



## Dallas Independent School District

# M/WBE Compliance Guidelines and Forms

To be completed and signed by the Prime Vendor/Contractor

The undersigned agrees that he/she has read and understood the M/WBE Compliance Guidelines and Forms and that all information is correct to the best of his/her knowledge.

Print Name/Title:

Date:

Signature:

Telephone:

For additional information contact:

M/WBE Department, 3700 Ross Avenue, Box 76, Dallas, TX 75204

Phone: (972) 925-4140, Fax: (972) 925-4141/4149, Email: [mwbe@dallasisd.org](mailto:mwbe@dallasisd.org), Website: [www.dallasisd.org](http://www.dallasisd.org)

**Read carefully: The M/WBE Program requirements are applicable to all bidders/proposers, including minority and women owned firms. These forms must be attached to any procurement document totaling \$25,000 or more and are due at the time of bid/proposal opening.**

## **M/WBE Compliance Guidelines and Forms**

To be completed by the Prime Vendor/Contractor



# **Dallas Independent School District**

## **Instructions for Minority/Women Business Enterprise (M/WBE) Compliance Guidelines and Forms**

### **M/WBE Policy Endorsement**

The completed M/WBE Compliance Guidelines & Forms must be attached to all responses to procurement documents totaling \$25,000 or more and are due with the bid/proposal at the time of bid opening. Bidders/proposers who will subcontract out portions of the work must attach the signed Letter of Intent to Subcontract (section E). If the completed M/WBE Compliance Guidelines and Forms are not attached, responses to the procurement documents will be considered nonresponsive.

All district bidders/proposers are required to demonstrate positive and reasonable good faith efforts to subcontract with and/or procure supplies/services with minority and women-owned companies.

1. If you will utilize subcontractors, complete sections A, B, C, D, E, and sign page 1.
2. If you will not utilize subcontractors, complete sections A, B, and sign page 1.
3. If you are submitting a Request for Proposal (RFP), Request for Qualification (RFQ) or construction procurement solicitation, complete sections F through I also.
4. Attach the completed M/WBE Compliance Guidelines & Forms to your procurement documents.
5. If you have any questions regarding the completion of the M/WBE Compliance Guidelines & Forms, contact the M/WBE Department at 972.925.4140.

## M/WBE Compliance Guidelines and Forms

To be completed by the Prime Vendor/Contractor

---

### PLEASE READ BEFORE COMPLETING THE M/WBE COMPLIANCE GUIDELINES and FORMS.

---

It is a continuing goal of the district to involve minority and women-owned businesses (M/WBE) to the maximum extent possible in all facets of the district's contracting and purchasing activities.

- ◆ The completed M/WBE Compliance Guidelines and Forms must be attached to all procurement documents totaling \$25,000 or more and are due with the bid/proposal at the time of bid opening. If the completed M/WBE Compliance Guidelines and Forms are not attached, responses to procurement documents will be considered non-responsive.
- ◆ The district's aspirational M/WBE goal is 30 percent for goods, services, and construction contracts. The aspirational M/WBE goal for bond funded professional services contract is 35 percent. Please note, the district may assign a contract specific M/WBE goal. The M/WBE goal is applicable to any change orders, additional services, modifications or revisions to the original contract. Review your solicitation documents.
  - ◆ For exceeding the district's aspirational M/WBE goals by an additional percentage, points will be awarded as follows:

Exceeding M/WBE Goal by an Additional	Cumulative Points
1% up to 5% utilization	.5
5.01% up to 10% utilization	1
10.01% up to 15% utilization	1.5
15.01% up to 20% utilization	2
20.01% up to 25%	2.5
25.01% and greater	3

- ◆ The district recognizes M/WBE certifications issued by the North Central Texas Regional Certification Agency (NCTRCA), State of Texas Historically Underutilized Business (HUB), Department of Transportation (DOT), Small Business Administration (SBA) – 8A or SDB, South Central Texas Regional Certification (SCTRCA), D/FW Minority Business Council, National Minority Supplier Development Council, City of Houston, Corpus Christi Regional Transportation, Women's Business Council and City of Austin. Other certifications may be considered on an individual basis.
- ◆ Vendors do not have to be certified as an M/WBE to participate in the district's contracting and purchasing activities.
- ◆ All district bidders/proposers are required to demonstrate positive and reasonable good faith efforts to subcontract with and/or procure supplies/services with M/WBES.
- ◆ Respondents who will subcontract portions of the work will be required to submit the Letter of Intent to Perform/Contract as a Subcontractor Form (page 6, section E) prior to an agreement being executed or an authorized transaction created.
- ◆ Bidders/proposers may not apply one of its subsidiary companies or its own workforce towards meeting its M/WBE subcontracting goals.
- ◆ Changes to the List of Subcontractors (page 5, section C) must be reviewed and approved by the M/WBE Department prior to any changes being made.
- ◆ The contractor/proposer shall notify the M/WBE Department if the percentage of M/WBE participation declines or falls below the level of participation represented in the contract. The contractor shall promptly notify the M/WBE Department within 7 days and obtain a listing of other qualified M/WBE vendors to meet the commitment amount.
- ◆ Contractor will be required to submit a Pay Activity Report indicating the amounts paid to its subcontractors with each pay application submitted or as requested by the district.
- ◆ Contractor agrees to establish a written contract with each subcontractor. At minimum, the contract must include the scope of work, payment terms, termination of M/WBE Clause, Prompt Payment Clause, and Retainage Clause.
- ◆ The contractor will be required to maintain records showing the subcontract/supplier awards, subcontractor payment history, specific efforts to identify and award contracts to M/WBES, and copies of executed contracts with M/WBES. The contractor must provide access to books, records and accounts to authorized district, state and federal officials for the purpose of verifying M/WBE participation and good faith efforts. All district contracts are subject to an M/WBE audit.

