after Bid Opening (subcontractor list) submit to BPS
Notice of intent to perform as a subcontractor and/or material supplier (pages 1 & 2 of 2)	By 4:30 p.m., CT 2 Business Days after Bid Opening submit to BPS
Contractors good faith effort report and statement (pages 1 & 2 of 2)	By 4:30 p.m., CT 2 Business Days after Bid Opening submit to BPS
Copies of M/WBE subcontracts	Upon execution of a contract the contractor shall provide fully executed copies of all M/WBE subcontractors.
Record of payments to subcontractors, material suppliers and other vendors report (page 1 of 1)	The 15th of the month for the month preceding (example for January the report would be submitted by February 15th) submit to contracting dept./Mgr and DBE office
Subcontractor or supplier substitution form (page 1 of 1)	Prior to substituting a subcontractor or supplier. <u>Approval from the City is required prior to substitution</u> submit to contracting dept./Mgr and DBE office
Affidavit of actual utilization (page 1 of 1)	When all monies have been paid by contractor to M/WBE subcontractor submit to contracting dept./Mgr and DBE office
Final Record of payment (page 1 of 1)	Within 15 days after the completion of all work items performed under the contract, and all retention paid submit to contracting dept./Mgr and DBE office

**CITY OF ST. LOUIS
UTILIZATION STATEMENT**

Policy: as provided in the Mayor’s Executive Order #28, as amended from time to time and EO# 47, M/WBEs shall have an opportunity to participate in the performance of contracts utilizing City funds, in whole or part.

Project and Bid Identification:

Contracting Agency: _____

Letting/EA Number: _____

Project Name _____

Contract MBE/WBE Participation Goal: 25% MBE and 5%WBE

Total Dollar Amount of Prime Contract: \$ _____

Total Dollar Amount of Proposed MBE: \$ _____ Percent MBE _____

Total Dollar Amount of Proposed WBE: \$ _____ Percent WBE _____

Obligation: The undersigned certifies that (s)he has read, understands and agrees to be bound by the bid specifications, including the accompanying exhibits and other items and conditions of the request for proposals regarding minority and women business enterprise utilization. The undersigned further certifies that (s)he is legally authorized by the respondent to make the statements and representations in the M/WBE Forms and Exhibits and that said statements and representations are true and correct to the best of his/her knowledge and belief. The undersigned will enter into formal agreements with the minority/women business enterprises listed in the Subcontractor List, which are certified by the City. The undersigned understands that if any of the statements and representations are made by the respondent knowing them to be false, or if there is a failure of the successful respondent to comply with any of the stated agreements, intentions, objectives, goals and commitments set fort herein, then in any such events, the contractor’s act or failure to act, as the case may be, shall constitute a material breach of the contract, entitling the City to terminate the contract for default. The right to so terminate shall be in addition to, and not in lieu of, any other rights and remedies the City may have for other defaults under the contract. Additionally, the contractor may be subject to the penalties cited in Section Twelve of the Mayor’s Executive Order #28, as amended by EO#47.

Assurance: I, acting as an officer of the undersigned bidder or joint venture bidders, hereby assure the City that on this project my company will (check one):

_____ Meet or exceed contract award goals and provide participation as shown above.

_____ Fail to meet contract award goals but will demonstrate that good faith efforts were made to meet the goals and my company will provide participation as shown above.

Name of Prime Contractor(s):

Date

**CITY OF ST. LOUIS
SUBCONTRACTOR LIST**

Contracting Agency: _____
Letting/EA Number: _____
Project Name: _____

Prior to the final approval of any contract resulting from this letting, the apparent low bidder will be evaluated as to the proposed utilization of City certified minority and women-owned business enterprises. This is in addition to any and all requirements in accordance with the Mayor’s Executive Order #28, as amended by EO#47. Work to be self performed by the bidder is to be included.

