
CITY OF SHREVEPORT

Fair Share Program For Equal Business Opportunity



City Funds PLAN

Revised January 2002

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SECTION I

INTRODUCTION

In accordance with all applicable State and Federal laws, the City of Shreveport has adopted the following Fair Share Program Plan (Plan) for Small Economically Disadvantaged (S/DBEs) to comply with the City's policy of providing and ensuring contracting/purchasing opportunities to level the playing field for these business concerns. The ultimate goal is to better enhance economic development within our own community through the growth and development of these businesses.

This Administration is presently taking steps to enhance its already existing Federal DBE Programs, for Federally funded projects. We found that there were staff requested policies and procedures needed to improve these programs, that had not been previously embraced and supported. The new Fair Share Program will operate along with the federal Disadvantaged Business Enterprise (DBE) Program, and will be complimented with a Business Development Program which will provide various vehicles in which the City will be able to promote the development and growth of all small businesses.

The guidance provided in this document is not all inclusive and shall be adjusted as needed to stay in compliance with local, State, and Federal Laws, rules, and regulations. The City of Shreveport reserves the right to improve upon the procedures and documents in this Plan in order to more efficiently achieve the objectives of its Fair Share and DBE programs. It is the City's aim to improve and expand these very important programs on a continual basis.

The Fair Share Program works in conjunction with the Federal DBE program to provide support to all small businesses throughout the City. This program will not employ any set-aside or quota provisions, but will set goals that will be monitored and evaluated to determine programmatic effectiveness.

POLICY STATEMENT

It is the policy of the City of Shreveport to ensure every opportunity is made available to small disadvantaged business concerns in its letting of contracts and purchases. At no time shall any City department or representative exclude any responsive bidder from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with, the awarding and performance of any contract or purchase on the basis of race, color, sex, or national origin.

The City shall provide programs and services designed to assist all of the businesses within its jurisdiction. In keeping with that commitment, the City shall provide adequate programs and services to assist all small disadvantaged business concerns in the development and growth of their businesses. Each department will take measures to evaluate and ensure optimum contracting and purchasing opportunities are made available.

The intent of this policy is to identify and eliminate any barriers which may have an adverse impact upon small disadvantaged business' ability to participation in all City-let contracts and purchases. Its contractors will be required to participate in this endeavor and at no time shall they discriminate on the basis of race, color, national origin or sex in the award and performance of any City-let contract or purchase.

The City shall implement a plan that will specify these intents, specify goals as required by the responsible federal agency for federally funded contracts/purchases and compliance requirements, together with the City's goals for all City-let contracts/purchases. This Plan shall be applicable to the City and its contractors with reference to their subcontracting and supply needs. The City and its contractors and subcontractors will make a good faith effort to meet its stated goals.

SECTION II

Fair Share Office and Staff

The Fair Share Office is staffed by a Coordinator and Management Assistant. The office has specific responsibility for administering the Fair Share initiative set forth in the Ordinance and resulting Plan. The Fair Share Coordinator holds the position of Assistant Chief Administrative Officer and has direct independent access to the Chief Administrative Officer.

Disadvantaged Business Enterprise Office and Staff

The City's DBE Director manages and oversees the City's Small Disadvantaged Business Enterprise Program . The office has access to the Chief Administrative Officer concerning DBE matters.

Fair Share Liaison Committee

Each department designates a Fair Share point-of-contact to assist in the tracking and reporting requirements of this plan. This individual(s) attends regularly scheduled Fair Share Liaison Committee meetings to identify challenges within the program and offer input for improvement.

The primary responsibilities of the Fair Share Office are as follows:

- To coordinate the implementation of the Plan with key departmental liaison staff who have responsibility for contracts, leases and purchases. Liaison committee members will take steps to ensure that positive actions are taken to promote Fair Share clientele participation in the program.

- Perform as certification/decertification authority for Fair Share certification. This process will include the investigation, certification and qualifying of business concerns that are eligible to provide goods or services utilized by the City.

- Monitor reports on all City-let contracts, leases, and purchases. Maintain records and reports of procedures used to identify and award said opportunities to these business concerns.
- Review all bids and contracts for Fair Share compliance and make recommendations for bringing same into compliance with these requirements. Review all substitutions of subcontractors to ensure that the substitutes are eligible program participants.
- Serve as liaison to local trade organizations/associations and media to provide information on business opportunities.
- Administer small business support services to Fair Share clientele.

Fair Share Office Function

The Fair Share Plan objectives are to ensure participation of S/DBEs, DBEs and Fair Share clientele in contracts/purchases by taking all necessary steps to ensure that these businesses have an equal opportunity to compete for and provide goods and services to the City of Shreveport. The Fair Share Office therefore performs functions as follows:

- Develops and uses appropriate techniques to better level the playing field of small disadvantaged business concerns in contracts and purchases.
- Provides for the benefit of proposers and prime contract bidders, a directory of S/DBE, DBE and FSC firms available for possible contract/purchase opportunities.
- Performs investigations that lead to Fair Share certification of qualifying small disadvantaged business concerns.
- Coordinates with Purchasing Department and designated departmental points of contacts as to the actual utilization of small disadvantaged business concerns; reviews all substitutions before bid opening and during contract performance.
- Maintains and/or monitors required tracking and reporting procedures as they relate to the Plan.
- Acts as arbitrator in disputes involving small disadvantaged business concerns.
- Performs as the single point of contact for interpretation of supporting rules and regulations governing the Plan and program implementation.
- Provides technical assistance to small businesses in the City of Shreveport. This assistance extends to those businesses that are not certified thru the City's

Fair Share or DBE programs.

Program Application Overview

The race neutral Fair Share Program works in conjunction with the race-conscience and race-neutral Federal DBE Program. Some of the major components of the Fair Share Plan are as follows:

1. The Fair Share Program has a 25% goal on all City-funded contracts that are bid or awarded. This program also involves practices with the City's discretionary funds spending, to achieve its goals. The Federal DBE Program has a Department of Transportation (DOT) calculated availability-based goal and employs race-conscience and race-neutral methods to reach its goal. These percentages are combined to meet the City's overall 25% goal.
2. The Fair Share Program is headed by a Coordinator reporting directly to the CAO. The staff performs duties necessary to increase and monitor the inclusion of these businesses in City-funded spending.
3. The Business Development and Services Unit, containing the Disadvantaged Business Enterprise Program, Small Business Loan Programs, and Business Incentives Programs, which is a component of the Department of Community Development, is also, a part of this program. In addition to this skilled staff, all necessary expertise will be added to successfully perform the programs' objectives. The City may also, contract the services of technical assistance experts, as needed.
4. This Fair Share Office is involved in long-range planning with each City department, to ensure the inclusion of S/DBE, DBE and Fair Share participants in doing business with the City. These measures include the reasonable breakout of projects to provide more opportunity for involvement by the aforementioned groups.
5. All contracts, including emergency orders by the City, involve the Fair Share Office. The office verifies information on S/DBEs, DBEs and Fair share contractors/vendors being given opportunities to participate as prime contractors and subcontractors. Project change-orders must also adhere to these programs.
6. This office is empowered to place contract awards on hold for CAO and Mayor's review when the award violates the role, scope or mission of the Program.
7. City Department Heads are assessed on their performance in these programs' initiatives. A liaison officer is appointed in each department to work with these programs. The Liaison Officers give monthly reports on inclusion with percentages compiled and reported to the CAO's office, quarterly. These programs also, involve practices with the City's discretionary funds spending to achieve the City's overall goal.
8. Small businesses interested in participating in these programs should apply for certification thru the Fair Share and/or DBE office. Specifically, firms interested in participating in City-funded projects should apply to the Fair Share Office. Firms wishing to participate in Federally-funded projects should apply to the DBE Office.

9. The Fair Share Office is aggressive about educating businesses about bid opportunities and bidding processes. A copy of each City project's plans and specs are available for review by program clients in the Fair Share Office .

10. The program involves internally operated technical assistance components along with local technical assistance professionals as needed. Training relative to technology improvement and other areas of training for clients are addressed by this program.

11. Small business contract awards will be identified for rapid invoice payments.

12. Bonding:

- Helping to prepare the clients of the Fair Share Program to become bond-ready will be one of the objectives of this office;
- This office will research the practices of local bonding companies and work between them and its clients in need of bonding;
- This office will provide small businesses with information available for participating in the State Bonding Program;

13. The Fair Share Office is responsible for coordinating unsuccessful bidders' reviews, upon request.

14. The Fair Share Office , or other designated staff members act as ombudsmen to help resolve differences between City Departments (contracts) and its clients. This will not supercede disputes that involve the Disqualification Review Board.

15. The Fair Share Office encourages local financial institutions to participate in Louisiana Economic Development Corp. (L.E.D.C.) Loan Programs, and other State programs to assist its clients with construction funding.

16. The Fair Share Office also, Periodically offers construction licencing classes, bidding and estimating classes or, will cooperate with another local entity to provide same.

SECTION III

Definitions

Business Size - for purposes of the City's Fair Share Program, an eligible firm's size shall be defined as 50% or less of the published U. S. Small Business Administration's (SBA) size standards by SIC and/or NAIC codes. See the definition for "Economically Disadvantaged."

Certification - procedure for verification that a business qualifies for designation as a small economically disadvantaged business enterprise (for Fair Share Program) or disadvantaged business enterprise (for the Federal DBE Program).

Commercially Useful Function - the performance of real and actual service in the discharge of any contractual endeavor. The contractor must perform a distinct element of work which the business has the skill and expertise , as well as responsibility of actually performing, managing and supervising.

Compliance - when a recipient, sub-recipient, contractor and/or subcontractor have correctly implemented the requirements as set forth in governing directives

DOT - U.S. Department of Transportation, including the Office of the Secretary, the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), and the

Federal Aviation Administration (FAA).

Disadvantaged Business Enterprise or DBE - a for-profit small business concern: that is at least 51 percent owned by one or more individuals who are economically disadvantaged or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals; and whose management and daily business operations are controlled by one or more of the economically disadvantaged individuals who own it. For the City's Federal DBE program, this category is defined utilizing the Federal small business standards.

DOT-assisted contract - any contract between a recipient and a contractor (at any tier) funded in whole or in part with DOT financial assistance, including letters of credit or loan guarantees, except a contract solely for the purchase of land.

Economically disadvantaged - means any individual who is a citizen (or lawfully admitted permanent resident) of the United States and who is found to be an economically disadvantaged individual by the Small Business Administration (SBA) pursuant to Section 8 (a) of the Small Business Act, for the Federal DBE program. For the Fair Share Program, an individual found to be an economically disadvantaged person by standards established by the City's Fair Share certification process. For more definitive information, see Section VI - Eligibility requirements for Certification.

Economically disadvantaged person (for Fair Share Program) - a citizen or lawful resident of the United States whose ability to compete in the free enterprise system has been impaired due to the diminished capital and credit opportunities as compared to others in the same or similar line of business, and whose diminished opportunities have precluded, or are likely to preclude, such individual from successfully competing in the open market.

Goal - a numerically expressed objective which the City of Shreveport or contractors and service providers are required to make good faith efforts to achieve in those specified contracts funded with Federal and City money as stated by governing federal regulations, the Mayor, and City Council.

Good faith efforts - efforts to achieve S/DBE , DBE or Fair Share goals or other requirements of this plan which, by their scope, intensity, and appropriateness to the objective, can reasonably be expected to fulfill the program requirement.

Joint venture - an association of an S/DBE , DBE or Fair Share Certified firm and one or more other firms to carry out a single, for-profit business enterprise, for which the parties

combine their property, capital, efforts, skills and knowledge, and in which the S/DBE , DBE or Fair Share certified firm is responsible for a distinct, clearly defined portion of the work of the contract and whose share in the joint venture is commensurate with its ownership interest.

Noncompliance - when a recipient, sub-recipient, contractor and/or subcontractor have not correctly implemented the requirements set forth in governing directives.

Personal net worth - the net value of the assets of an individual, remaining after the total liabilities are deducted. An individual's net worth does not include: The individual's ownership interest in an applicant or participating S/DBE ,DBE or Fair Share certified firm, or the individual's equity in his or her primary place of residence. An individual's personal net worth includes his or her own share of assets held jointly or as community property with the individual's spouse, and other assets.

Small business concern for DBE Program - as defined pursuant to Section 3 of the Small Business Act and Small Business Administration regulations implementing it (13 CFR Part 121) that also does not exceed the cap on average annual gross receipts specified in 49 CFR part 26, section 26.65(b).

Small business concern for S/DBE and Fair Share Program - The City of Shreveport will utilize eligibility requirements established by its internal certifying office. Currently, the City uses the following personal and business net worth thresholds:

? Each individual owner's personal net worth may not exceed \$250,000.00

? And, a business's net worth at the time of application , may not exceed \$750,000.00.

These thresholds may change at the discretion of the City.

Small/Disadvantaged Business Enterprise or S/DBE - a for-profit small business concern, at least 51 percent owned by one or more individuals who are economically disadvantaged persons or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals, and whose management and daily business operations are controlled by one or more of the economically disadvantaged individuals who own it. For the City's Fair Share Program, eligibility requirements are established by the City's internal certifying office.

SECTION IV

Participation Goals

As stated in the introduction, it is the intent of the City of Shreveport to ensure equal contracting and purchasing opportunities are made available to small economically disadvantaged businesses, and to all small business concerns. A goal will be set for participation in contracts that are funded, in part or in whole, with funds received by the U.S. Department of Transportation (DOT) in accordance with 49 CFR Parts 23 and 26 and by the U.S. Environmental Protection Agency in accordance with their Office of Small Disadvantaged Business Utilization Guidance Document. The goals for such projects will be based upon the

calculated-availability percentage prescribed by the particular Federal funding source. Other federal participation efforts will be in accordance with appropriate directives, laws, rules, and regulations of applicable federal funding source agencies.

