

Notice of Civil Rights Rules and Regulations

This notice advises City of Minneapolis contractors of their commitments under Minneapolis Code of Ordinances section 139.50. All contractors must comply with all provisions of Minneapolis Code of Ordinances Title 7 and with all rules and regulations issued by the Minneapolis Department of Civil Rights (“MDCR”) director. Contractors will be subject to a pre-award compliance review. Failure to cooperate may result in denial of contract award.

1. **Non-Discrimination:** The contractor will not discriminate against any employee or applicant for employment because of race, color, creed, religion, ancestry, national origin, sex, sexual orientation, gender identity, disability, age (over the age of 18), marital status, familial status, or status with regard to a public assistance program. The contractor will take affirmative action to ensure that all employment practices are free of such discrimination. Such employment practices include but are not limited to the following: Hiring, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.
2. **Equal Employment Opportunity/Affirmative Action Employer:** The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that it is an equal opportunity or affirmative action employer.
3. **Affirmative Action Plan:** The contractor must have an Affirmative Action Plan approved by MDCR before it may enter into a contract over \$100,000 with the City.
4. **Small and Underutilized Business Program (SUBP):** When applicable, the contractor must comply with the SUBP program, including, but not limited to, making a good faith effort to meet the Minority-Owned Business Enterprises and Women-Owned Business Enterprises goals established on City funded contracts and development projects.
5. **Employment Goals:** The contractor should make a good faith effort to meet the City’s aspirational construction workforce goals of **20%** female participation and **32%** minority participation
6. **Prevailing Wage:** When applicable, the contractor must comply with prevailing wage laws on City construction and development projects. For contracts greater than or equal to \$50,000, contractors, and subcontractors may be required to submit Certified Payroll Reports, via any software systems specified by MDCR.
7. **HUD Section 3:** When applicable, the contractor must comply with Section 3 of the Housing and Urban Development Act of 1968, as amended. Contractors must incorporate the Section 3 Clause into all subcontracts and to the greatest extent feasible, ensure that employment and other economic activities be directed to low-income persons.
8. **Posting Requirement:** The contractor must provide this notice to its trade and labor union or representative of workers and must post the notice in conspicuous places available to employees and applicants for employment.
9. **Reporting:** Reporting may be required in accordance with any of the above-mentioned programs via any software systems specified by MDCR.

City of Minneapolis
Small and Underutilized Business Enterprise Program
Special Provisions - City Bid Projects

I. Overview

The City of Minneapolis policy is to provide equal opportunities to all businesses, with an effort to redress discrimination in the City's marketplace and in public contracting against minority-owned business enterprises ("MBEs") and women-owned business enterprises ("WBEs"). This is accomplished through the Small and Underutilized Business Program ("SUBP") as detailed in the Minneapolis Code of Ordinances Chapter 423. SUBP applies to any contract over \$175,000. SUBP goals are set on projects based on the project scope, subcontracting opportunities and availability of eligible MBEs/WBEs.

The City has set the following SUBP goals to facilitate participation of eligible MBEs and WBEs (MBEs/WBEs) on this contract:

XX% Minority-Owned Business Enterprise (MBE); and
XX% Woman-Owned Business Enterprise (WBE).

Only eligible MBEs/WBEs count towards the SUBP goals. An MBE/WBE is only eligible if they are:

1. Certified as an MBE/WBE with the Central Certification Program (CERT). This is the only MBE/WBE certification currently accepted by the SUBP.
2. CERT-certified within the scope of work that they will perform.
3. Performing a commercially useful function. An MBE/WBE performs a commercially useful function when it executes a distinct element of work and carries out its responsibilities by actually performing, managing, and supervising the work involved, with its own equipment and resources.
4. Located¹ within the City's marketplace, which includes only the Minnesota Counties of Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Le Sueur, Mille Lacs, Ramsey, Scott, Sherburne, Sibley, Washington, and Wright; and the Wisconsin Counties of Pierce and St. Croix.

Firms certified as both MBE and WBE will first be counted toward the MBE goal only if the bidder or contractor has not yet committed to meet the MBE goal. If the bidder or contractor has already committed to meet the MBE goal via the participation of other MBE firms, then firms certified as both MBE and WBE may be counted toward the WBE goal. In no circumstances may the dollars committed to an individual firm be split between the MBE and WBE goals. All dollars committed to an individual firm must be counted entirely toward the MBE goal or entirely toward the WBE goal.