FIRM NAME	MBE or WBE	BID ITEM(S) OF WORK TO BE PERFORMED	SUBCONTRACT OR SUPPLY CONTRACT AMOUNT

City of St. Louis DBE Program Office
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**CITY OF ST. LOUIS
 SUBCONTRACTORS LIST**

Contracting Agency: _____

Letting/EA Number: _____

Project Name: _____

FIRM NAME	MBE OR WBE	BID ITEM(S) OF WORK TO BE PERFORMED	Subcontract or Supply Contract Amount

CONTRACT BID TOTAL \$ _____

TOTAL AMOUNT OF MBE PARTICIPATION: _____

PERCENT MBE PARTICIPATION: _____

TOTAL AMOUNT OF WBE PARTICIPATION: _____

PERCENT WBE PARTICIPATION: _____

In considering all levels of subcontracting on City projects, the following categories of Bid Item(s) or work and trade categories have been suggested by various private and governmental organizations and professional groups involved in commercial and industrial construction: air conditioning, final clean-up, caulking, ceilings, conduit, concrete, cement, cabinets, doors, drainage, drilling, drywall, asphalt, carpentry, communications, electrical, equipment rental, excavating, elevators, earthwork, decorators, fencing, flooring, automatic sprinklers, foundations, brick masonry, pile caps, pile driving, sewers, stone masonry, insulation, tile setting and terrazzo, lathing and plastering, asbestos, painting, security guard service, sign painting, painting, insurance and bonding, photographers, plumbing, paving, grading, landscaping, toilet partitions, siding, roof decking, flooring, paperhangers, sky lights, steel erections, re-bar, sheet metal, movable partitions, ornamental iron, glazing, accessories, suppliers, exterminators, millwork, wall covering, advertisers, data programmers, wrecking and demolition, sodding, construction and design consultants, hauling, financing institutions, public movers, specialties, carpeting, piping, heating, sanitary and safety facilities.

On subsequent forms refer to: notice of intent to perform as a subcontractor and/or material supplier, contractor's good faith effort report, contractor's good faith effort statement, record of payments to subcontractors, material suppliers and other vendors, substitution change form, affidavit of actual utilization, and final record of payment. Complete these forms in their entirety.

CITY OF ST. LOUIS
NOTICE OF INTENT TO PERFORM AS A SUBCONTRACTOR
AND/OR MATERIAL SUPPLIER

NAME OF PROJECT: _____

Pursuant to the City's policies, firms participating in the M/WBE Program must have "current" certification status with the City. If a firm listed by a general/prime contractor has not been certified as MBE or WBE by the city, the amount of participation it represents will be deducted from the total MBE or WBE participation proposed to determine the actual level of MBE and WBE participation. The M/WBE certification of a firm is effective for five (5) years from the date of written notification of certification. The Notice of Intent does not create any contractual commitment.

(Name of Prime Contractor)

1. The undersigned intends to perform work in connection with the above project as (check one):
an individual / sole proprietorship a partnership
a corporation a joint venture

2. The undersigned has been certified by the St. Louis Airport Authority (SLAA) as:
MBE WBE

3. The undersigned is prepared to perform the following described work and/or supply the material listed in connection with the above project (where applicable specify "supply" or "install" or both)

and at the dollar value \$_____.

**CITY OF ST. LOUIS
 CONTRACTOR'S GOOD FAITH EFFORT REPORT**

Contracting Agency: _____

Letting/EA Number: _____

Project Name: _____

Prime Contractor: _____

In addition to the M/WBE listed and proposed for utilization on this project, the following M/WBE were contacted, regarding this project. However, the prime contractor is unable to utilize these firms for the reasons listed below:

CONTACT, FIRM NAME ADDRESS, CITY, STATE, ZIP PHONE	BID ITEM(S) SOLICITED	BID AMOUNTS	DATE & METHOD OF SOLICITATION	REASONS REJECTED

O NOT include M/WBEs already proposed for utilization. Complete this form in its entirety.

 Prime Contractor's Authorized Signature

 Print Name

 Date

**CITY OF ST. LOUIS
 CONTRACTOR’S GOOD FAITH EFFORT STATEMENT**

In accordance with the Mayor’s Executive Order #28, as amended, by EO# 47, indicate those efforts you made regarding the utilization of M/WBE's on this contract.

	YES	NO
Attended the pre-bid conference on this project		
Broke subcontracts down into discrete items or packages that at least some of the M/WBEs in the relevant areas may find economically feasible to perform.		
Solicited at least 2 weeks (fourteen-14 calendar days prior to the bid opening date to allow M/WBEs sufficient time to prepare bids/proposals and respond to the solicitation.		
Took all necessary and reasonable steps to achieve the M/WBE goals; including personal frequent and persistent contact with potential M/WBEs and personal contact with the DBE Office to identify prospective M/WBEs for the work. Promptly returned all calls, faxes and e-mails that were received from interested M/WBEs.		
Provided M/WBEs with technical assistance and adequate information about plans, specifications, and requirements of the project in a timely manner to assist M/WBEs in responding to the solicitation.		
Negotiated fairly with interested M/WBEs.		
Fairly and thoroughly evaluated the capabilities of particular M/WBEs before accepting or rejecting their bids or proposals.		
Made an effort to assist interested M/WBEs in obtaining bonding, lines of credit, or insurance as required by the bid or contract documents.		
Advertised in general circulation media, trade association publication(s), M/WBE focused media. (if so, attach ad)		
Assigned a senior official the responsibility of serving as liaison between the firm and M/WBEs in the relevant area.		
Provided a legitimate and non-discriminatory written reason to any M/WBE contractor determined unsuccessful for a portion of the work at least one week after final selections were made.		
Our company maintains a written policy stating that it affirmatively supports subcontracting to M/WBEs. (if so, attach policy)		