The City will set a 25% goal on all City-funded procurements that are bid and contracts entered into. The Fair Share initiative will also involve the City's discretionary funds spending to achieve its goals. With the participation percentages achieved through the goals that will be set on federally funded programs, and the percentages achieved on City funded contracts and discretionary spending, The City will seek to achieve its overall 25% goal. Additionally, the City will track the amount and percent of business spent with all classifications of businesses. The City's vendor application will solicit the status of each business for inclusion in its data base. All applicable businesses from this tracking system will be provided the opportunity to apply for certification. This additional information will show all DBE, W/DBE, M/DBE, S/DBE and Fair Share Certified (FSC) participation achieved by the City, The data base will reflect classifications of contractors and vendors even when they have refused certification, or did not qualify for certification by size or economic standards.

Good Faith Efforts

In order to be responsible and/or responsive, a contractor and/or subcontractor, and service providers, must make good faith efforts to meet the applicable goal. The bidder can meet this requirement in one of two ways. First, the bidder can outright meet the goal, documenting commitments for participation by S/DBE , DBE or FSC firms (whichever is applicable to the contract). Second, if a bidder doesn't meet the goal, the bidder can document good faith efforts. This means that the bidder must show that he has taken all necessary and reasonable steps to achieve the goal and meet other requirements of the Plan which, by their scope, intensity, and appropriateness to the objective, could reasonably be expected to obtain sufficient S/DBE , DBE or FSC participation, even if they were not fully successful. This information must be fully documented and submitted by the apparent low bidder directly after bid opening ,along with the contract and other pertinent documents. These conditions MUST be met before consideration will be given for waiver of the stated goal. This information will be reviewed by the Purchasing Office, which receives the bids, the contracting department for non-bid contracts, and the Fair Share and/or DBE Offices, when the entire goal is not met.

To assist in informing bidders of their requirements a "Bidder Checklist Good Faith Effort Requirements" is provided (Attachment 5). Standard actions to be taken in the event of noncompliance, are also included. This checklist should be included in all contracts funded with federal dollars and City funds. The following is a list of additional types of action that should be considered as part of the bidder's good faith efforts.

- Solicitation: This process can be addressed through attendance at pre-bid conferences, advertising and/or written notices. Solicitation must be done to allow sufficient time to allow S/DBEs , DBEs and FSCs to respond. Further, follow-up actions must be taken to ascertain the interests of S/DBEs, DBEs and FSCs in the project.

- Selecting portions of the work in order to increase the likelihood that the S/DBE ,

DBE or FSC goals will be achieved. This includes, where appropriate, breaking out of contract work items into economically feasible units to facilitate S/DBE , DBE or FSC participation, even when the prime contractor might otherwise prefer to perform these work items with its own forces.

- Providing adequate information about plans, specifications, and requirements of the contract in a timely manner to assist S/DBE , DBEs or FSC firms in responding to a solicitation.

- Negotiating in good faith with interested S/DBE , DBE or FSC firms. Documented evidence must be supplied as to why additional agreements could not be reached for S/DBEs , DBEs or FSCs to perform the work.

- Not rejecting S/DBE , DBE or FSC firms as being unqualified without sound reasons based on a thorough investigation of their capabilities.

- Making efforts to assist interested S/DBE , DBE or FSC firms in obtaining bonding, lines of credit, or insurance as required by the recipient or contractor. Obtaining written documentation from a bona fide security company indicating why bonding was denied and for what reason(s) prior to the S/DBE , DBE or FSC being rejected as a potential subcontractor for failing to obtain bonding.

- Making efforts to assist interested S/DBE , DBE OR FSC firms in obtaining necessary equipment, supplies, materials, or related assistance or services.

In determining whether a bidder has made a good faith effort, consideration will be given to the performance of other bidders in meeting requirements of the contract.

Bidders are reminded that the issue of whether or not the bidder has met or exceeded the established goals and/or demonstrated good faith efforts is considered to be the responsibility of the bidder. The City of Shreveport will only award contracts to bidders determined to be responsive and responsible.

Documentation furnished by a bidder will be subject to verification by the Fair Share Office.

Credit Towards Goals

No credit toward meeting Fair Share goals will be allowed unless the S/DBE, DBE , FSC or other classification is determined to be eligible by the Fair Share and/or DBE Office. Bidders are strongly encouraged to contact the Fair Share Office well in advance of the date set for receipt of offers in order to enable review of the proposed vendor or contractor's eligibility to

participate in a particular project.

Only expenditures to eligible vendors or contractors that perform a commercially useful function may be counted toward goals; i.e., work actually performed, supervised and managed by an eligible vendor or contractor. A firm shall be presumed not to be performing a commercially useful function, if it further subcontracts a significantly greater portion of the work than would be expected, based on normal industry practice. The vendor or contractor may present evidence to the City of Shreveport to rebut this presumption.

The Contractor may credit toward the Fair Share goal, the full expenditures for materials and supplies provided that the eligible supplier is the manufacturer. Only 60 (sixty) percent of the total dollar value may be credited for materials and supplies purchased from suppliers that are not manufacturers. In all instances, the eligible supplier must actually provide the materials and supplies. None of the expenditures will be credited toward the Fair Share goal if the supplier performs no substantial service or is a passive conduit.

One hundred (100) percent of the dollar value of the award/expenditure may be counted toward the goal if the eligible supplier is a manufacturer; i.e., produces materials from raw materials, or substantially alters materials before resale.

Awards/Expenditures in contracts with businesses that are joint ventures should be counted on the basis of percentage ownership of the eligible vendor or contractor in the joint venture. Where eligible vendor or contractor ownership is 51 (fifty-one) percent or greater, one hundred (100) percent of the dollar value is counted. The eligibility of a joint venture will be determined on a project-by-project basis. Appropriate forms are available from the Fair Share Office to be completed in order to determine eligibility.

A contractor may count toward its Fair Share goal the following expenditures to eligible vendors or contractors ;

1. The fees charged for providing a bona fide service, such as professional, technical, consultant, or managerial services and assistance in the procurement of essential personnel, facilities, equipment, materials or supplies required for performance of the contract, provided that the fee is determined by the City of Shreveport to be reasonable and not excessive as compared with fees customarily allowed for similar services.

2. The fees charged for delivery of materials and supplies required on a job site (but not the cost of the materials and supplies themselves) when the hauler, trucker, or delivery service is not also the manufacturer of, or a regular dealer in the materials and supplies.

3. The fees charged for providing, and bonds or insurance specifically required, for the performance of the contract.

Compliance by Sub-recipients, Contractors and Subcontractors

Contractors and/or subcontractors and service providers will be required to meet all the objectives and actions as stated in this Plan. Language to this effect is part of each contract let by the City, to participating third parties, prime contractors and subcontractors.

Failure to satisfactorily meet these requirements may constitute a breach of contract and one or more administrative actions could occur, as listed in the Bidders Checklist. Debarment from future City-let contracts could occur for failure to meet these requirements.

SECTION V

Enhancing Competitive Opportunities

Opportunities for contracts and subcontracts:

- Consulting with departments to assure that each bid item has been broken down into the smallest job possible to allow for S/DBE , DBE and FSC participation.
- Attendance at pre-bid conferences that provides project information specific to the inclusion of S/DBEs , DBEs and FSCs.
- Providing bid plans and specifications for S/DBE , DBE and FSC trade and contractor associations with sufficient lead time to allow these firms to prepare responsible bids/quotes.
- Maintaining “Bid Tab” documentation from past procurements, and permitting S/DBE ,DBE and FSC contractors the opportunity to review and evaluate such documents.
- Ensuring advertisements for upcoming projects are provided to trade and construction associations as well as local publications that service the community.
- Providing advance notification to all known prospective bidders of informational pre-bid conferences and briefings that outline the scope of the work, delivery schedules, method of bidding and other useful information.
- Providing access to the S/DBE , DBE and Fair Share Certification Directories as an aid in locating businesses interested in participating in the bid process.
- Explaining the City’s Plan requirements which affect the prime contractors and their responsibilities as it relates to the inclusion of S/DBE, DBE and FSC businesses, to include solicitation procedures, tracking and reporting, substitution, etc.
- Explaining the S/DBE , DBE and Fair Share contract goals as it will affect screening of the prime contractor bids, discussion of S/DBE , DBE or FSC certification procedures and their determinant value on contract awards.
- Providing technical assistance to S/DBEs , DBEs and FSCs, as assessments dictate.

Business Development Program

The Business Development Program is a race-neutral assistance program that will be operated by the DBE Office. The purpose of this program is to assist in the development and growth of S/DBEs and DBEs, and all other local small businesses. This program will include, but not be limited to, assisting S/DBEs and DBEs to move into non-traditional areas of work and/or compete in the marketplace outside of the Fair Share and DBE programs. S/DBEs

and DBEs will receive training in construction management, bonding assistance, financial assistance via small business loans, business incentive programs, and other forms of assistance from the City. A detailed Business Development Program is a part of the DBE Program and the City's Fair Share Program.

Prompt Payment

The City as well as prime contractors will be required to ensure that payment is made to designated small disadvantaged businesses within fifteen (15) workdays after receipt of a proper invoice. This will also include the requirement to ensure prompt return of retainage payments after the work is satisfactorily completed. The following clause will be included or addressed in all City-let contracts as well as those subcontracts that are awarded to designated small businesses, by the City.

Contract Language

"Prompt Payment Clause" The City of Shreveport will, upon receipt of a proper invoice from a contractor and upon verification, process request for payment, said payment to be paid within fifteen (15) workdays after receipt. Upon satisfactory completion of a contract the City and/or prime contractor will ensure that any retainage payments are returned within fifteen (15) workdays.

"Affirmative Action Clause" The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of the appropriate funding guidelines for each contract. Failure by the contractor to carry out these requirements is a material breach of contract, which may result in the termination of this contract or such other remedy as the City deems appropriate.

"Participation of Small Disadvantaged Business Concerns" It is the policy of the City of Shreveport that all prime and subcontractors and service providers utilize qualifying small disadvantaged business concerns. The City has set a goal of 25% for participation of these said business concerns in all City-let contracts and/or purchases. Specific availability-calculated goals are set on federally funded contracts as determined by the regulating federal agency. Further, language to this effect shall be included in those contracts. Intentional failure by a contractor or service provider to include these designated businesses could constitute breach of contract and result in remedial action.

Subcontractor Payment Certification Every contract by the City for the performance of work will contain a provision requiring the prime contractor to certify in writing that all subcontractors and suppliers have been paid for work and materials from previous progress payments received (less any retainage) by the prime contractor prior to receipt of any further progress payments. In the event a contractor is unable to pay subcontractors or suppliers until it has received a progress payment from the City, the prime contractor shall pay all subcontractors or suppliers funds due, from said progress payments within forty-eight hours

of receipt of payment from the City. During the contract and upon completion of the contract, the City may request documentation to certify payment to subcontractors or suppliers. The City reserves the right to issue joint checks payable to both the contractor and the subcontractor to ensure proper payments. This provision in no way creates any contractual relationship between any subcontractor and the City or any liability on the City for the contractor's failure to make timely payment to the subcontractor.

Departmental Involvement

In addition to # 6 under Program Application Overview, stating the involvement of all City departments, the Purchasing Office and the Risk Management Division in the Finance Department, both have primary involvement in this program. The Purchasing Office has compared its practices to Louisiana State Bid laws and made adjustments to positively affect these programs and the Risk Management Division has done the same with their practices.

Outreach/Marketing

The Fair Share Staff will continue to be involved with local, regional, and state small business support programs that are available to assist clients targeted by these programs. Through these outreach sources, the staff will gather information to link clients with other sources of programmatic support, technical assistance, and monetary support, for enhanced growth. The staff will also use the avenues of marketing available to solicit more clients to take advantage of these programs. Media sources will also be utilized to solicit more private sector support for these businesses. It is our intention to assist businesses to grow past the need for programmatic support, showing that the playing field has, because of measures such as the Fair Share Program, become more level for all local businesses.

SECTION VI

Certification and Compliance

The City's Fair Share and DBE Offices are responsible for the overall implementation and monitoring of the City's Fair Share and DBE Programs. Responsibilities of these offices include coordination of the final decisions on behalf of the City as to the status of S/DBE, DBE and Fair share applicants. The necessary authority has been delegated to these offices to ensure Programmatic success. Further, staff of these offices have been designated the responsibility for day-to-day management of the City's DBE and Fair Share Programs.

Eligibility Requirements for Certification

A small economically disadvantaged business is a firm that is owned and controlled by one or more economically disadvantaged individuals and meets the requirements of small disadvantaged businesses. Eligibility requirements fall into two categories that apply to the individual owners and to the applicant's firm. In order to continue participation in the Fair Share Program, a firm and its individual owners must continue to meet all eligibility requirements.

A. Economically Disadvantaged Persons

For purpose of the Fair Share Program, a person who meets all of the criteria in this section shall be defined as an Economically Disadvantaged Individual.

1. Citizenship - the person is a citizen or lawful permanent resident of the United States.
2. Net Worth - each individual owner's personal net worth may not exceed \$250,000. The value of an individual's personal residence and his/her investment in the applicant firm will be excluded when calculating individual net worth for the Program.
3. Income - each individual owner must submit personal Federal Income Tax Returns for the past three years.