## M/WBE Compliance Guidelines and Forms

To be completed by the Prime Vendor/Contractor

<b>Bid/Proposal #:</b>			
<b>Bid/Proposal Title:</b>			
<b>Prime Vendor / Contractor:</b>			
<b>Company Address:</b>			
	<b>City:</b>	<b>State:</b>	<b>Zip:</b>
<b>Contact Person:</b>		<b>Phone:</b>	<b>Email:</b>

### Section A. Is your company a Minority or Woman-Owned Business Enterprise (M/WBE)?

- Yes**      If you answered "Yes," complete the current certification information in the boxes below, then continue to **Section B**.
- No**        If you answered "No," then continue to **Section B**.

<b>Certifying Entity</b>			
North Central Texas Regional Certification Agency (NCTRCA), State of Texas Historically Underutilized Business (HUB), Department of Transportation (DOT), Small Business Administration (SBA) – 8A or SDB, South Central Texas Regional Certification Agency (SCTRCA), D/FW Minority Business Council, National Minority Supplier Development Council, City of Houston, Corpus Christi Regional Transportation, Women's Business Council and City of Austin.			
(If you are not M/WBE certified, list non-certified.)	Certification Number	Ethnicity	Gender

### Section B. Will you use subcontractors as a part of this bid/proposal?

- Yes**        If you answered, "Yes", complete Sections C and E.
- No**        If you answered "No", a written explanation is required below. (If you answered "No", Sections C, D and E are not applicable.)

---



---



---



---



---

## M/WBE Compliance Guidelines and Forms

To be completed by the Prime Vendor/Contractor

**Section C. Subcontractor Utilization** (List all subcontractors (minority and non-minority) that will be utilized in this bid/proposal. Non-certified firms will not be counted towards the prime's M/WBE subcontracting goals. Bidders/proposers may not apply one of its subsidiary companies or its own workforce towards meeting its M/WBE subcontracting goals. Use additional sheets if necessary.)

Subcontractor/ Supplier	Contact Person & Phone Number	Certification Type	Certification #	Ethnicity/ Gender	Service/Supplies to be Provided	Estimated Amount	% Of Total Bid
<b>Totals</b>							

**Special Note:** You will be required to submit the Letter of Intent to Perform/Contract as a Subcontractor Form (page 6, Section E) prior to an agreement being executed or an authorized transaction created.

**Section D. Good Faith Efforts Documentation** (Complete this section if subcontractors will be utilized; however, the subcontractors are not M/WBE.)

	Yes	No
1. Was contact made with M/WBEs by telephone or written correspondence at least one week before the bid was due to determine whether any M/WBEs were interested in subcontracting and/or joint ventures?	<input type="checkbox"/>	<input type="checkbox"/>
2. Were contracts broken down to provide opportunities for subcontracting?	<input type="checkbox"/>	<input type="checkbox"/>
3. Was your company represented at a pre-bid/proposal conference to discuss, among other matters, M/WBE participation opportunities and obtain a list (not more than two months old) of certified M/WBEs?	<input type="checkbox"/>	<input type="checkbox"/>
4. Was information provided to M/WBEs concerning bonding, lines of credit, technical assistance, insurance, scope of work, plans/specifications, etc.?	<input type="checkbox"/>	<input type="checkbox"/>
5. Were subcontracting opportunities advertised in general circulation, trade associations, minority/women-focused media and/or minority chambers of commerce?	<input type="checkbox"/>	<input type="checkbox"/>
6. Did you encourage non-certified M/WBEs to pursue certification status?	<input type="checkbox"/>	<input type="checkbox"/>
7. Were negotiations conducted in good faith with interested M/WBEs?	<input type="checkbox"/>	<input type="checkbox"/>
8. Were the services utilized of available minority and women, community organizations, contractor groups, local, state, and federal business assistance offices, and other organizations that provide assistance in the identification of M/WBEs?	<input type="checkbox"/>	<input type="checkbox"/>

**Special Note:** The good faith efforts documentation is subject to an M/WBE audit. Upon request, you will be required to provide supporting documentation for the purpose of verifying your good faith efforts.