Bidders must search for MBE and WBE firms using the Central Certification Program (CERT): [CERT Directory Access](#)

II. Required Documentation

1. The bidder must thoroughly document its efforts to solicit and incorporate eligible MBE/WBE participation to meet the SUBP goals. The following must be submitted as a matter of responsiveness with the bid, prior to the time set for the City's bid opening:
 - a. *The SOLICITATIONS, BIDS RECEIVED, AND SUBP COMMITMENT FORM:* Must include ALL contractors (including your firm), sub-contractors/consultants, suppliers, and service providers that were:
 - i. solicited to submit a bid/quote for this project;
 - ii. that submitted a bid/quote to your firm without being solicited; or
 - iii. that will be used on the project.

¹ The firm's principal place of business must be located within the City's marketplace at the time of bid opening or solicitation. *Principal place of business* means the primary physical location at which or from which a business performs, is maintained, or operates.

This completed form should show a complete picture of the prime bidder's solicitation efforts for this bid submittal. This includes the efforts made to contact MBE and WBE firms that were solicited to meet the SUBP goals. The MBE and WBE commitments listed by the bidder on this form are a material condition of contract award and constitute minimum MBE and WBE commitments on this contract.

- b. One completed *Letter of Intent* for each of the SUBP-eligible MBE and WBE firms listed in the *SOLICITATIONS, BIDS RECEIVED, AND SUBP COMMITMENT FORM*. Each *Letter of Intent* must be fully completed and must be signed by both the bidder and the SUBP-eligible MBE or WBE. If the bidder is unable to obtain a signature from each firm prior to the submission deadline, the bidder must submit a quote from the MBE or WBE firm that matches the amount of the bidder's commitment to each firm. Only the work performed directly by the listed SUBP firm will count towards SUBP participation (i.e., work subcontracted to non-SUBP certified firms does not count as SUBP participation). To qualify for credit toward the SUBP goals, firms must be CERT certified on the bid due date.
- c. If the *SOLICITATIONS, BIDS RECEIVED, AND SUBP COMMITMENT FORM* does not demonstrate verifiable MBE and WBE participation sufficient to meet the SUBP goal(s), **then the bidder must submit documentation demonstrating that the bidder made sufficient good faith efforts (GFE) to meet both SUBP goals.** If one of the two goal percentages is met and the other is not, then the bidder must submit documentation demonstrating its good faith efforts to meet the goal percentage (MBE or WBE) that has not been met. The City will not consider any GFE documentation submitted after bid opening. All GFE documentation must be submitted with the bid. This GFE documentation includes:
 - i. *Good Faith Efforts Checklist*: A checklist based on the factors that may be considered in determining whether a bidder made good faith efforts to meet the SUBP goals. **The bidder must use the checklist to document the good faith efforts the bidder made.**
 - ii. *Supporting Documentation to Demonstrate Good Faith Efforts*: The bidder must also submit documentation evidencing the efforts taken to achieve the SUBP goals with their bid. The documentation may include but is not limited to: copies of solicitation emails, bids received, faxes, and phone call logs. Any such documentation of solicitations to MBE/WBE firms must clearly include the identification of the recipient firm(s). Civil Rights may only review documents submitted at the time of bid to prove GFE were made.
 - iii. The City will reject your bid as non-responsive if your commitment falls below the SUBP goal for any reason including, but not limited to, listing firms that are not CERT certified, making calculation errors, or submitting incomplete or missing SUBP commitment forms, and you do not submit the Good Faith Efforts checklist and documentation.
2. If the City determines that the bidder committed to meet the SUBP goals or made a good faith effort to meet the SUBP goals, the bidder must submit a *Pre-Construction Book* before contract approval by MDCR.
 - a. *Pre-Construction Book*: Collects information related to subcontracts, minority and female employment participation, construction schedules, and required wages. Instructions for completing this document will be provided by MDCR after the preliminary lowest responsive bidder is identified.
3. The contract may be monitored through the Contract Compliance Information Management System (CCIMS)/B2Gnow software, or other method specified by MDCR. If specified by MDCR, the prime contractor and its subcontractors and suppliers will be responsible for entering information into the specified software. Such information will include, but may not be limited to, payment amounts made to the prime contractor and payment amounts made to project all subcontractors and suppliers. The prime contractor is responsible for maintaining and ensuring that its subcontractors and suppliers maintain the appropriate records to document their compliance and for producing such records if audited.