B. Economically Disadvantaged Business

1. Ownership and Control - at least 51% of the company must be owned and controlled by one or more economically disadvantaged individuals.
2. Business Size - for purpose of the Fair Share Program, an eligible firm's size shall be defined as 50% or less of the published U. S. Small Business Administration's (SBA) size standards by SIC or NAIC codes.
3. Lawful Function - the company has been organized for profit to perform a lawful, commercially useful function.
4. Business Net Worth - the business' net worth at the time of application may not

exceed \$750,000. The DBE Office may waive this requirement only in those instances where the business seeking certification is in a capital intensive business.

5. Diminished Capital and Credit - a firm will be considered to have diminished capital and credit if its ability to compete in the free enterprise system has been impaired due to diminished capital and credit, opportunities as compared to other firms in the same or similar line of business, and whose diminished opportunities have precluded, or are likely to preclude, such firm from successfully competing in the open market. Examples of diminished capital and credit are lack of access to long-term financing or credit, working capital financing, equipment trade credit, raw materials, supplier trade credit and bonding. The applicant must furnish documentation that credit has previously been denied for an area of credit that applies to the firm's type of business, condition or situation. Applicant firms that score poorly on all financial measures published by the Robert Morris Associates for liquidity, leverage, operating efficiency and profitability, and considered to be economically disadvantaged.

Factors to be considered are:

- a. Business assets
- b. Net worth
- c. Income
- d. Profit

6. Full Time - Managing owners who claim economically disadvantaged status must be full time employees of the applicant firm.

C. Documents Required for Certification

The applicant shall be supported by, but not limited to, the following documents:

1. Business's balance sheet and income statement.
2. Verification of signatories on bank accounts.
3. Copies of income tax returns.
4. Resumes of owner and top managers.
5. Copies of business licences and permits.
6. Copies of stock certificates, stock transfer ledgers, and articles of incorporation if business is a corporation.

S/DBE, DBE and FSC Joint Venture Registration and Certification

The Fair Share and DBE offices will be responsible for the certification process, including receiving and reviewing S/DBE, DBE and FSC certification and registration applications, preparing initial findings, performing registration and certification/decertification actions where applicable. A business' certification will last for three (3) years before re-certification is required unless noted otherwise in the application/certification documents. However, the firm must submit an affidavit on an annual basis showing ownership and control. If there are any changes, the firm shall submit new information.

The Fair Share and DBE support staffs will be responsible for obtaining completed registration and certification applications and all other information deemed necessary from each S/DBE, DBE and FSC applicant, conducting on-site visits and investigations pertaining to each applicant's status, and providing this information to the appropriate office for

certification or re-certification approval.

The Fair share Coordinator and/or DBE Director will certify the eligibility of S/DBEs, DBEs ,FSC and applicable joint ventures for contracts let by the City. The City may also accept the certifications made by other agencies, if the certification criteria and process are equal to those of the City's Fair Share program.

The City requires prime contractors and subcontractors and service providers, to make good faith efforts to contract with and replace S/DBE , DBE or FSC subcontractors that are unable to perform the contract successfully with another certified subcontractor. Substitutions of S/DBE , DBE or FSC subcontractors after bid opening and during contract performance must be approved by the Fair Share and/or DBE Office. In these instances, the Fair Share and/or DBE Office will verify the eligibility of the substitute firm.

The City shall encourage the establishment of joint ventures and mentor protege programs between local companies. Staff members will take the necessary steps to encourage and support these relationships between certified and non-certified contractors.

Any business that desires to participate as an S/DBE , DBE or FSC will be required to complete and submit the appropriate applications (see attachments) to the City. Any business that desires to participate as a joint venture will, in addition, be required to complete the appropriate application (Attachment 2). The applications must be signed and notarized by the authorized representative of the business.

Uniform Certification Standards

Additionally, the City Fair Share Coordinator and DBE Director will take the following steps in determining whether a firm may be certified for a Joint Venture.

1. Perform an on-site visit to the offices of the firm at the time of the eligibility investigation. Utilize the Validation Procedure Form (Attachment 3) to verify information provided by the business concern. During the visit, a needs assessment must also be conducted to recommend placement in the City's Business Development will be made to determine if the business needs to be recommended for placement in the City's Business Development Program or Technical Assistance Program. The information discovered during the on-site visit as well as recommendations stemming from the needs assessment shall be documented on the On-Site Visit Form (Attachment 4).

2. Interview and obtain the resumes or work histories of the principal owners of the firm.
3. Analyze the ownership of stock in the firm if it is a corporation.
4. Analyze the bonding and financial capacity of the firm.

5. Determine the work history of the firm, including contracts it has received and work it has completed.

6. Obtain or compile a list of equipment owned or available to the firm and the licenses of the firm and its key personnel to perform the work specific to the project.

On-site Certification Visits

On-site visits are mandatory and will be made to the applicant's location of business unless any of the following situations exist:

1. The City, at its discretion, accepts the certification of another agency, when such certifications included visits conforming to this Plan;

2. The City obtains the report of a site visit completed by another agency which the City relies on. A firm applying for certification may be required to supply such reports or cause the other agency to supply it. The City will then draw its own conclusion regarding eligibility; or

3. The City re-certifies a firm that it previously reviewed on-site, and eligibility issues (e.g., change in ownership) have not arisen that make a second visit necessary. In the absence of such issues, an on-site visit will be conducted.

Unified Certification Programs

It is anticipated that the City will enter into an agreement establishing the Unified Certification Program (UCP) for the State of Louisiana by March 2002. The UCP must meet all the requirements established by the participating agencies and follow all certification procedures and standards as applied in the Federal DBE program and other pertinent governing directives.

The purpose of the UCP is to provide a "One-Stop" process for recipients and firms seeking DBE certification within a state. Certifications by the UCP will be honored by all DOT fund recipients and will be considered a pre-certification; i.e., certifications that have been made final before the due date for bids or offers on a contract that the firm seeks to participate as a DBE.

The UCP will maintain a unified DBE directory containing, for all firms certified by the UCP (including those from other states certified under the provisions of this plan), the information

required by 49 CFR Part 26, Section 26.31. The directory shall be made available to the public electronically, on the Internet, as well as in print. The UCP shall update the electronic version of the directory by including additions, deletions, and other changes as soon as they are made.

The City's DBE Office will develop the local S/DBE application utilizing the same format as the UCP, where possible. The Fair Share Office dealing with City-funded projects will not be governed by these standards.

Decertification Procedures and Appeals

Whenever the City comes to believe that a firm with a current certification is no longer eligible, the firm will be afforded the rudiments of due process prior to revoking its eligibility. The steps to be used are:

1. A letter will be sent to the firm, stating that the City's Fair Share and/or DBE Office are contemplating decertification. A brief description of the reasons for the proposed action will be included.
2. The firm will be given the opportunity to respond in person and in writing to present information and arguments. An informal meeting or hearing may be part of the process, but a formal adversarial proceeding will not be used.
3. The review and final decision authority to remove a firm's eligibility will be made by the City Attorney's Office.

When the City denies certification or completes a decertification, it shall advise the firm that an appeal may be filed within 90 days of the decision with the office named below. An appeal must be in writing, dated and signed, and should be made after all appeal procedures of the City have been exhausted to the program funding source.

SECTION VII

Tracking and Reporting

Fair Share Directory

The Fair Share Directory is a listing of businesses certified by the Fair Share Office for the rendering of goods and services from City-funded sources. This directory will be maintained online and accessible thru the City's web site (www.ci.shreveport.la.us) .

Minimally, it will contain the following:

- ? **Name of the firm**
- ? **Contacts (s)**
- ? **Address of the firm**
- ? **Phone number of the firm**
- ? **Types of work the firm has been certified to perform**
- ? **Expiration dates of certification**
- ? **Applicable NAIC Code(s)**

Updating of the directory will occur on an on-going basis.

DBE Directory

The S/DBE and DBE directory will be a comprehensive listing of all S/DBEs and DBEs certified by the City of Shreveport. It shall include, as a minimum, the following information: the name of the firm, its address, phone number, the types of work the firm has been certified to perform and certification expiration dates. The directory shall be updated and published on a quarterly basis and be made available to contractors and the public on request.

Contract/Purchase Participation Tracking

To facilitate a historical archive to provide an avenue to efficiently review actual S/DBE and DBE participation in City-let contracts and purchases, a system has been put in place to gather and maintain this information. There are several facets to this endeavor that ensures the appropriate information is made available.

- The City's Vendor Database, ADPICS, allows for certain designations to be attached to a business firm's information. This information is obtained at the time that a vendor/contractor submits a "Vendors List Application" to the City. If a vendor/contractor lists themselves to be minority, women, and/or disabled veteran owned, the application is forwarded to the appropriate certifying Office for verification and follow-up as needed. Once a business firm's ownership has been verified, the appropriate certifying Office will notify Purchasing to apply the appropriate code.

Applicable codes are listed as follows:

DBE - certified Disadvantaged Business Enterprise

WBE - woman-owned, in accordance with the description as stated in this plan

MBE - minority-owned, in accordance with the description as stated in this plan

FSC - Fair Share Certified

LBE - Large Business Enterprise

SBE - a small business concern as defined in 13 CFR Part 121

All City-let contracts will have attached to it Form 2, Subcontractor Listing and Form 2A, Subcontractor Change Form. These forms will be utilized to update contractor and subcontractor information for inclusion tracking purposes.

- All contracts will also include Form 5, Monthly Subcontractor Payment and Utilization Report.

Reporting/Program Evaluation

Reporting requirements for federally funded contracts will be accomplished in accordance with

the operating administration (FAA, FTA, DOT, CDBG and EPA). Each City department will ensure that accountability reports are accomplished as required and that a copy is provided to the City DBE Office for content review.

The City DBE Office will be required to prepare required reports to gauge results and future actions needed to ensure that the overall federal DBE and City goals are met. This report will be forwarded to the offices of the CAO and the Mayor.

NOTES

APPENDIX

ATTACHMENT 1

**Department of Community
Development
Business Development and Services Unit**

**P. O. Box 31109
1237 Murphy St., Suite 300
Shreveport, LA 71130
(318) 673-7503**

THE DISADVANTAGED BUSINESS ENTERPRISE OFFICE

The Disadvantaged Business Enterprise (DBE) Office was created to manage, monitor and administer federal, state and local programs designed or intended to develop and/or expand opportunities for small disadvantaged business enterprises. The designation includes minorities, females, and other business owners determined to be socially and economically disadvantaged, for the City's Federal DBE programs and all business owners determined to be small and economically disadvantaged for

the City's Fair Share Program.

CERTIFICATION

The DBE Office processes certification of all socially and economically disadvantaged business enterprises and all small economically disadvantaged business enterprises for all departments of the City of Shreveport and other local public entities having that need. Certifications are done for small Minority and/or Women owned Disadvantaged Business Enterprises (M/DBE or W/DBEs) and otherwise Disadvantaged Business Enterprises (DBEs); and also Small Disadvantaged Business Enterprises (S/DBEs) with this application. Please see these acronym distinctions in the information titled "Determining Eligibility," section. For all other areas for our Programs, besides determining the type of certification and internal tracking; M/DBEs, W/DBEs, and DBEs as distinguished above, will all be called DBEs.

Business entities organized for profit and performing a commercial purpose are eligible for certification. The business must be at least 51 percent owned, controlled and operated on a daily basis by qualified individuals determined to be disadvantaged.

Revised 1/30/02

MONITORING

As part of the Department of Community Development, the DBE Office monitors the progress of S/DBE and DBE economic participation. The DBE Office employs the requirements and measurements of the Federal DBE programs as outlined in the federal regulations relative to funding sources received by the City. The primary regulations and sources of funds for these programs are as follows:

24 CFR Section 85.36	(CDBG-funded contracts)
40 CFR Section 35.6580	(EPA-funded contracts)
49 CFR Section 23 & 26	(FAA & FTA-funded contracts)

Occasionally, businesses are in need of assistance. The DBE Office is here to assist with the necessary procedures for doing business with other City departments. The office staff conducts meetings and addresses concerns relative to the City's S/DBE and DBE activities. The DBE Office provides information to certified clients regarding the City's construction projects and procurement opportunities.

There are other facets of the DBE Office that provide assistance. Not only does this office provide information regarding opportunities in doing business with the City of Shreveport, there is a wealth of information maintained and/or provided to promote diversification and growth of a business. This is achieved through strong communication with other agencies in gathering information pertaining to laws, rules, regulations affecting businesses, educational opportunities, and by obtaining lists of projects in surrounding areas from other governmental agencies and the private sector. Reference materials such as certification applications from other agencies, cities, and states, copies of bids and proposals, governing directives and other pertinent information is available for use by any business requiring this information. Referral service is provided when needed to assist the business owner in resolving issues affecting the business.

PERMITS AND LICENSING

Any business operating in the City should have the proper permits and licenses. When starting, expanding or relocating a business or industry, a number of questions may arise. The DBE Office can be your one stop source for information and referrals regarding the permit and licensing process.

THE INITIAL STEPS FOR M//DBE, W/DBE, S/DBE and DBE CERTIFICATION PROCESS

Consultation with an applicant is done to ensure that the applicant understands the requirements of the application and questions are answered or researched for the applicant.

The application is reviewed to check for the authenticity of the document. If there is any incomplete block(s) found, the applicant is called and asked to forward the necessary information. Upon completion of the review, a site visit is scheduled with the applicant.

A site visitation form is used and entered into the applicant's record. A site visit is conducted to verify the information listed by the applicant such as: duties performed by each person listed as part of the organizational structure, checking documents for signature authority, number of employees and equipment listed. A site visit is conducted upon initial certification and for recertification, if required.

A letter awarding certification is submitted to the applicant along with a certificate with the DBE Director's signature. The date awarded and date of expiration is listed on the certificate. The firm will be required to submit an Annual Certification Verification Form.