**M/WBE Compliance Guidelines and Forms**

To be completed by the Prime Vendor/Contractor

**Letter of Intent to Perform/Contract as a Subcontractor**

**Section E. Intent to Perform/Contract as a Subcontractor.** Complete a form for each minority or woman-owned subcontractor, which will be utilized in this bid/proposal. If necessary, make copies to list additional subcontractors/suppliers.

Pursuant to district policy (CH Local), only "certified" M/WBEs may be counted towards meeting the district's M/WBE goal at the subcontracting level. Refer to page three (3) bullet four (4) of the M/WBE Compliance Guidelines and Forms for a listing of Dallas ISD-recognized certifications.

Bid/Proposal #: \_\_\_\_\_ Bid/Proposal Title: \_\_\_\_\_

1. Name of Offeror / Prime Contractor \_\_\_\_\_  
Address, City, State & Zip \_\_\_\_\_

**SUBCONTRACTOR INFORMATION:**

2. The undersigned has been certified by a Dallas ISD recognized certification agency  
Name of Agency: \_\_\_\_\_ Certification Number: \_\_\_\_\_ Ethnicity/Gender: \_\_\_\_\_

3. The undersigned is prepared to perform the following described work/service and/or supply the material listed in connection with the above project  
\_\_\_\_\_  
\_\_\_\_\_

and at the following price \$ \_\_\_\_\_

By: \_\_\_\_\_  
(Name of the M/WBE Firm) (Signature of Owner, President or Authorized Agent) (Date)

\_\_\_\_\_  
(Phone) (Print or Type - Name of Owner, President or Authorized Agent of M/WBE Firm)

**DECLARATION OF PRIME CONTRACTOR:**

I \_\_\_\_\_ HERBY DECLARE AND AFFIRM that I am the \_\_\_\_\_  
(Name of Declarant) (Title of Declarant)  
and a duly authorized representative of \_\_\_\_\_  
(Name of Prime Contractor)

to make this declaration that I have personally reviewed the material and facts set forth in this Letter of Intent to Perform/Contract as a Subcontractor form. To the best of my knowledge, information and belief, the facts and representations contained in this form are true. The owner, president or authorized agent of the M/WBE firm signed this form and no material facts have been omitted.

The prime contractor has designated the following person as their M/WBE Liaison Officer:

\_\_\_\_\_  
(Name of M/WBE Liaison Officer) (Phone)

Caution: Any false statements or misrepresentations regarding information submitted on this form may be a criminal offence in violation of Section 37.10 of the Texas Penal Code.

\_\_\_\_\_  
(Name of Declarant) Phone Number: \_\_\_\_\_  
(Phone)

\_\_\_\_\_  
(Signature of Declarant) Date: \_\_\_\_\_  
(Date)

## M/WBE Compliance Guidelines and Forms

To be completed by the Prime Vendor/Contractor

Sections (F through I) should be completed for Request for Proposals (RFP), Request for Qualifications (RFQ) and all construction procurement solicitations.

### Section F. Workforce Composition

EMPLOYEE CATEGORY	TOTAL EMPLOYEES		NON MINORITY		AFRICAN AMERICAN		HISPANIC		NATIVE AMERICAN		ASIAN	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Executive & Managerial												
Technical & Skilled												
Office & Clerical												
<b>TOTAL</b>												

### Section G. Does Your Company Have A Written Affirmative Action Plan or Supplier Diversity Initiative?

- Yes** My company has a written Affirmative Action Plan or Supplier Diversity Initiative, which is included within this proposal.
- No** My company does not have a written Affirmative Action Plan or Supplier Diversity Initiative.

### Section H. Historical M/WBE Utilization

List M/WBE Subcontractors that were utilized on previous Dallas ISD projects. If no Dallas ISD experience, please list similar projects.

Name of Project	M/WBE Subcontractor/Supplier or Joint Venture Partner	M/WBE Contact Person & Phone Number	Amount or % of Bid

### Section I.

1. Does Your Company Currently Participate in a Joint Venture Agreement with a Certified M/WBE for this Proposal?  Yes  No
2. Does Your Company Currently Participate in a Mentor Protégé Plan?  Yes  No
3. Will Your Company Voluntarily Participate in the District's Mentor Protégé Program?  Yes  No

Please provide responses below to support answers provided in Section I.

- Yes** My company has attached a notarized Joint Venture Agreement.
- No** My company has not attached a notarized Joint Venture Agreement.
- Yes** My company has attached a current Mentor Protégé Plan.
- No** My company has not attached a current Mentor Protégé Plan.

For additional information, visit the following websites:

**Mentor Protégé Plan:** [http://www.dallasisd.org/inside\\_disd/depts/business/support/mwbe/MPP.pdf](http://www.dallasisd.org/inside_disd/depts/business/support/mwbe/MPP.pdf)

**Joint Venture Agreement:** [http://www.dallasisd.org/inside\\_disd/depts/business/support/mwbe/JV.html](http://www.dallasisd.org/inside_disd/depts/business/support/mwbe/JV.html)