III. Good Faith Efforts Evaluation

The bidder must either meet both goals listed above (or single combined MBE/WBE goal if applicable) or demonstrate Good Faith Efforts to do so. Good Faith Efforts means that the bidder made *every necessary and reasonable effort* to subcontract with eligible MBEs/WBEs.

The City will reject a bid as nonresponsive if a bidder's commitment falls below the SUBP goal for any reason including, but not limited to, listing firms that are not CERT certified, making calculation errors, or submitting incomplete or missing SUBP commitment forms, and the bidder does not submit the Good Faith Efforts checklist and documentation. To determine if the bidder demonstrated good faith efforts to meet both SUBP goals, MDCR may consider the following list of factors:

1. Soliciting through all reasonable and available means (attendance at pre-bid meetings, advertising and/or written notices) the interest of all eligible MBEs/WBEs certified in the scopes of work of the contract. The bidder must solicit MBEs/WBEs in sufficient time prior to bid opening to allow MBEs/WBEs time to respond to solicitations. The bidder must determine with reasonable certainty if the MBEs/WBEs are interested by taking appropriate steps to follow up on initial solicitations.
2. Selecting portions of the work to be performed by eligible MBEs/WBEs in order to increase the likelihood that the SUBP goals will be achieved. This includes, where appropriate, breaking out contract work into smaller units to facilitate MBE/WBE participation, even when a bidder might otherwise prefer to perform these work items with its own forces.
3. Providing interested eligible MBEs/WBEs with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation.
4. The bidder must negotiate in good faith with interested eligible MBEs/WBEs and provide written documentation of such negotiation with each such business.
5. A bidder should consider a number of factors in negotiating with potential MBE/WBE subcontractors and should take into consideration an eligible MBE or WBE's price and capabilities and scheduling as well as established contract goals. However, the fact that there may be some additional costs involved in finding and using eligible MBE's/WBE's is not in itself sufficient reason for a bidder's failure to meet the established MBE/WBE goals, as long as such costs are reasonable. The ability or desire to perform the work of a contract with its own organization does not relieve the bidder of the responsibility to make good faith efforts. Bidders are not, however, required to accept higher quotes from eligible MBE's/WBE's if the price difference is excessive or unreasonable.
6. The bidder must offer information regarding, and make reasonable efforts to assist, solicited eligible MBEs/WBEs in obtaining bonding, lines of credit or insurance as required by the city or by the bidder; provided that the bidder need not provide financial assistance toward this effort.
7. Effectively using the services of minority/woman community organizations; minority/woman contractors' groups; local, state and federal business assistance offices; and other organizations as allowed on a case-by-case basis to provide assistance in the solicitation and placement of MBEs/WBEs.
8. Whether the apparent successful bidder met or exceeded the average eligible MBE/WBE participation obtained by other bidders responding to the same City bid.

IV. Post-Award Substitutions

A contractor shall not substitute, reduce participation of, or eliminate MBE/WBE subcontractors listed in the *SOLICITATIONS, BIDS RECEIVED, AND SUBP COMMITMENT FORM* without prior written approval of the Minneapolis Department of Civil Rights through the SUBP Deviation process. A contractor who substitutes, reduces participation of, or removes an MBE/WBE subcontractor listed in the *SOLICITATIONS, BIDS RECEIVED, AND SUBP COMMITMENT FORM* without prior written approval may be subject to a fine of up to \$10,000 per violation, or any of the penalties listed below. The contractor must make good faith efforts to replace an MBE/WBE subcontractor that is unable to perform with another MBE/WBE to perform the same scope of work.

V. Penalties for Non-Compliance

Compliance with SUBP requirements is a material condition of the contract. The City may take the following actions wholly, partly, or in any combination for non-compliance with SUBP requirements:

- a) Temporarily withhold cash payments pending correction of the deficiency.
- b) Permanently withhold payment for all or part of the activity not in compliance with this SUBP ordinance if the deficiency cannot be corrected, or the entity refuses to correct the deficiency.
- c) Suspend or debar the noncompliant contractor, subcontractor, supplier or vendor as ineligible for all current or potential contracts with the City or supported by City funds.
- d) Designate the noncompliant contractor, subcontractor, supplier or vendor as high-risk for future contracts and require of the contractor, subcontractor, supplier or vendor increased reporting requirements, mandatory audits and similar measures.