The name of the applicant's company is listed in the City of Shreveport's Certified S/DBE and DBE directory. The directory is updated semi-annually and distributed to all City departments and other agencies that utilize this information for procurement inclusion.

City of Shreveport Business Development and Services Unit Disadvantaged Business Enterprises Office

Information for Determining Eligibility

Instructions. All information requested is required to be submitted. If an item does not apply, mark "N/A." **CERTIFICATION WILL NOT BE GRANTED ON INCOMPLETE INFORMATION.**

Firms not located in Louisiana must provide evidence of certification by their state

or other acceptable agency of their name state. Corporations must attach copies of articles of incorporation, by-laws, stock certificates and minutes of meetings held by the corporation which establish the authority and responsibilities of its officers.

DEFINITIONS

A. Disadvantaged Business Enterprise: Is a for-profit small business concern, for the City's Federal DBE Program,

1. which is at least 51% owned by one or more socially and economically disadvantaged individuals or in the case of any public-owned business, at least 51% of the stock is owned by one or more socially and economically disadvantaged individuals; and
2. whose management and daily business operations are controlled by one or more socially and economically disadvantaged individuals.
- ? whose personal and business net worth does not exceed required limits.

B. Minority/Women/ (and Otherwise) Disadvantaged Business Enterprise-Economically/Socially Disadvantaged Individuals: A person who is a citizen or lawful permanent resident of the United States, meeting the Federal standard for a small business, and who is, for City's Federal DBE Program:

1. **Female:** which includes any person of the female gender including persons having origins of any of the ethnic groups described below and any person of the Caucasian groups;
2. **African-American:** which includes persons having origins in any of the black ethnic groups of Africa;
3. **Hispanic-American:** which includes persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin, regardless of race;
4. **Native-American:** which includes persons who are American Indians, Eskimos, Aleuts or native Hawaiians;
5. **Asian-Pacific American:** which includes persons whose origins are from Japan, China, Taiwan, Korea, Vietnam, Laos, Cambodia, the Phillippines, Samoa, Guam, the U. S. Trust Territories of the Pacific, and the Northern Marianas; and
6. **Asian-American Indians:** which includes persons whose origins are from India, Pakistan, and Bangladesh.

7. Other individuals may be found to be socially or economically disadvantaged on a case-by-case basis. For example, a disabled Vietnam veteran, an Appalachian white male, or another person may claim to be disadvantaged. These owners must demonstrate that their disadvantaged status arose from individual circumstances, rather than by virtue of membership in a group.
- C. **Small / Disadvantaged Business Enterprise:** Is a for-profit small business concern, for the City's Fair Share Program, that is at least 51 percent owned by one or more individuals who are economically disadvantaged persons meeting the State Division of Economically Disadvantaged Business Development's standard for a small business; in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals, and whose management and daily business operations are controlled by one or more of the economically disadvantaged individuals who own it.
- D. **Joint Venture** - an association of two or more persons or businesses to carry out a single business enterprise for profit, for which purpose they may combine their property, money, efforts, skills and knowledge.
- E. **Sole Proprietorship** - 100% owner, operated and controlled by a socially and economically disadvantaged person, or a small economically disadvantaged person.
- F. **Corporation** - 51% of all classes of the shares of stock or other equitable securities shall be owned by one or more socially and economically disadvantaged persons, or small economically disadvantaged persons.
- G. **Partnership** - 51% of the assets and interest in the partnership must be owned by one or more socially and economically disadvantaged persons, or small economically disadvantaged persons.

DENIAL OF CERTIFICATION

If your application is not approved by the DBE Office, you may appeal that decision. To appeal, you must write a letter stating the reason(s) you feel that you should be certified. Include any supporting documentation and send the appeal to:

Disadvantaged Business Enterprise Office
Department of Community Development
P. O. Box 31109
Shreveport, LA 71130

The appeal must be sent no later than 180 days from the date you were notified that your application for certification was denied.

CHALLENGING CERTIFICATION

1. In certifying your firm as an S/DBE or DBE the City presumes that you are small and economically disadvantaged by state standards for the Fair Share Program, and socially and economically disadvantaged if you are a member of one of the several presumptive groups named in the regulations for the City's Federal DBE Program. Other persons, knowing of your actual social and economic condition, living standards, success in business, etc., have the right to challenge your recognition and certification as a S/DBE or DBE. A procedure exists by which these "third parties" may file such a challenge. If your status as an S/DBE or DBE is challenged, you will be given every opportunity to defend yourself. The challenge itself will not affect your status with the City until the challenge has been fully investigated and heard and a final determination is made.
2. Third parties who have reason to believe that another firm has been wrongly granted certification as an S/DBE or DBE, may advise the City's Disadvantaged Business Enterprise Office.

A FINAL WORD

The City's certification process is designed for your benefit. Its purpose is to ensure that every opportunity is afforded to you and your business to diversify and grow strong. Your financial information will remain confidential.

CONFIDENTIAL INFORMATION

CITY OF SHREVEPORT DISADVANTAGED BUSINESS ENTERPRISE OFFICE CERTIFICATION APPLICATION

CERTIFICATION WILL NOT BE GRANTED ON INCOMPLETE INFORMATION.

Applying as: _____ S/DBE _____ M/DBE _____ W/DBE _____ DBE

1. Name of Firm: _____

2. Street Address of Firm: _____

Mailing Address: _____

3. Phone Number of Firm: (____) _____

Fax Number of Firm: (____) _____

4. Contact Person: Name: _____

Title: _____

Phone: (____) _____

U.S. Citizen: _____ Yes _____ No

If No: Citizen of _____

5. Is your firm currently certified by the Small Business Administration (SBA) under the 8(a) Program? _____ Yes (Please provide copy of the SBA letter)
_____ No

6. Is your firm currently certified as a DBE through another governmental agency? _____ Yes (Please provide copy of the certification)
_____ No

7. Legal Structure. Indicate whether firm is:

a. Sole proprietorship _____ b. Corporation _____

c. Partnership _____ d. Joint Venture _____

e. Other business entity (specify) _____

8. Years firm has been in business: _____ **Note**

of Firm's business: _____

CONFIDENTIAL INFORMATION

9. Is the firm authorized to do business in the State as well as locally?

_____ Yes, provide copies of all licenses and certificates

_____ No, explain _____

10. What were the gross receipts of the firm for each of the last three years reported on

federal and state income tax returns? What was the Business Net Worth for the last three years? Please submit copies of business tax returns.

<u>Year</u>	<u>Gross Receipts</u>	<u>Business Net Worth</u>
For year ending _____:	\$ _____	\$ _____
For year ending _____:	\$ _____	\$ _____
For year ending _____:	\$ _____	\$ _____

11. Ownership:

A. Check the appropriate **Ethnic Group**:

- | | |
|--|---|
| <input type="checkbox"/> African-American | <input type="checkbox"/> Asian-Pacific-American |
| <input type="checkbox"/> Hispanic-American | <input type="checkbox"/> Asian-American Indian |
| <input type="checkbox"/> Native-American | <input type="checkbox"/> Other |

B. Identify all owners who own 5% or more of the firm.

<u>Names</u>	<u>Sex</u>	<u>Years of Ownership</u>	<u>Ownership%</u>	<u>Voting%</u>	<u>Married*</u>	<u>Citizenship</u>
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

*For each married owner (husband and wife ownership) submit the following information on a separate sheet:

1. Sources of funds used to acquire the interest in this firm.
2. Indicate which funds are separate funds and which are community property funds.
3. Are there any marital contracts in effect?

PROOF OF THE SOURCE OF FUNDS MUST BE PROVIDED.

CONFIDENTIAL INFORMATION

c. List for each owner, the type of expertise and value of money, equipment, and real estate contributed to this firm:

<u>Name</u>	<u>Money</u>	<u>Equipment</u>	<u>Real Estate</u>	<u>Type of Expertise</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

12. Give the following information on the resources that this firm has available to operate its business:

- a. Money \$ _____
- b. Number of employees: Full-time _____; Part-time _____
- c. List major equipment leased and/or owned by the firm: (attach separate sheet if necessary)

<u>Equipment</u>	<u>Quantity</u>	<u>Age</u>	<u>Leased/Owned</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

13. Control of firm.

A. Identify those individuals (owners and non-owners) who are responsible for day-to-day management and policy decision making, including, but not limited to those with prime responsibility for functions listed below:

<u>Function</u>	<u>Person(s) Responsible</u>	<u>Title in Firm</u>	<u>Race</u>	<u>Sex</u>
Financial Decisions	_____	_____	_____	_____
	_____	_____	_____	_____

CONFIDENTIAL INFORMATION

<u>Function</u>	<u>Person(s) Responsible</u>	<u>Title in Firm</u>	<u>Race</u>	<u>Sex</u>
Estimating	_____	_____	_____	_____
	_____	_____	_____	_____
	_____	_____	_____	_____
Marketing & Sales	_____	_____	_____	_____
	_____	_____	_____	_____
	_____	_____	_____	_____
Hiring & Firing of Management Pers.	_____	_____	_____	_____
	_____	_____	_____	_____
	_____	_____	_____	_____
Purchase of Major Items or Supplies	_____	_____	_____	_____
	_____	_____	_____	_____
	_____	_____	_____	_____
Supervision of Field Operations	_____	_____	_____	_____
	_____	_____	_____	_____
	_____	_____	_____	_____

Describe any other decision-making authority: _____

B. RESUME REQUIRED: For each of the individuals listed above in Item 13A, provide a summary of the person's past work experience, dates of employment,

names of employers, type of work performed, as well as number of years with this firm. List education and experience obtained related to the current job responsibilities performed.

CONFIDENTIAL INFORMATION

14. Identify any owner or management official of the named firm who is or has been an employee or owner of another firm that has an ownership interest in or a present business relationship with this firm. Present business relationships include shared space, equipment, financing, or employees as well as both firms having some of the same owners. (Attach separate sheet if necessary):

15. Indicate if this firm or other firm(s) with any of the same owners have previously received or been denied certification or participation as a DBE anywhere. _____

_____ 16. Name of bonding company, if any: _____

Bonding limit: \$ _____ Sources of letters of credit, if any: _____ 17. BACKGROUND INFORMATION

A. List information for the last three projects completed:

<u>Customer</u>	<u>Address</u>	<u>Phone</u>
_____	_____	_____
_____	_____	_____

B. List information for three major suppliers:

<u>Supplier</u>	<u>Address</u>	<u>Phone</u>
_____	_____	_____

CONFIDENTIAL INFORMATION

Copies of the following documents are to be submitted with the completed application:

FOR A CORPORATION:

- _____ a. Resumes of principals of your company showing education, training, and employment
- _____ b. License(s) to do business in Louisiana (State certificates, occupational license, etc.)
- _____ c. Articles of incorporation, all addendums, including date approved
- _____ d. Minutes of first corporate organizational meeting
- _____ e. Corporate By-Laws
- _____ f. Copy of stock certificate(s) issued (not a specimen copy) to all stock (front and back)
- _____ g. Stock transfer ledger
- _____ h. Proof of stock purchase (i.e., canceled check)
- _____ i. Copies of third party agreements, such as rental or management service agreements, etc.
- _____ j. If a "Foreign Corporation," a copy of authority to do business in Louisiana
- _____ k. Copy of driver's license and/or birth certificate
- _____ l. Any agreements which affect the "ownership" and/or "control" of the business

FOR A SOLE PROPRIETORSHIP OR PARTNERSHIP:

- _____ a. Resumes of principals of your company showing education, training, and employment
- _____ b. License(s) to do business in Louisiana (State certificates, occupational license, etc.)
- _____ c. Partnership agreement
- _____ d. Buy out rights agreement
- _____ e. Profit-sharing agreement
- _____ f. Proof of capital invested
- _____ g. Copy of driver's license and/or birth certificate

ADDITIONALLY, FOR SMALL ECONOMICALLY DISADVANTAGED BUSINESS ENTERPRISES (S/DBEs) AND Joint Ventures:

- a. Copies of personal Federal Income Tax returns for last three years
- b. Business's balance sheet and income statement.
- c. Verification of signatories on business bank account (If business is using your personal bank account, provide personal account verification.)

CONFIDENTIAL INFORMATION

FINANCIAL PROFILE

A. Access to credit and capital:

Place an (X) mark in the space that most accurately describes your firm's access to credit and capital.

1. Ability to obtain working capital from commercial sources:

- Financing generally available.
- Financing not available at reasonable terms and/or without government guarantees.
- Financing available at reasonable terms without guarantees.

2. Ability to obtain long term financing from commercial sources:

- Financing generally available.
- Financing not available at reasonable terms and/or without government guarantees.
- Financing available at reasonable terms without guarantees.

3. Ability to obtain trade credit for materials and/or supplies:

- Financing generally available.
- Financing not available at reasonable terms and/or without government guarantees.
- Financing available at reasonable terms without guarantees.

4. Ability to obtain credit terms for equipment:

- Financing generally available.
- Financing not available at reasonable terms and/or without government guarantees.
- Financing available at reasonable terms without guarantees.

5. Availability of outside equity:
 Equity capital unavailable.
 Equity capital unavailable at customary terms and conditions.
 Equity capital available at customary terms and conditions.
6. Relative access to competitive markets:
 Limited penetration of competitive markets.
 Moderate success with competitive market penetration.
 Successful penetration of competitive markets.
7. Ability to obtain bonding, if applicable:
 Bonding generally available.
 Bonding not available at reasonable terms and/or without government guarantees.
 Bonding available at reasonable terms and/or without government guarantees.

All applicable items of proof must be provided for each item marked above.

CONFIDENTIAL INFORMATION

B. Existing bank or trade credit arrangements:

Indicate below, a listing of banks and references:

Name, Address, Telephone	Contact Person and Position	Nature and Amount of Credit

Please complete the attached Personal Financial Statement.