Firm Name

Prime Contractor’s Authorized Signature

Print Name

Date

**CITY OF ST. LOUIS
 RECORD OF PAYMENTS TO SUBCONTRACTOR'S, MATERIAL SUPPLIERS AND OTHER VENDORS**

PROJECT NAME: _____

NAME OF PRIME CONTRACTOR: _____

PAY APPLICATION DATE _____ PAY APPLICATION NUMBER _____

PROPOSED SUBCONTRACTOR OR SUPPLIER	MBE OR WBE	(A) PROPOSED SUBCONTRACT AMOUNT	(B) SUBCONTRACTOR OR VENDOR BILLED THIS PAY APPLICATION	(C) PREVIOUS PAYMENTS TO SUBCONTRACTOR OR VENDOR	(D) TOTAL PAYMENTS TO SUBCONTRACTOR TO DATE (B+C = D)	(E) SUBCONTRACTOR OR VENDOR PERCENT COMPLETE (D/A)

By signing this form, the contractor certifies that the above amounts have been **PAID** to all Subcontractors, Suppliers and other vendors and that documentation for said payments is available for review

 Prime Contractor's Authorized Signature Print Date

Note: Attach additional sheets if necessary.

**CITY OF ST. LOUIS-DBE PROGRAM OFFICE
SUBSTITUTION/CHANGE FORM**

Project Name:

Name of Prime/General Contractor:

Total Contract Amount:

Whenever additional contract supplements, extra work orders, or change orders are made that individually, or in the aggregate, increase the total dollar value of the original contract, the contractor shall make every effort to maintain the level of MBE and WBE participation as

1. Name of subcontractor/supplier being replaced:

Contact Person Name/Number:

MBE WBE

2. Type of work performed and/or material supplied by subcontractor/supplier that is being replaced:

- a. Original dollar amount allocated to the subcontractor/supplier being replaced:
b. Percent of work/material completed/supplied by the original subcontractor/supplier:
c. Amount paid to subcontractor/supplier to date (if any):

3. The reason the original subcontractor/supplier is being replaced:

4. Document the efforts made to replace or add a MBE or WBE to perform the work/supply the required materials:

5. Name of substitute subcontractor/supplier:

Complete address (street address, city, state, zip)

MBE or WBE:

City of St. Louis Certification # (*IF APPLICABLE*):

Contact Person:

Telephone #:

Federal I.D. #:

Work to be performed or material to be supplied by substitute subcontractor/supplier:

Dollar Amount \$

General/Prime Contractor signature

Print

Date

City of St. Louis DBE Program Office
Minority/Women Owned Business Enterprise Participation

**CITY OF ST. LOUIS
DBE PROGRAM OFFICE
AFFIDAVIT OF ACTUAL MBE/WBE UTILIZATION**

Project Name: _____

Prime Contractor: _____

MBE/WBE Contractor: _____

This form must be completed and submitted to the DBE Program Office for each MBE or WBE utilized on this project when the M/WBE subcontract work is complete and all retention has been paid

The undersigned official of the M/WBE certifies that

_____ **has been paid a total of**
(Name of M/WBE, Address, City, State, Zip Code)

\$ _____ **for the provisions of** _____
(Indicate scope of work)

Authorized Signature of MBE/WBE Contractor Print Name Date

Authorized Signature of Prime Contractor Print Name Date

Subscribed and sworn to, before, me this ____ **day of** _____, **A.D.** _____

**Notary Public:
Commission Expires:**

NOTE: ANY REDUCTION OF 10% OR MORE BETWEEN THE AMOUNT SHOWN ON THE MBE/WBE UTILIZATION PLAN OR THE MBE/WBE APPROVED PARTICIPATION WORKSHEET MUST BE EXPLAINED IN DETAIL ON A SEPARATE PAGE AND ATTACHED TO THIS FORM.