The City will monitor compliance with the SUBP requirements throughout the contract. Compliance with the MBE/WBE goals and other SUBP requirements is a material condition of the contract and failure to comply may be deemed a breach of contract.

Please review Minneapolis Code of Ordinances Chapter 423 for more information or contact the City of Minneapolis Department of Civil Rights at (612) 673-2086 or contractcompliance@minneapolismn.gov.

**CITY OF MINNEAPOLIS
SMALL AND UNDERUTILIZED BUSINESS PROGRAM (SUBP)
GOOD FAITH EFFORTS CHECKLIST**

If the SUBP goal(s) for the project have not been met, then a Good Faith Efforts (“GFE”) Review will be conducted by the Department of Civil Rights Contract Compliance Division (CCD) prior to contract award. If SUBP goals are not met and a Good Faith Effort to solicit SUBP certified firms is not demonstrated, your bid will be rejected.

This checklist must be submitted to CCD to document the efforts that were made to meet the SUBP goal(s) if the *SOLICITATIONS, BIDS RECEIVED, AND SUBP COMMITMENT FORM* does not demonstrate verifiable MBE/WBE participation sufficient to meet the SUBP goal(s). This checklist and all supporting documentation identified below are due with your bid. CCD cannot request or review any GFE information or supporting documents that are not submitted at the time of bid.

Should your (GFE) be denied, your firm may request reconsideration. Requests for GFE reconsideration must be submitted in writing within five (5) business days of the denial and must include a written explanation detailing the specific reasons for the request. In the reconsideration process, the Director of Civil Rights will only consider data submitted with the bid. A contractor’s request for reconsideration should be limited to explaining the basis for its reconsideration request based on information submitted with the bid.

Date:	
Company Name:	
Completed By:	
Title:	

Checklist Instructions:

- All factors listed below *may* be considered.² Some factors may not be applicable to all projects or situations.
- Check all actions that were taken and enter comments for each factor explaining the actions taken. Submit supporting documentation as instructed in each factor.
- Along with this form, the bidder must submit documentation evidencing the efforts taken to achieve the SUBP goals. Please provide all initial communications and attempts to follow up with SUBP firms.
- The documentation may include, but is not limited to:
 - Copies of solicitation emails,
 - Bids received,
 - Faxes, and
 - Phone call logs.
- All documentation of solicitations to MBE/WBE firms must clearly include the identification of the recipient MBE/WBE firm(s); the department will NOT call for additional information.
- Civil Rights may only review documents submitted at the time of bid as a part of a GFE evaluation.
- Use additional sheets if necessary to supplement the responses and attach them to this form.

² Per City ordinance (Chapter 423), there are eight factors that may be considered to determine whether the bidder or proposer made good faith efforts to meet the contract goals.

THIS FORM AND ALL SUPPORTING DOCUMENTATION IDENTIFIED BELOW ARE DUE WITH YOUR BID.

- 1. Solicited through all Reasonable and Available Means:** As stated in City ordinance §423.90(c)(1), the department may consider whether the bidder or proposer solicited *through all reasonable and available means (attendance at pre-bid meetings, advertising and/or written notices) the interest of all eligible MBEs/WBEs certified in the scopes of work of the contract. The bidder or proposer must solicit MBEs/WBEs in sufficient time prior to bid opening or the proposal deadline to allow MBEs/WBEs to respond to solicitations. The bidder or proposer must determine with certainty if the MBEs/WBEs are interested, by taking appropriate steps to follow up on initial solicitations.*

- ☐ Proactively solicited MBE/WBE firms listed in the CERT directory and in scopes of work related to the project. **(Submit copies of phone logs, emails, fax sheets, etc.) If no, please explain here:**

- ☐ Attended Pre-Bid Meeting to learn about the project and SUBP goals.
 ○ **Date attended:** _____
- ☐ Reviewed bid documents or RFP for SUBP goals and requirements regarding solicitation and utilization of MBEs/WBEs.
- ☐ Solicited MBEs/WBEs in sufficient time prior to bid opening or proposal due date to allow MBEs/WBEs to respond to the bid solicitation (CCD recommends 2 weeks prior to bid opening).
 ○ **Date solicited:** _____
- ☐ Followed up with the CERT certified MBEs/WBEs to confirm interest in participation.
(Submit log/details of follow-up activities.)
- ☐ Other:

Comments: _____

- 2. Broke the Contract Work into Smaller Units:** As stated in §423.90(c)(2), the department may consider whether the bidder or proposer selected *portions of the work to be performed by eligible MBEs/WBEs in order to increase the likelihood that the contract goals will be achieved. This includes, where appropriate, breaking out contract work into smaller units to facilitate MBE/WBE participation, even when a contractor might otherwise prefer to perform these work items with its own forces.*

- ☐ Broke the contract into smaller, economically feasible units of work in order to facilitate MBE/WBE participation. Please list the scopes that were broken into smaller units:

- ☐ Subcontracted/solicited scopes of work that could have been self-performed. Please list these scopes:

☐ Other:

Comments:

3. Provided MBEs/WBEs with Adequate Information: As stated in §423.90(c)(3), the department may consider whether the bidder or proposer provided *interested eligible MBEs/WBEs with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation.*

- ☐ Bid invitations/advertisements included adequate information about the scope of work, contract requirements, deadline to submit a bid, etc. **(Submit copy of invite/advertisement.)**
- ☐ Provided MBEs/WBEs adequate project information and access to the plans and specifications.
- ☐ Other:

Comments:

4. Negotiated in Good Faith: As stated in §423.90(c)(4), the department may consider whether the bidder or proposer negotiated *in good faith with interested eligible MBEs/WBEs and provide(d) written documentation of such negotiation with each such business.*

- ☐ Negotiations with MBEs/WBEs are conducted fairly.
- ☐ Communication to MBEs/WBEs regarding pricing, scheduling and capability requirements are consistent with project plans and requirements. Communications and project information provided is the same to all potential bidders.
- ☐ It is the bidder's responsibility to make a portion of the work available to CERT subcontractors and suppliers and to select those portions of the work or material needs consistent with the available CERT certified subcontractors and suppliers, so as to facilitate SUBP participation. The bidder must submit evidence of this.
- **Evidence of such negotiation may include the names, addresses and telephone numbers of SUBP's that were considered; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and evidence as to why additional agreements could not be reached for SUBPs to perform the work.**
- ☐ Bidder did not reject MBEs/WBEs as being unqualified without sound reasons based on a thorough investigation of their capabilities.
- Were there any MBE/WBE firms that bid to you that you did not consider qualified to perform the work? If yes, explain here:

☐ Other: _____

5. Rejected each quote from MBE/WBE firms only after determining that the cost of using the firms was unreasonable: As stated in §423.90(c)(5), *A bidder or proposer should consider a number of factors in negotiating with potential MBE/WBE subcontractors, and should take into consideration an eligible MBE's/WBE's price and capabilities and scheduling as well as established contract goals. However, the fact that there may be some additional costs involved in finding and using eligible MBE's/WBE's is not in itself sufficient reason for a bidder or proposer's failure to meet the established MBE/WBE goals, as long as such costs are reasonable. The ability or desire to perform the work of a contract with its own organization does not relieve the bidder or proposer of the responsibility to make good faith efforts. Bidders or proposers are not, however, required to accept higher quotes from eligible MBE's/WBE's if the price difference is excessive or unreasonable.*

- ☐ The prime bidder is not required to accept higher quotes from MBEs/WBEs if the price difference is excessive or unreasonable.
- If the bidder makes such a determination, it must provide a written explanation for this conclusion, along with copies of any accepted non-M/WBE quotes, and copies of any M/WBE quotes that were higher for that same scope of work.

** If any MBEs/WBEs were rejected, the prime bidder must submit a copy of those MBE/WBE quotes along with the prime bidder's supporting GFE documentation. If a non-MBE/WBE firm was awarded the same scope of work that a rejected MBE/WBE quoted, the prime bidder must also submit a copy of that non-MBE/WBE firm's quote.*

6. Provided MBEs/WBEs with Assistance in Meeting City Contracting Requirements: As stated in §423.90(c)(6), *the bidder or proposer must offer information regarding, and make reasonable efforts to assist, solicited eligible MBEs/WBEs in obtaining bonding, lines of credit or insurance as required by the city or by the bidder or proposer; provided that the bidder or proposer need not provide financial assistance toward this effort.*