PERSONAL FINANCIAL STATEMENT

As of _____, 19__

Complete this for: (1) each proprietor, or (2) each limited partner or general partner, or (3) each stockholder.

Name	Business Phone ()
Residence Address	Residence Phone ()
City, State, & Zip Code	
Business Name of Applicant	

ASSETS (Omit Cents)

LIABILITIES (Omit Cents)

Cash on hand & in Banks..... \$ _____ _Savings Account..... \$ _____ _IRA or Other Retirement Account..... \$ _____ __Accounts & Notes Receivable..... \$ _____ __Life Insurance- Cash Surrender Value Only..... \$ _____ _____(Complete Section 8) Stocks and Bonds..... \$ _____ __(Describe in Section 3) Real Estate..... \$ _____ __(Describe in Section 4) Automobile—Present Value..... \$ _____ __Other Personal Property..... \$ _____ _____(Describe in Section 5) Other Assets..... \$ _____ __(Describe in Section 5) Total..... \$ _____	Accounts Payable..... \$ _____ _Notes Payable to Banks and Others..... \$ _____ __(Describe in Section 2) Installment Account (Auto) \$ _____ __Mo. Payments \$ _____ Installment Account (Other)..... \$ _____ __Mo. Payments \$ _____ Loan on Life Insurance..... \$ _____ __Mortgages On Real Estate..... \$ _____ __(Describe in Section 4) Unpaid Taxes..... \$ _____ __(Describe in Section 6) Other Liabilities..... \$ _____ __(Describe in Section 7) Total Liabilities..... \$ _____ _Net Worth..... \$ _____ Total..... \$ _____
--	---

Section 1. Sources of Income Salary..... \$ _____ Net Investment Income..... \$ _____ __Real Estate Income..... \$ _____ __Other Income (Describe below)*..... \$ _____	Contingent Liabilities As Endorser or Co-Maker..... \$ _____ __Legal Claims & Judgements..... \$ _____ __Provision for Federal Income Tax..... \$ _____ __Other Special Debt..... \$ _____
--	---

Description of Other Income in Section 1.

--

*Alimony or child support payments need not be disclosed in "Other Income" unless it is desired to have such payments counted toward total income.

Section 2. Notes Payable to Bank and Others (Use attachments if necessary. Each attachment must be identified as a part of this statement and signed.)

Name and Address of Note holder(s)	Original Balance	Current Balance	Payment Amount	Frequency (monthly, etc)	How Secured or Endorsed Type of Collateral

Section 3. Stocks and Bonds (Use attachments if necessary. Each attachment must be identified as part of this statement and signed.)

No. of Shares	Name of Securities	Cost	Market Value Quotation/Exchange	Date of Quotation/Exchange	Total Value

Section 4. Real Estate Owned. (List each parcel separately. Use attachments if necessary. Each attachment must be identified as part of this statement and signed.)

	Property A	Property B	Property C
Type of Property			
Address			
Date Purchased			
Original Cost			
Present Market Value			
Name & Address of Mortgage Holder			
Mortgage Account Number			
Mortgage Balance			
Amount of Payment per Mo./Year			
Status of Mortgage			

Section 5. Other Personal Property and Other Assets. (Describe, and if any is pledged as security, state name and address of lien holder, delinquency)

Section 6. Unpaid Taxes. (Describe in detail, as to type, to whom payable, when due, amount, and to what property, if any, a tax lien attaches)

Section 7. Other Liabilities. (Describe in detail)

Section 8. Life Insurance Held. (Give face amount and cash surrender value of policies - name of insurance company and beneficiaries)

I authorize the City of Shreveport to make inquiries as necessary to verify the accuracy of the statements made and to determine my disadvantaged status. I certify that the above and the statements contained in the attachments are true and accurate as of the stated date(s). These statements are made for the purpose of obtaining admission to the Disadvantaged Business Enterprise Program. I understand that FALSE statements may result in forfeiture of benefits and possible prosecution as allowed by local, State, and Federal laws, rules, and/or regulations.

Signature: _____ Date: _____ Social Security Number: _____
 Signature: _____ Date: _____ Social Security Number: _____

AFFIDAVIT

IDO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTY OF PERJURY THAT

THE CONTENTS OF THE FOREGOING DOCUMENT ARE TRUE AND CORRECT, AND INCLUDE ALL MATERIAL INFORMATION TO IDENTIFY AND EXPLAIN THE OPERATIONS OF THE BUSINESS AS WELL AS THE OWNERSHIP AND CONTROL THEREOF, AND THAT I AM AUTHORIZED ON THE BEHALF OF THE BUSINESS TO DOCUMENT THIS AFFIDAVIT.

I, HEREBY DECLARE, SWEAR, AND AFFIRM THAT I am the _____ And duly authorized representative of _____

herein called the “business” or “firm” whose address is _____, and

- 1. That I have read and understand the definitions of the disadvantaged business enterprise (DBE) application and affirm that the firm is an S/DBE or DBE as defined on pages 4 and 5 of this application and that the owner(s)/partners/principal shareholders are citizens or lawful permanent residents of the United States.**
- 2. That the business/firm will provide any additional information requested by the City of Shreveport Disadvantaged Business Enterprise Office to document qualifications.**
- 3. That the business/firm will provide information about changes affecting its ownership and control, annually.**
- 4. That I recognize and acknowledge that any material misrepresentation in the Affidavit will be grounds for termination of any contract which may be awarded in reliance hereon.**
- 5. That any material misrepresentation will be grounds for initiating action under Federal or State laws concerning false statements.**

The undersigned swears that (s)he is the authorized representative of the business entity and that the foregoing statements, including statements and data provided in attachments hereto, are true and correct and include all material information necessary to identify and explain the operations of above named and otherwise identified business/firm, as well as the ownership thereof. Further, the undersigned agrees to provide through the prime contractor or if no prime, directly to the City of Shreveport Disadvantaged Business Enterprise Office complete and accurate information regarding actual work performed on any City-let project, the payment thereof, and any proposed changes, if any, of the foregoing arrangements and to

permit the audit and examination of books, records, and files of this firm by any authorized official of the City of Shreveport.

If after filing this certification application and before the work of this business/firm is completed on any contract the City lets, there is any significant change in the information herein submitted, this business/firm will inform the City of Shreveport Disadvantaged Business Enterprise Office of the change through the prime contractor or if no prime contractor, inform the City directly.

IDO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTY OF PERJURY THAT I HAVE NOT ENTERED INTO ANY ORAL OR WRITTEN AGREEMENT WITH ANY PERSON(S) CONCERNING THE OPERATIONS OF THIS COMPANY OTHER THAN AS PREVIOUSLY DISCLOSED HEREIN.

SIGNATURE: _____
NAME(typed): _____
TITLE: _____
DATE: _____

Corporate seal
(where appropriate)

SWORN TO AND SUBSCRIBED before me, Notary, this _____ day of _____, 19____.

(Notary Seal)

Notary Public

Attachment 2

CONFIDENTIAL INFORMATION

**CITY OF SHREVEPORT
JOINT VENTURE APPLICATION**

(This form need not be filled in if all firms in the joint venture are disadvantaged business enterprises, or otherwise eligible for Fair Share participation.)

1. Name of joint venture _____
2. Address of joint venture _____
3. Phone number of joint venture _____
4. Identify the firms which comprise the joint venture. (The S/DBE, DBE or FSC partner must complete the Certification Application) _____

- a. Describe the role of the S/DBE or DBE firm in the joint venture _____

- b. Describe very briefly the experience and business qualifications of each non-DBE joint venture: _____

5. Nature of joint venture's business _____ 6.

Provide a copy of the joint venture agreement.

7. What is the claimed percentage of S/DBE or DBE ownership? _____

8. Ownership of joint venture: (This need not be filled in if described in the joint venture agreement, provided by question 6.)

- a. Profit and loss sharing.
- b. Capital contributions, including equipment.

- c. Other applicable ownership interests.

CONFIDENTIAL INFORMATION

9. Control of and participation in this contract. Identify by name, race, sex, and "firm" those individuals (and their titles), who are responsible for day-to-day management and policy decision making, including but not limited to, those with primary responsibility for:

1. Financial Decisions _____

2. Management Decisions, such as:

1. Estimating _____

2. Marketing and Sales _____

3. Hiring and Firing of Management Personnel _____

4. Purchasing of major items or supplies _____

3. Supervision of Field Operations _____

NOTE: If after filing this Joint Venture Application and before the completion of the joint venture's work on the contract there is any significant change in the information submitted, the joint venture must inform the City, either directly or through the prime contractor if the joint venture is a subcontractor.

AFFIDAVIT

The undersigned swear that the foregoing statements are correct and include all material information necessary to identify and explain the terms and operation of our joint venture and the intended participation by each joint venturer in the undertaking. Further, the undersigned covenant and agree to provide to the City current, complete, and accurate information regarding actual joint venture work and the payment therefore, and any proposed changes in any of the joint venture arrangements and to permit the audit and examination of the books, records, and files of the joint venture, or those to each joint venture relevant to the joint venture, by authorized representatives of the City or the federal funding agency. Any material misrepresentation will be grounds for terminating any contract which may be awarded, for initiating action under federal or state laws concerning false statement.

Name of Firm	Name of Firm
Signature	Signature
Name	Name
Title	Title
Date	Date

Date _____
State of _____
Parish of _____

On this _____ day of _____, 19____, before me appeared _____ (name), to me personally known, who, being duly sworn, did execute the foregoing affidavit, and did state that he or she was properly authorized by (name of firm) _____ to execute the affidavit and did not as his or her free act and deed.

Notary Public _____
Commission expires _____

Validation Checklist

?	Action To Be Taken
	Date: _____ Time: _____ Reviewer: _____
	Company Reviewed: _____ Business Address: _____ Physical Address: _____ Telephone: _____ Fax: _____
	<input type="checkbox"/> Corporation <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Joint Venture <input type="checkbox"/> Other Business Entity
	List the principal officers who show ownership and control: _____ Title: _____ _____ Title: _____ _____ Title: _____ _____ Title: _____
	Date company was established: _____
	Has ownership changed within the last two years? <input type="checkbox"/> Yes <input type="checkbox"/> No
	List all capital contributions made by owner(s) and who made them. Is it community property? _____ _____ _____ _____
	List the date the small disadvantaged owner acquired controlling interest. _____ _____ _____
	If the initial ownership was held by a non-small disadvantaged owner, explain the reason for the transfer of ownership: _____ _____ _____ _____

	Describe how the small disadvantaged owner acquired his/her interest in the business: _____ _____ _____ _____
--	---

List who has the responsibility of the following:

	Cashing and/or depositing checks:
--	-----------------------------------

	Borrowing: _____ _____
--	------------------------------

	Supervising on-going projects: _____ _____
--	--

	Negotiating, marketing, insurance: _____ _____
--	--

	Hiring and firing of management personnel: _____ _____
--	--

	Entering into contracts for the company: _____ _____
--	--

Business Transactions

	Does the business have equipment leasing arrangements with other firms? If so explain: _____ _____ _____ _____
--	--

	Identify all companies/persons other than the small disadvantaged owner that hold licenses under which the company operated: _____ _____ _____
--	---

	What is the bonding capacity? _____
--	-------------------------------------

	Who is the bonding company? _____
--	-----------------------------------

Did you receive a resume from all the principals? Yes No, if not, explain:

Is the experience listed on the resumes consummate with the services provided?
 Yes No, if not, explain:

If the company is a corporation:

Did you receive a copy of the Articles of Incorporation, the By-Laws, and a copy of the first meeting minutes? Yes No, if not, explain:

List the number of shares issued and to whom:

Other ownership information

Did you receive a list of resources utilized by the business?
 Yes No

Provide information regarding any person in the business being connected with any other firm. Describe the relationship:

To the best of your knowledge, are the ownership and control of this firm held by a small disadvantaged owner real and substantial in accordance with the intent of our Programs? Explain:

**City of Shreveport
Business Development and Services Unit
M/W/DBE Or DBE
Business Visitation Form**

Date of Visit _____ Examiner(s) _____

Firm's Name _____

Owner/Manager _____

Address _____

City/State _____ Zip _____

Telephone _____ Fax _____

Type of Certification: _____

On-Site Interview: _____

Nature of Business: _____

Licenses: _____

Type of Ownership: _____

Ethnicity/Citizenship: _____

Business Size: _____

Comments: _____

Need Assessment: _____

**BIDDER CHECKLIST
GOOD FAITH EFFORT REQUIREMENTS**

This Checklist helps identify documents that must be submitted by the Bidder to establish that Good Faith Efforts have been made. However, it remains the responsibility of the Bidder to determine all the documents that must be submitted. (For purposes of this document, "submitted" means "in the physical possession of the Purchasing Bureau.")

DOCUMENTS SUBMITTED WITH BID

? **Compliance Form (FORM1):** Submit with the following information provided:

- | | |
|----------------------------------|--|
| ? Company Name/Address/Phone/Fax | ? Authorized Representative Signature/Title |
| ? Date when Form was signed | ? Printed or Typed Name of Authorized Representative |

? **Subcontracting Plan (FORM 2):** submit with the following information provided:

- ? Bidder Name, Bid Number, Bid Amount, and Project Name;
- ? List of divisions of work not subcontracted and explanation why not;
- ? Subcontractor information by division of work as requested on form.

? **S/DBE or DBE Contact Log (FORM 3):** Submit with the information requested.

? **Copy of Letter or FAX sent to S/DBE or DBE firms.**

? **List of S/DBE or DBE Bids (FORM 4):** Submit with the information requested.

NOTE: Failure to submit these documents may make a bid non-responsive and the bidder ineligible to receive an award of the contract. The DBE Office shall have the right to seek clarification or additional documentation to assure good faith effort compliance.

POST AWARD

? **Monthly Subcontractor Payment and Utilization Report (FORM 5)**

Submit to:

City of Shreveport
Purchasing Department
P.O. Box 31109
505 Travis
Shreveport, LA 71130

Please call the Purchasing Department at (318) 673-5400
or the
Disadvantaged Business Enterprise Office at (318) 673-7503
if you have additional questions.

S/DBE , DBE or FSC PARTICIPATION GOOD FAITH EFFORT REQUIREMENTS

1. PURPOSE OF THE PROGRAM

The City of Shreveport has implemented this program to ensure that their contracts provide employment and growth opportunities for small disadvantaged businesses. Therefore, prime contractors are required to submit proof showing that good faith efforts have been made to contract with S/DBE , DBE or FSC subcontractors. Please document all efforts.

2. PRE-BID EFFORTS REQUIRED REGARDING S/DBEs , DBEs Or FSCs

Bidders are required to make good faith efforts to contract with S/DBE ,DBE or FSC firms for each division of work identified in these documents which will be performed by a subcontractor. A listing of S/DBE , DBE or FSC contractors specializing in the divisions of work identified for subcontracting will be made available online and/or in print form.

These requirements are contractual obligations and are included in the construction contract. Failure to comply may result in a finding of breach of contract, disqualification of the bidder to bid on future contracts, or a claim for damages.

Who to contact

For *each* division of work identified in these documents that will be performed by a subcontractor, Bidders must contact:

- Every S/DBE , DBE or FSC firm that attended the pre-bid meeting (if one was held) which specializes in a division of work that will be subcontracted, *and*
- In addition to the above, prime contractors must contact a minimum of five (5) S/DBE, DBE or FSC firms. If there are less than 5 firms listed for a particular division of work, *all* of the contractors in that division must be contacted.

When to contact

The first documented contact with each S/DBE , DBE or FSC firm **MUST** be made at least seven (7) working days before bid opening.

How to contact

First contact: Bidders shall contact S/DBE , DBE or FSC subcontractors by letter , facsimile (fax) or certified return guaranteed letter to advise them of potential subcontracting opportunities.

Follow-up: Bidders shall follow up with telephone calls to each S/DBE , DBE or FSC firm contacted to determine if a bid will be submitted or if further information is required. A firm need not be contacted if that firm responds to the first contact with a statement that the firm will not bid on this project.

What information must be provided

Successful bidders must provide project information to S/DBE , DBE or FSC firms within a sufficient time period to permit the firm to have an equal opportunity to compete for work that the bidder will subcontract. Further, the subcontractor must be given the specific date and time when bids are due.

3. ADDITION/REPLACEMENT OF SUBCONTRACTORS AFTER BID SUBMISSION

The successful bidder will not be permitted to add or replace a subcontractor without the consent of the DBE Office AND the originating department.

If any subcontractor is added or replaced after the bid is submitted, the successful bidder shall make good faith efforts to contract with another S/DBE , DBE or FSC for the work to be performed by that subcontractor. Documentation of these efforts is required, and must be submitted to the Purchasing Agent and the Fair Share office on forms 7 and 8.

4. DOCUMENTATION OF GOOD FAITH EFFORTS

DOCUMENTS TO BE SUBMITTED WITH THE BID

- 1) **Compliance Form (FORM 1)** Submit signed Compliance Form.
- 2) **Subcontractor Listing (FORM 2)** Submit FORM 2 showing all subcontractors to be used on this contract.
- 3) **Log of contacts with S/DBE , DBE or FSC firms (FORM 3)** Submit a completed log of contacts with S/DBE or DBE firms on FORM 3.
- 4) **Copy of letter or fax sent to S/DBE , DBE or FSC firms** Submit one copy of the letter or fax sent to each S/DBE , DBE or FSC firms to solicit bids for each project. If more than one form of letter or fax was sent, submit a copy of each form sent.
- 5) **List of S/DBE , DBE or FSC Bids (FORM 4)** Submit FORM 4 providing the requested information.

Failure to submit these documents may make a bid non-responsive and the bidder ineligible to receive an award of the contract. The Purchasing Agent/Manager and/or the DBE Office shall have the right to seek clarification or additional documentation to assure good faith effort compliance.

A) DOCUMENTS TO BE SUBMITTED AFTER CONTRACT AWARD

- 1) **Monthly Subcontractor Payment Utilization Report (FORM 5)** All subcontractors (including S/DBE , DBE or FSC firms) and second tier subcontractors shall be reported on this form as well as contract amounts and payments.
- 2) Subcontractor Change Request form 7.
- 3) Sub-subcontractor Change Request form 8.

5. OPTIONAL GOOD FAITH EFFORTS

Bidders should consider efforts such as:

- Did contractor advertise in general circulation, trade association, and small disadvantaged- focus media concerning subcontracting opportunities?
- Did contractor provide written notice to a reasonable number of specific S/DBEs , DBEs and FSCs that their interest in the contract was being solicited, in sufficient time to allow the S/DBEs , DBEs and FSC to participate effectively? (NOTE: It is recommended that certified mail be used to provide documentation.)
- S Did the contractor follow up initial solicitations of interest by contacting S/DBEs , DBEs and FSCs to determine certainty whether the S/DBEs and DBEs were interested?
- S Did the contractor select portions of the work to be performed by S/DBEs , DBEs, and FSCs including, where appropriate, breaking down contracts into economically feasible units to facilitate participation?
- S Did contractor provide interested S/DBEs , DBEs and FSCs with adequate information about the plans, specifications and requirements of the contract?
- S Did the contractor negotiate in good faith with interested S/DBEs ,DBEs, and FSCs not rejecting them as unqualified without sound reasons based on a thorough investigation of their capabilities?
- S Did the contractor make efforts to assist interested S/DBEs , DBEs and FSCs in obtaining bonding, lines of credit or insurance required by the recipient or contractor?
- S Did the contractor effectively utilize the services of available community organizations; contractors' groups; local, state, and federal business assistance offices; and other organizations that provide assistance in the recruitment and placement of S/DBEs , DBEs and FSCs ?

COMPLIANCE AGREEMENT
(FORM 1)

By signing this document, Bidder hereby certifies and understands that:

1. It has not discriminated against any S/DBE , DBE or FSC firms in the awarding of subcontracts for this project.
2. The good faith efforts requirements are contractual obligations that must be fulfilled whether or not listed on these forms.
3. All bidders must submit the Forms with its bid or its bid shall be rejected.
4. Failure to provide information may result in a loss of the bidder's bid bond.
5. Additional documentation to verify or clarify good faith efforts must be provided upon request.
6. Form 5, the monthly Subcontractor Utilization Report, must be submitted to the Purchasing and Fair Share offices throughout the term of the contract and at its termination.
7. Replacement of a subcontractor before or during the performance of a contract award without: a) obtaining the prior written consent of the Fair Share Office and the originating department; and b) subsequent good faith efforts in selection of a replacement; is prohibited and a breach of contract.
8. Consideration was given to waiving bonding requirements for S/DBE , DBE and FSC subcontractors.

And, Executes this Compliance Agreement as:

Company Name: _____

Address: _____

Phone Number: () _____ - _____ FAX Number: () _____ - _____

By: _____
Signature of Authorized Owner or Representative Title Date

Print Name: _____

Subcontractor Listing
 Required for All Written Contracts
 (FORM 2)

IFB/RFP/RFS/RFQ# _____ Project Name: _____ Contract Amount: \$ _____

General/Prime Contractor: _____ Federal ID#: _____ (circle one) Phone: _____ State Class/License #: _____

Federal Tax Identification #	Subcontractor	Sub-Contractor Amount/Type of Work	State License#	State Classification	**City Status
_____	_____*	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Sub of Subcontractor

*****If any of the subcontractors listed are going to hire other subcontractors, please list in the appropriate space provided.**

I hereby certify that the above information is true and correct and that I will notify the Purchasing Agent, in writing, of any changes that occur prior to completion of the work.

General/Prime Contractor's Signature: _____ Date: _____

 General/Prime Contractor to Complete All Information Listed Above

 City Department to Complete Information Listed Below

 Contractor Tracking #:

DBE Goal: _____% (Write "NONE" if goal does not apply) Fair Share Goal: _____%

City's Project Manager Signature: _____ Phone #: _____ Date: _____

*Write "NONE" if there are no subcontractors for this project.

**As certified by the City's DBE Coordinator. DBE - Disadvantaged Business Enterprise; EDB - Economically Disadvantaged Business; LBE - Large Business Enterprise; MBE - Minority Business Enterprise; SBE - Small Business Enterprise; WBE - Women Business Enterprise

Note: This form must be attached to all written contracts before they can be processed by the Purchasing Division. Purchasing Division to complete information below;

Subcontractor information was entered in computer on _____, by _____.

(REVISED 3-15-99)

Subcontractor Change Form Required for All Contracts

IFB/RFP/RFS/RFQ# _____ Project Name: _____ Contract Amount: \$_____

(circle one)
General/Prime Contractor: _____ Federal ID#: _____ Phone: _____ State Class/License #: _____

Federal Tax Identification #	Old Subcontractor	New Subcontractor	Sub-Contractor Amount/Type of Work	State License#	State Classification	*City Status
_____	_____*	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

Sub of Subcontractor

Sub of Subcontractor	Old Subcontractor	New Subcontractor
_____	_____	_____
_____	_____	_____
_____	_____	_____

***If any of the subcontractors listed are going to hire other subcontractors, please list in the appropriate space provided.

I hereby certify that the above information is true and correct and that I will notify the Purchasing Agent, in writing, of any changes that occur prior to completion of the work.

General/Prime Contractor's Signature: _____ Date: _____

General/Prime Contractor to Complete All Information Listed Above

City Department to Complete Information Listed Below

DBE Goal: _____% (Write "NONE" if goal does not apply) Fair Share Goal: _____%

Contract Tracking #: _____

MONTHLY SUBCONTRACTOR PAYMENT AND UTILIZATION REPORT (FORM 5)

1. Contract No. _____ 2. Progress Report No. _____ 3. _____
 Prime
 Contract
 or _____

4. Prime Contract Amount _____ 5. Report Dates (Beginning & Ending) _____ 6. _____
 Project
 Name _____

SECOND TIER PAYMENTS TO SUBCONTRACTORS MUST BE INCLUDED ON THIS REPORT.

7 All Sub-Contractor Names (List All Sub-Contracts)	8 Status S/DBE or DBE*	9 ? Check if Second Tier Sub	10 Nature of the Work	11 Original Sub-contract Amount (Z)	12 Changes To The Sub-Contract Amount (Z)	13 Total Sub-Contract Amount (Z)	14 Mid-Month Payment Amount/ Date Made to Subcontractor (Z)	15 Ac Prog Paym Amn Date to S contr (Z)

*CHANGES TO CONTRACT: Replacement, substitution or addition of S/DBE or DBE firms must be handled in conformance with the contract documents.
 Please Note: Instructions for completing this report are on the reverse side.

IT IS HEREBY CERTIFIED THAT THE ABOVE LISTED FIRMS HAVE BEEN UTILIZED BY OUR COMPANY IN THE AMOUNTS

REPRESENTED ABOVE AND THAT THE INFORMATION CONTAINED HEREIN IS COMPLETE AND ACCURATE.

Authorized Signature of Contractor Representative

Date

Instructions: Submit with request for Progress Payment to Project Managers **and** send a copy to: City of Shreveport, DBE Office, P. O. Box 31109, Shreveport, LA 71130

INSTRUCTIONS FOR COMPLETING THE MONTHLY SUBCONTRACTOR PAYMENT AND UTILIZATION REPORT

1. **CONTRACT NUMBER:** Enter the contract number for this project as assigned by the City Purchasing Department.
2. **PROGRESS REPORT NO:** Enter Report number 1 for the first report submitted and subsequent numbers for reports submitted thereafter.
3. **PRIME CONTRACTOR:** Indicate the name of the prime contractor.
4. **PRIME CONTRACT AMOUNT:** Indicate the total dollar amount of the prime contract.
5. **REPORT DATES:** Indicate the beginning and ending dates corresponding to the progress payment period or use calendar month.
Example: 1/1/98 thru 1/31/98. Reports should be sequential and not overlap.
6. **PROJECT NAME:** Indicate the project name as indicated on the contract documents.
7. **SUBCONTRACTOR NAME:** List the names of all subcontractors having performed work or paid on this project during the reporting period.
8. **STATUS:** Indicate the appropriate S/DBE or DBE status of each contractor listed in item 7. Example: S/DBE, or DBE.
Note: Designations should be consistent with how firms were certified by the City at the time of contract award. Only one designation may be used for credit and will be applied accordingly. Leave blank for non-certified firms.
9. **LIST SECOND TIER SUBCONTRACTORS.**
10. **NATURE OF WORK:** Briefly describe subcontractors' work. Example: Landscaping, electrical supplier, electrical contractor, remove and replace inlets, furnish and install catch basins, etc.
11. **ORIGINAL CONTRACT AMOUNT:** Indicate the dollar amount for each subcontract at time of award.
12. **CHANGES TO CONTRACT:** Indicate the cumulative dollar value of any changes to subcontracts. Additions to the contract should be shown using a plus sign in front of the amount and reductions in contract amounts using the minus sign. Examples: additions +\$3,050.50, reductions -\$3,050.50. Also please explain any changes in space provided below for comments.
13. **TOTAL SUBCONTRACTOR AMOUNT:** This amount should be the total dollar value (current contract amount) plus or minus changes indicated in column 11.
14. **MID-MONTH PAYMENT AMOUNT AND DATE MADE TO SUB:** Enter the date and amount of any mid-month payment made to the subcontractor.
15. **ACTUAL PROGRESS PAYMENT AMOUNT AND DATE MADE TO SUBCONTRACTOR:** Enter the date and amount the month end actual progress payment was made to the subcontractor.
16. **TOTAL PAYMENT AMOUNT TO DATE:** This amount should represent the amount of both mid-month and month-end amounts paid to the subcontractor. This amount should correspond to the amount the prime is requesting for work performed by the subcontractor for the same reporting period.