- ☐ Provided reasonable assistance to help MBEs/WBEs obtain bonds, lines of credit, or insurance that is required by the City.
- ☐ Made and documented efforts to assist interested MBEs/WBEs in obtaining necessary equipment, supplies, materials, or related assistance or services.
- ☐ Referred MBEs/WBEs in need of financial or technical assistance to City's **Business and Technical Assistance Program (B-TAP)**. For more information on B-TAP please visit: <http://www.minneapolismn.gov/business/B-TAP>.
- ☐ Other: _____

Comments: _____

7. Effectively Used Community Organizations: As stated in §423.90(c)(7), *effectively using the services of minority/woman community organizations; minority/woman contractors' groups; local, state and federal business assistance offices; and other organizations as allowed on a case-by-case basis to provide assistance in the solicitation and placement of MBEs/WBEs.*

- ☐ Used services of minority/women community organizations.
- ☐ Used services of minority/women professional organizations.
- ☐ Other:

Please list the organization(s) that were used:

8. Other Good Faith Efforts

Provide a statement of the prime bidder's overall plan for obtaining MBE/WBE participation, noting barriers or challenges the bidder encountered in obtaining MBE/WBE participation. Include an explanation of any other good faith efforts made by your company not included above. Specifically, detail all necessary and reasonable steps taken to achieve the MBE/WBE goal or other requirements which, by their scope, intensity, and appropriateness to the objective of achieving the MBE/WBE goal, could reasonably be expected to obtain sufficient MBE/WBE participation – even if the bidder was not successful.

CITY OF MINNEAPOLIS – DEPARTMENT OF CIVIL RIGHTS

SOLICITATIONS, BIDS RECEIVED, AND SUBP³ COMMITMENT FORM

INSTRUCTIONS:

- List **all** contractors (including your company), sub-consultants, suppliers, and service providers **that bid or were solicited on the project.**
- Make additional copies of this form as necessary (alternate documentation can be submitted so long as it contains all requested information from the template below).
- This completed form should show how the prime bidder intends to include minority-owned and women-owned business enterprises (MBEs and WBEs) to meet the SUBP goal(s). **By completing this form, you commit to using the MBE and WBE firms listed for at least the dollar amounts that you listed in this form. The bidder must submit one completed *Letter of Intent* for each of the SUBP-eligible MBE and WBE firms listed in this *SOLICITATIONS, BIDS RECEIVED, AND SUBP COMMITMENT FORM*.**

If an MBE/WBE subcontracts work to a non-MBE/WBE, the value of that portion of the work will not count toward the SUBP goal(s). SUBP firms subcontracting to non-SUBP firms must identify these amounts on their completed *Letter of Intent*.

A contractor shall not substitute, reduce participation of, or eliminate MBE/WBE subcontractors listed in this form without prior written approval of the Minneapolis Department of Civil Rights. A contractor who substitutes or removes an MBE/WBE subcontractor listed in this form without prior written approval shall be subject to a fine of up to \$10,000 per violation, or other penalties listed in ordinance §423.120.

- Only MBEs and WBEs that are SUBP certified in the Central Certification Program (CERT)⁴ count toward the SUBP goal(s). Place a mark “x” in the appropriate column below if a firm is CERT-certified as an MBE or WBE.
 - To count toward the SUBP goal(s), the MBE/WBE must be CERT certified in the scope of work it will perform, and the MBE/WBE must have its principal place of business located within the Minnesota counties of Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Le Sueur, Mille Lacs, Ramsey, Scott, Sherburne, Sibley, Washington, and Wright, and the Wisconsin counties of Pierce and St. Croix.
- Firms certified as both MBE and WBE shall first be counted toward the MBE goal only, if the bidder or contractor has not yet committed to meet the MBE goal. If the bidder or contractor has already committed to meet the MBE goal via the participation of other MBE firms, then firms certified as both MBE and WBE may be counted toward the WBE goal. In no circumstances may the dollars committed to an individual firm be split between the MBE and WBE goal. All dollars committed to an individual firm must be counted entirely toward the MBE goal or entirely toward the WBE goal.
- An MBE/WBE must perform a commercially useful function to count toward the SUBP goals. An MBE/WBE performs a commercially useful function when it executes a distinct element of work and carries out its responsibilities by performing, managing, and supervising the work, with own equipment and resources.
- All documents must be submitted with bid.
- **Failing to properly complete, sign, and submit this form, or indicating “not applicable,” may result in rejection of your bid.**

³ For more information about the Small and Underutilized Business Program (SUBP) goals, see the SUBP Special Provisions published with this bid, and review Minneapolis Ordinances Chapter 423.

⁴ A firm’s CERT certification, and certification type, should be verified by checking the CERT directory at [CERT Directory Access](#). A firm’s current profile in that directory is evidence of current CERT certification.

THIS FORM AND ALL SUPPORTING DOCUMENTATION IDENTIFIED BELOW ARE DUE WITH YOUR BID.

CITY OF MINNEAPOLIS – DEPARTMENT OF CIVIL RIGHTS
SOLICITATIONS, BIDS RECEIVED, AND SUBP COMMITMENT FORM



- Please identify all contractors (including your company), sub-contractors, sub-consultants, suppliers, and service providers that were solicited, submitted bids, and/or will be used on the project. Please check the committed firm box for all firms that will be used on the project.

Total Bid Amount: _____

Committed SUBP MBE Amount (\$): _____

Committed SUBP WBE Amount (\$): _____

Committed SUBP MBE Participation (%): _____

Committed SUBP WBE Participation (%): _____

Company Name		City, State	Phone & Email	Contact Method (fax, phone, email)	Date of Solicitation	Scope of Work	Bid/Quote Amount	MBE	WBE	Check all firms being used
YOUR FIRM >										

THIS FORM AND ALL SUPPORTING DOCUMENTATION IDENTIFIED BELOW ARE DUE WITH YOUR BID.

[illegible]

THIS FORM AND ALL SUPPORTING DOCUMENTATION IDENTIFIED BELOW ARE DUE WITH YOUR BID.

Company Name	City, State	Phone & Email	Contact Method (fax, phone, email)	Date of Solicitation	Scope of Work	Bid/Quote Amount	MBE	WBE	Check all firms being used

THIS FORM AND ALL SUPPORTING DOCUMENTATION IDENTIFIED BELOW ARE DUE WITH YOUR BID.

Company Name	City, State	Phone & Email	Contact Method (fax, phone, email)	Date of Solicitation	Scope of Work	Bid/Quote Amount	MBE	WBE	Check all firms being used

Check here if your company intends to self-perform all work and DOES NOT intend to subcontract out any work for this project: ☐

If your company is not CERT-certified, checking this box means that your company must demonstrate good faith efforts (GFE) to meet the SUBP goal(s), in order to be awarded the contract. All GFE documents and supporting evidence are due with the bid.

The bidder certifies that the foregoing is correct, and that all contractors (including your company), sub-contractors, sub-consultants, suppliers, and service providers that submitted bids or will be used on the project are listed herein.

This document can be submitted using different formats, as long as all the required information is included.

Bidder Company Name Contact Name & Title Phone & Email Date

**CITY OF MINNEAPOLIS – DEPARTMENT OF CIVIL RIGHTS
SUBP LETTER OF INTENT**



SUBP Firm Name: _____ **Phone:** _____

Address: _____ **City:** _____ **State:** _____ **Zip:** _____

Participating as: ☐ Prime Contractor ☐ Subcontractor ☐ Supplier/Manufacturer
SUBP firm intends to: ☐ Self-Perform All Work ☐ Subcontract a Portion of the Work

Work to be performed by SUBP firm:		
Description	SUBP Bid Amount	Dollar Amount for SUBP Credit

1. This is a letter of intent between the bidder on this project and an SUBP firm to perform subcontract work on this project.
2. All SUBP firms must submit a signed letter of intent committing to the work they intend to perform.
3. By signing below, the bidder is committing to utilize the above-named SUBP firm to perform the work described above.
4. By signing below, the above-named SUBP firm is committed to perform the work described above.⁵
5. Work subcontracted to a non SUBP firm does not count towards SUBP participation. "Dollar Amount for SUBP Credit" must reflect the portion of the work committed to be performed by the listed SUBP firm.

Bidder Representative Name: _____ **Title:** _____ **Date:** _____

Bidder Representative Signature: _____

SUBP Firm Representative Name: _____ **Title:** _____ **Date:** _____

SUBP Firm Representative Signature: _____

⁵ If a bidder is unable to obtain the SUBP firm's signature, it may submit a copy of the accepted SUBP firm quote in lieu of this document. The quote must match the bidder's commitment to the SUBP firm.