17. **RETAINAGE HELD, IF ANY:** If the prime is holding retainage, enter the total amount of the retainage held for the reporting period.

COMMENTS (Include why any payment amounts made to the subcontractor are less than that requested by the subcontractor.):

Standard Actions to be Taken in Cases of Non-Compliance

The table shown below is intended to reflect standard actions taken in the case of non-compliance with the City of Shreveport Fair Share and/or Disadvantaged Business Enterprise Programs. Multiple breach of contracts in different programs and/or technical requirements are assumed to be cumulative. Any combination thereof may be grounds to request formal debarment action by the City through the City Attorney's Office.

Contract Execution - Acts of Non-Compliance	First Infraction	Second Infraction	Third Infraction
Good Faith Effort Program			
Deletion or replacement of an S/DBE or DBE subcontractor without the consent of the DBE Program.	1. Phone call/Fact finding; 2. Conference in our office; 3. Formal letter noting first offense; 4. Offense reported in Contractor's file for contract award.	1. Phone call/Fact finding; 2. Conference in our office; 3. Formal letter noting multiple offenses; 4. Damages.	1. Phone call/Fact finding; 2. Conference in our office; 3. Request for debarment.
Failure to Submit Monthly Subcontractor Payment Utilization Report (Form 5).	1. FAX notice; 2. Phone call/Fact finding; 3. If over 30 days, stop progress payments.	1. FAX notice; 2. Phone call/Fact finding; 3. Stop progress payments.	1. FAX notice; 2. Stop progress payments.
Substantial reduction in S/DBE or DBE subcontract amounts.	1. Phone call/Fact finding; 2. Conference in our office; 3. Formal letter noting first offense.	1. Phone call/Fact finding; 2. Conference in our office; 3. Formal letter noting multiple offenses.	1. Phone call/Fact finding; 2. Conference in our office; 3. Request for debarment.
Failure to submit project closeout information as requested.	1. Phone call; 2. FAX/Letter requesting information; 3. Formal letter noting first offense.	1. Phone call; 2. FAX/letter requesting information; 3. Formal letter noting multiple offense.	1. Phone call; 2. FAX/letter requesting information; 3. Stop retainage payment.

Available Methodologies for Resolution of Compliance Issues
Selection/Order of Actions/Steps to be Determined by Issue and Discretion of City Staff

- ? Fact-finding efforts with Project Manager, Prime, and/or subcontractors
Phone call/Fact finding with follow-up questions and discussion
- ? Fax asking for compliance
- ? Formal letter asking for explanation for non-compliance
- ? Conference in our office
- ? Formal letter noting first offense
- ? Damages - Cost to City resulting from non-compliance
- ? Formal letter noting multiple instances of non-compliance; Notice that additional breach of contract will not be tolerated and may result in debarment consideration being referred to the City Attorney's office.
- ? Request formal debarment action by City through City Attorney's office
- ? Stop monthly progress payments
- ? Offense reported in Purchasing's contractors' file with notification to City Council that additional breach of contract will not be tolerated and may result in debarment consideration being referred to the City Attorney's office.
- ? Close down project; Stop work
- ? Termination of contract

**SAMPLE LETTER
TO
REQUEST RECERTIFICATION**

(Date)

Ms. Pamela Phillips-Tillman
Disadvantaged Business Enterprise Office
P. O. Box 31109
Shreveport, LA 71130

Re: Request Recertification for ___ S/DBE ___ M/DBE ___ W/DBE or ___ DBE

Dear Ms. Phillips-Tillman:

The firm of

Firm Name

Address

City State Zip Code

hereby requests recertification under the City of Shreveport's Disadvantaged Business Enterprise Program.

The undersigned, as authorized representative of the firm, hereby attests that no changes in ownership and/or control, have been made subsequent to the certification granted by the Disadvantaged Business

Enterprise Office. Also, listed below are the gross receipts for the last three years and attached is the Personal Financial Statement.

<u>Year</u>	<u>Gross Receipts</u>	<u>Business Net Worth</u>
For year ending _____:	\$ _____	\$ _____
For year ending _____:	\$ _____	\$ _____
For year ending _____:	\$ _____	\$ _____

(Signature)

Title

Notary Public

**APPLICATION FOR RECERTIFICATION
AFFIDAVIT**

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTY OF PERJURY THAT THE CONTENTS OF THE PREVIOUSLY SUBMITTED CERTIFICATION DOCUMENTS WERE TRUE AND CORRECT, AND INCLUDED THE MATERIAL INFORMATION THAT IDENTIFIED AND EXPLAINED THE OPERATIONS OF THE BUSINESS AS WELL AS THE OWNERSHIP AND CONTROL THEREOF, AND THAT I AM AUTHORIZED ON BEHALF OF THE BUSINESS TO DOCUMENT THIS AFFIDAVIT.

I, HEREBY DECLARE, SWEAR AND AFFIRM THAT I am the _____
and duly authorized representative of _____
herein called the "business" or "firm," whose address is _____,
_____ , and

1. That I have read and understand the definitions and affirm that the firm is a ___S/DBE, ___M/DBE, ___W/DBE, ___DBE as defined on the previously submitted certification form and that the owner(s)/partners/principal shareholders are citizens or lawful permanent residents of the United States.
2. That the business/firm will provide any additional information requested by the City of Shreveport Disadvantaged Business Enterprise Office to document its qualifications.
3. That the business/firm will provide information about changes affecting its ownership, control and operations or services provided.
4. That I recognize and acknowledge that any material misrepresentation in this Affidavit will

be grounds for termination of any contract which may be awarded in reliance hereon.

5. That any material misrepresentation will be grounds for initiating action under federal, state, or city laws concerning false statements.

The undersigned swears that he/she is the authorized representative of the business entity and that the previously submitted statements and data were true and correct and included all material information necessary to identify and explain the operations of above names and otherwise identified the business/firm, as well as the ownership thereof. Further, the undersigned agrees to provide through the prime contractor, or, if no prime, directly to the City of Shreveport Disadvantaged Business Enterprise Office complete and accurate information regarding actual work performed on any City-let project, the payment thereof, and any proposed changes, if any, of the foregoing arrangements and to permit the audit and examination of books, records, and files of this firm by any authorized official of the City of Shreveport.

If after filing this affidavit, there is any change in the previously submitted information, this firm will inform the City of Shreveport Disadvantaged Business Enterprise Office of the change through the prime contractor or, if no prime, directly to the City of Shreveport Disadvantaged Business Enterprise Office.

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTY OF PERJURY THAT THERE ARE NO ORAL OR TACIT AGREEMENTS CONCERNING THE OPERATIONS OF THE COMPANY BETWEEN PERSONS ASSOCIATED WITH THE COMPANY.

Corporate Seal
(where appropriate)

Signature

Name (typed or printed)

Title

Date

SWORN TO AND SUBSCRIBED before me, Notary, this _____ day of _____
19_____.

(Notarial Seal)

Notary Public

In and for the Parish of:

**ANNUAL CERTIFICATION VERIFICATION
AFFIDAVIT**

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTY OF PERJURY THAT THE CONTENTS OF THE PREVIOUSLY SUBMITTED CERTIFICATION DOCUMENTS WERE TRUE AND CORRECT, AND INCLUDED THE MATERIAL INFORMATION THAT IDENTIFIED AND EXPLAINED THE OPERATIONS OF THE BUSINESS AS WELL AS THE OWNERSHIP AND CONTROL THEREOF, AND THAT I AM AUTHORIZED ON BEHALF OF THE BUSINESS TO DOCUMENT THIS AFFIDAVIT.

I, HEREBY DECLARE, SWEAR AND AFFIRM THAT I am the _____ and duly authorized representative of _____ herein called the "business" or "firm," whose address is _____, and

_____ That I have read and understand the definitions and affirm that the firm is a ___S/DBE, ___M/DBE, ___W/DBE, ___DBE as defined on the previously submitted certification form and that the owner(s)/partners/principal shareholders are citizens or lawful permanent residents of the United States.

_____ That the business/firm has attached documents to provide information about changes affecting its ownership, control and operations or services provided. These changes occurred on _____ (date).
(Please attach pertinent information.)

_____ That no changes have occurred with this business within the last year.

The undersigned swears that he/she is the authorized representative of the business entity and that the previously submitted statements and data were true and correct and included all material information necessary to identify and explain the operations of above names and otherwise identified the business/firm, as well as the ownership thereof. Further, the undersigned agrees to provide the prime contractor, or, if no prime, directly to the City of Shreveport Disadvantaged Business Enterprise Office complete and accurate information regarding actual work performed on any City-let project, the payment thereof, and any proposed changes, if any, of the foregoing arrangements and to permit the audit and examination of books, records, and files of this firm by authorized official of the City of Shreveport.

If after filing this affidavit, there is any change in the previously submitted information, this firm will inform the City of Shreveport Disadvantaged Business Enterprise Office of the change through the prime contractor or, if no prime, directly to the City of Shreveport Disadvantaged Business Enterprise Office.

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTY OF PERJURY THAT THERE ARE NO ORAL OR TACIT AGREEMENTS CONCERNING THE OPERATIONS OF THE COMPANY BETWEEN PERSONS ASSOCIATED WITH THE COMPANY.

Corporate Seal
(where appropriate)

Title

Signature

Name (typed or printed)

Date

SWORN TO AND SUBSCRIBED before me, Notary, this _____ day of _____,
19_____.

(Notarial Seal)

Public

Notary

In and for the Parish of:

Attachment 8

CITY OF SHREVEPORT



ADMINISTRATIVE PROCEDURE

SUBJECT: CONTRACT PROCUREMENT	A. P. Number: 3-8 (Revised)
	Effective Date: January 1, 2000

I. AUTHORITY

Section 26 of the City of Shreveport Code of Ordinances

II. PURPOSE

To establish the policies for the procurement of goods and services including public works projects. The procedure also establishes contractual responsibilities. This administrative procedure will provide a uniform bidding process and ensure that the purchase of commodities, services, contracts and public works projects are properly coordinated.

III. OBJECTIVES

- A. To outline procurement policy for commodities, services and public works projects.
- B. To ensure the procurement of quality goods, services and public works projects that meet the needs of the City considering price and other factors.
- C. To outline a process for the preparation and coordination of bid specifications.
- D. To outline the policies related to contract approval and document contractual responsibilities.

IV. SCOPE

This Administrative Procedure is applicable to all City of Shreveport departments and agencies who use the City of Shreveport's Purchasing Division as their primary resource for procurement services.

Approved	Date Approved	Page	1	of	6
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VI. DEFINITIONS

- A. Change Order within the scope of the contract - a change order which does not alter the nature of the thing to be constructed or does not significantly alter the specifications of a commodity ordered or does not radically change the nature of the service to be provided.

- B. Change Order outside the scope of the contract - a change order which alters the nature of the thing to be constructed or significantly alters the specifications of a commodity ordered or radically changes the nature of the service to be provided.
- C. Closed specification - a product specified to the exclusion of all other products of apparent equal quality and utility.
- D. Exclusive distribution - the right to control, either by contract or practice, directly or indirectly, the distribution of a product in a particular defined area to the exclusion of any other distributor.
- E. Negotiate - the process of making purchases and entering into contracts without formal advertising and public bidding with the intention of obtaining the best price and terms possible under the circumstances.
- F. Professional contract - a legal agreement with a firm or agency having some special expertise to provide professional services in exchange for a fixed fee.
- G. Recurring contracts - contracts such as demolition, grass cutting, & securing that are normally entered into on a monthly basis and/or more than once during one budget year and the initial contract was approved by the entire Contract Tracking Process.
- H. Requirements contract - A legal agreement with a firm or agency to provide supplies, materials, services, or other goods on a routine basis over a period of time in exchange for a predetermined amount of money to be paid regularly as the goods or services are provided.
- A. Responsible Bidder - shall mean a contractor who has an established business and who has demonstrated the capability to provide goods and services in accordance with the terms of the contract, plan, and specifications without excessive delays, extensions, cost overruns, or changes for which the contractor was held to be responsible.

VI. CONTRACTUAL RESPONSIBILITIES

- A. Mayor - shall sign, or may delegate signature authority to the Purchasing Agent for some contracts or other documents requiring the assent of, or execution by, the City. In addition, shall ensure that the terms and conditions of all contracts are faithfully executed.
- B. Chief Administrative Officer -shall review the proposed contract award and provide management approval.
- C. City Attorney - shall draw or approve all contracts or other instruments to which the City is a part or in which it has an interest to ensure compliance with federal, state and local statutes.

- D. Director of Finance - shall examine all proposed contracts which create financial obligations against the City and ensure that funds are available to cover the costs of such contracts. Shall ensure that no contractor is allowed to enter into a contract with the City without first having executed an appropriate performance and payment bonds, when applicable. Shall ensure that all contracts include appropriate insurance requirements. In addition, shall ensure no contract is awarded to any person who has not paid all taxes, licenses, fees and other charges which are outstanding and due the City.
- E. Department Head - shall pre-encumber funds to cover the bid estimate and provide specifications, plans and contract documents that are in compliance with appropriate federal, state and local statutes and operating procedures. Shall provide executive summaries with all contract requisitions.
- F. Purchasing Agent - shall initiate advertisements, solicit and receive bids, conduct public bid openings and maintain records pertaining to bids. In addition, shall ensure bid documents comply with federal, state and local statutes and operating, policy and procedures regarding public contracts.
- G. Architect - Engineer (when applicable) - shall prepare the required contract documents including bid forms and notice to bidders, drawings, technical specifications, and other documents as required to provide bid documents and support construction/demolition contracts. At the City's request, shall assist the City's legal counsel in connection with his/her review of the construction contract documents. In addition, shall assist the City in obtaining bids or negotiating change orders, in analyzing bids and proposals, and in awarding the construction contract.
- H. Director of the Fair Share Program - shall ensure that disadvantaged businesses are given a fair opportunity to participate in City contracts prior to actual execution of an award.

VII. POLICIES

A. Procurement Dollar Limits

- 1. Purchases/contracts up to \$500 may be made as a direct purchase by the department. From \$501 to \$7,499, these purchases/contracts are required to be procured by the Purchasing Division on a requisition.

2. Purchases/contracts of \$7,500, but less than \$15,000 shall be made by obtaining not less than three telephone, facsimile, or electronic quotations.
 3. All purchases/contracts of \$15,000 or more for materials, supplies, and equipment shall be made after requesting formal solicitations.
 4. Public works/construction project of \$100,000 or more shall be made after requesting formal solicitations.
2. On public works projects that are less than the contract limit of \$100,000, the City may either enter into a private negotiated contract with a qualified contractor or perform the work with City employees when the construction of a building is not involved. All contracts for the construction of buildings must be awarded to a private contractor.
 3. Bond Requirements
 1. Bid bonds are not required for public works contracts that are less than \$100,000 unless the project is bid.
 2. Performance bonds will be required on public works projects of \$50,000 or more.
 - S Payment bonds will be required on public works projects of \$25,000 or more.
 - S Maintenance bonds may be required on projects when necessary based on the project.
 - S Anytime a performance, payment or a maintenance bond is required, it shall be the contractor's responsibility to have them recorded at the Clerk of Court in the Caddo Parish Courthouse.
 - D. The Mayor shall sign all contracts which initially obligate the City for a period longer than one year and/or exceeds \$10,000 per year (estimated or actual). Also, the Mayor will sign all change orders for contracts in excess of \$10,000.
 5. The Purchasing Agent may sign any contract/change order, which has a period of one year or less and has an estimated value of \$10,000 per year or less.
 6. Generally, all requirements contracts will be for a period not to exceed twelve months, with options for the City to renew the contract in increments of one year. The total contract term with options shall not exceed three years without the approval of the Mayor.

7. Whenever the City enters into a contract of \$5,000 or more for the construction, alteration, or repair of any public works, a written contract is required.
8. All public works contracts of \$5,000 or more must be recorded by the Clerk of Court in the Parish Courthouse by the contractor.
9. When an emergency, as provided in R.S. 38:2212 (D), is deemed to exist for the construction, alteration, or repair of any public works project and the contract amount for such emergency work is less than \$25,000, there shall be no requirement to reduce the contract to writing.
10. Change Orders - Only change orders that are within the scope of the contract shall be allowed and they shall be limited to a maximum of 25% of the original contract price on public works contracts when grant funds are not utilized. Exceptions: When projects are phased and when grant funds are used, the maximum amount of the change orders shall be as allowed by the grantor.
11. A copy of all contracts entered into by the City, and any related correspondence, change orders, etc., will be filed and maintained in the Finance Department.
12. Written specifications shall not be required for public works projects that are less than \$15,000 unless it is deemed necessary by the Department Head or the Purchasing Agent.
13. Charges for Bid Documents
 1. When the City prepares and distributes the bid documents, the fee schedule for these shall be:
 - (a) For projects with cost estimates that are less than \$100,000, there shall be no charge for the first set of bid documents. There shall be a \$15.00 handling/postage charge for all documents that are mailed.
 - E. For projects with cost estimates that are \$100,000 or more, there shall be a non-refundable fee of \$30 plus a \$15.00 handling/postage charge for all documents that are mailed.
 - (c) For additional copies of bid documents for any project where the City prepares and distributes the bid documents, there shall be a non-refundable fee of \$30 each plus a \$15.00 handling/postage charge for all documents not picked up.
 2. When the bid documents are not prepared by the City and the bid documents are distributed by others, the fee schedule for these shall be:

- (a) For projects with cost estimates that are less than \$100,000, there shall be no charge for the first set of bid documents. There shall be a \$15.00 handling/Postage charge for all documents that are mailed.
- (b) For projects with cost estimates that are \$100,000 or more, bid documents shall be available upon payment of (the actual cost of reproduction of specs and drawings) refundable deposit per set plus a \$15.00 handling charge for all documents that are mailed. Deposits on the first set are fully refunded upon return of documents in good condition on or before 10 days after bid opening. On additional sets of documents furnished to bidders, there will not be a refund because the deposit is equal to the actual cost of reproduction.
- (c) When the bid documents are not prepared by the City and are distributed by the City, the fee schedule shall be as listed in M (1) (a)(b)(c) above.

3. Charges are subject to change, if warranted by the actual cost of the documents.

N. The Finance Department will develop the necessary forms to carry out this Administrative Procedure and provide for an organized and well structured contracting process.

O. Exception to this Administrative Procedure would be if an emergency situation exists as defined in R.S. 38:2212 et seq., then the approval process would be as follows:

- 1. The contract limit for any project may be increased to 100% of the contract limit as established by R.S. 38: 2212 et seq. with prior approval of the Chief Administrative Officer.
- 2. For emergencies exceeding the contract limit in R.S. 38: 2212 et seq., approval of the Chief Administrative Officer is required and a resolution must be presented to the City Council.

Attachment 9

CITY OF SHREVEPORT FAIR SHARE PROGRAM CERTIFICATION AFFIDAVIT

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTY OF PERJURY, THAT THE CONTENTS OF THE FOREGOING DOCUMENT ARE TRUE AND CORRECT, AND INCLUDE ALL MATERIAL INFORMATION TO IDENTIFY AND EXPLAIN THE OPERATIONS OF THE BUSINESS AS WELL AS THE OWNERSHIP AND CONTROL THEREOF, AND THAT I AM AUTHORIZED ON BEHALF OF THE BUSINESS TO DOCUMENT THIS AFFIDAVIT. I, HEREBY DECLARE, SWEAR, AND AFFIRM THAT I am the _____ And duly authorized representative of _____ herein called the "business" or "firm" whose address is : _____ and

1. That I have read and understand the requirements of the Fair Share Program.
2. That the business/firm will provide any additional information requested by the City of Shreveport to document program qualifications.
3. That the business/firm will provide information about significant changes affecting its ownership and control or any other information contained in this affidavit.
4. That I recognize and acknowledge that any material misrepresentation in the Affidavit will be grounds for termination of any contract which may be awarded in reliance hereon, and for initiating action under Federal, State and local laws concerning false statements.
5. That the City of Shreveport has. the legal right to request tax returns for up to three (3) years for the business/firm and/or owner(s).

The undersigned swears that the foregoing statements, including statements and data provided in attachments hereto, are true and correct. This includes all material information necessary to identify and explain the operations of above named and otherwise identified business/firm, as well as the ownership thereof. Further, the undersigned agrees to provide through the prime contractor, or if no prime, directly to the City of Shreveport, complete and accurate information regarding actual work performed on contracts bid and awarded by the City .The business/firm agrees to permit the audit and examination of its books, records, and files by any authorized official of the City of Shreveport.

505 Travis Street
Suite 260
Shreveport, LA 71101
(318) 673-5010

ATTENTION: KAREN M. BARNES
MANAGEMENT ASSISTANT
FAIR SHARE PROGRAM

CERTIFICATION WILL NOT BE GRANTED ON INCOMPLETE INFORMATION.

1. Name of Firm: _____
 – Address of Firm: _____
 3 Phone Number of Firm: () _____ Fax Number of Firm:() _____
 4 Name of Contact Person: Title: _____

- 5 Legal Structure (must be for-profit) Indicate whether firm is:
 a. Sole Proprietorship _____ b. Corporation _____
 c. Partnership _____ d. Joint Venture _____
 e. Other business entity (specify) _____

6. a. Years firm has been in business: _____
 b. Nature of firm's business: _____

 c. Firm's 4 digit SIC code(s): _____

7. What were the gross receipts of the firm for last year? \$ _____
 What was the business net worth for last year? \$ _____

- | | | | |
|---|-------|-------|-------|
| 8. Diminished Capital and Credit: | Yes | No | NA |
| Does the firm lack access to long-term financing or credit? | _____ | _____ | _____ |
| Does the firm have working capital financing? | _____ | _____ | _____ |
| Does the firm lack access to equipment trade credit? | _____ | _____ | _____ |
| Does the firm lack access to raw materials? | _____ | _____ | _____ |
| Does the firm lack access to supplier trade credit? | _____ | _____ | _____ |
| Does the firm lack bonding capacity? | _____ | _____ | _____ |
| Has the firm been denied credit? | _____ | _____ | _____ |
| Who can sign on the business' account? _____ | | | |
| Name of banking institution where account is held _____ | | | |

9. Ownership: Identify all owners of the firm.
- | Name | Sex/Ethnic
Origin | Ownership
Voting % | Citizen-
ship | Does Personal Net
Worth Exceed \$250,000? |
|------|----------------------|-----------------------|------------------|--|
|------|----------------------|-----------------------|------------------|--|

1. _____

 Title/Duties: _____

2. _____

 Title/Duties: _____

10. Give the following information on the resources that this firm has available to

operate :

a. Number of employees: Full-time _____ ; Part-time _____

b. List major equipment leased and/or owned by the firm: (attach separate sheet if necessary)

<u>Equipment</u>	<u>Quantity</u>	<u>Age</u>	<u>Leased/Owned</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

11. BACKGROUND INFORMATION

A. List information for the last three projects completed:

<u>Customer</u>	<u>Address</u>	<u>Phone</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

– List information for three major suppliers:

<u>Supplier</u>	<u>Address</u>	<u>Phone</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Copies of the following documents must be attached:

- _____ a. Company's most current balance sheet and income statement
- _____ b. Resume(s) of owner(s)/manager(s)
- _____ c. License(s) to do business in Louisiana (State certificates, occupational license, permit, etc.)
- _____ d. Copy of driver's license .
- _____ e. Business bank account verification of signatories
- _____ f. Articles of incorporation and other business agreements that affect ownership

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENAL TV OF PERJURY. THAT THERE ARE NO ORAL OR TACIT AGREEMENTS CONCERNING THE OPERATIONS OF THE COMPANY BETWEEN PERSONS ASSOCIATED WITH THE COMPANY.

SIGNATURE: _____
NAME(typed) _____ :
TITLE: _____
DATE: _____

Corporate seal

(where appropriate)



SWORN TO AND SUBSCRIBED before me, Notary, this _____ day of _____ .20__

(Notary Seal)

Notary Public

Attachment 10

Vendor's Application

Please mail or fax application to:

City of Shreveport

Purchasing Division

505 Travis Street, Suite 260 Shreveport, LA 71101

Phone: (318) 673-5450. Fax: (318) 673-5408

web site: www.ci.shreveport.la.us

SHREVEPORT

All information *must* be provided typed or printed.

? INITIAL APPLICATION
? REVISION

Date of Application:

Dunn & Bradstreet number or other name/number:

Vendor Name:

Federal Identification or S.S. Number :

Sales (Order) Address (Street, City, State & Zip Code):

Phone Number:

Remittance Address (Street, City, State & Zip Code):

Fax Number:

E-mail Address:

Years in business:

Type of Organization (CHECK ONE): ? Partnership ? Sole Proprietorship ? Corporation * Minority Ownership _____%

Type of Business or Service (CHECK ONE): ?Retailer ?Wholesaler ?Distributor ?MFGR'S Agent
?Manufacturer or Producer ?Service Establishment

Commodity Codes are used to determine what type of service or product your company provides. It is imperative that the five digit commodity codes(s) be listed on this application. These codes can be accessed via web site-
:http://www.gsc.state.tx.us/com_book/ or by contacting our office. If you do not have a computer, you may want to use one of the public use computers that are available at the Shreve Memorial Library and/or at most any library branches in your area. Please list all that apply. Use back of page if needed.

(1) _____ (2) _____ (3) _____ (4) _____ (5) _____ (6) _____ (7) _____ (8) _____

Certifications as listed below were issued by: _____ (Please check all that apply.)

Small
Business
?

Large
Business
?

Fair Share Certified
?

Disadvantaged
Business
?

Woman Owned
Business
?

Persons Authorized to sign bids and Contracts in your name:
(If agent, so specify)

Persons to contact on matters concerning bids and contracts:

Name

Official Capacity

Name

Official Capacity

I understand that I will need to watch for the City's ads in the legal section of "The Times" and/or on our web site so that I will know to contact the City for a copy of an Invitation for Bid (IFB), a Request for Proposal (RFP), or a Request for Statement of Qualification (RFS).			
I certify that the information supplied herein (including all pages attached) is correct and that neither the applicant nor any person (or concern) in any connection with the applicant as a principal officer, so far as is known, is now debarred or otherwise declared ineligible by public agency from bidding for furnishing materials, supplies or services to any agency thereof.			
Signature of Person Authorized to Sign this Application		Name and Title of Person Signing (Please Type or Print)	
*Defined as those who are socially disadvantaged by Small Business Administration that includes Black Americans, Hispanic Americans, native Americans, Asian Pacific Americans and Subcontinent Asian Americans. Place actual percentage of ownership from 0% to 100% _____%. <i>Women are not included in this definition of minority unless they fit into one of these categories.</i>			

