



Diversity, Equity & Inclusion Plan Bidding Documents Instructions

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To ensure compliance with our DEI plan please use the following checklist for bid day, scope review meeting and final selection. If you have any questions, please contact our DEI Coordinator Angela Gillon using the contact information above.

Forms Required on Bid Day

- MWBE Participation Form (CTDEI-1)
- If your firm did not meet the goal also submit the Good Faith Effort Statement Form (CTGFE-1)
- If your firm is planning to self perform labor or manufacturing of materials submit the DEI Waiver Application (CTDEI-2) along with the MWBE Participation Form for the scope of work you will not be self-performing.

Forms or Information Required at Scope Review Meeting

- A Statement of Intent (CTSIOI-1) is due for all the MWBE firms listed on the MWBE Participation Form
- If your firm **did not** meet the stated DEI goal, please provide all the supporting documentation for the Good Faith Effort Statement.
- If your firm applied for DEI Waiver and you **did not** meet the stated DEI goal, please provide the Good Faith Effort Statement. Also provide the GFE supporting documentation on the scope of work you will not be self-performing.

Forms or Information Required After Selection

- Should the need arise to decrease contract or replace a MWBE contractor the Request to Decrease or Replace MWBE Subcontractor Form should be submitted for approval (CTDEI-3) before the replacement can occur. **NO MWBE CONTRACTOR SHOULD BE REPLACED WITHOUT THE APPROVAL OF CLANCY & THEYS**



MWBE PARTICIPATION

Name of Bidder: _____

Total dollar amount of MWBE participation in base bid work: \$ _____

Amount of Bid \$ _____

Column A	Column B	Column C	Column D	Column E
Name of proposed MWBE subcontractor for base bid work	Goods and services to be provided for base bid work	Subcontract amount, in dollars, for base bid work	Percentage of total base bid (Column C divided by total base bid)	Minority Category and certification #
		\$	%	
		\$	%	
		\$	%	
		\$	%	

(M) Minority owned (which includes African American, Asian American, American Indian, Hispanic); **(W)** Woman owned; **(S)** Small Disadvantaged Business (DBE) Disadvantaged Business Enterprise

Do the above participation amounts meet the goals on this contract, assuming only the base bid is counted?

Yes **No.** If the answer is No: (1) the bidder must have made good-faith efforts; (2) the bidder must provide, within 2 business days after bid opening, documentation of good-faith efforts.

As an authorized representative of the Bidder, I swear or affirm under penalty of fraud that the good-faith efforts documentation submitted with this bid, pertaining to the base bid and all alternates, if any, is correct and not intended to defraud or mislead. After the contract between the Clancy & Theys and the Bidder is signed, except to the extent that the Clancy & Theys gives prior written approval for changes, the Contractor agrees that it shall engage the subcontractors listed on this CTDEI-1 form, to perform the work for the dollar amounts or percentages described on form CTSOI-1.

Signature of individual authorized to sign for Bidder



STATEMENT OF INTENT TO PERFORM AS SUBCONTRACTOR

Name of **Bidder**: _____

Name of **Project**: _____

The undersigned firm is certified by the certifying agencies listed in the C&T DEI plan as MWBE firm. The undersigned MWBE firm represents that it will enter into a formal contract with the Bidder to perform the following work in connection with the Project, in the dollar amount or percentage listed below, if the Bidder signs a contract with the Clancy & Theys for the Project. By submitting this form to Clancy & Theys, the Bidder represents that if the Bidder signs the contract with Clancy & Theys for the Project, the Bidder will enter into the subcontract described below with this MWBE Firm.

Column 1 - description of work to be done by undersigned/MWBE firm	Column 2 -dollar amount of the proposed subcontract between the bidder and the undersigned MWBE firm	Column 3 - percentage of Bidder's base bid represented by the proposed subcontract between the Bidder and the undersigned MWBE firm

The undersigned MWBE will be ready to begin work on the subcontract on the following date:

Name of MWBE Firm: _____

Contact Person: _____

Telephone #: _____ Fax #: _____

Email Address: _____

Address: _____

City: _____ State: _____ Zip: _____

Signature of authorized representative of MWBE

Title

Date: _____



State of _____, County of _____

Subscribed and sworn to before me this _____ day of _____ 20__

Notary Public _____

My commission expires _____



REQUEST TO DECREASE MWBE CONTRACT/REPLACE MWBE CONTRACTOR

Project: _____

Name of bidder or contractor: _____

Name and title of representative of bidder or contractor: _____

Name of MWBE Firm: _____

Contact Person: _____

Does the proposed change decrease the current MWBE firm contract? (check one) yes no

Is the proposed change to replace the current MWBE subcontractor? yes no

If the answer is **yes to either**, complete the following:

Dollar amount of subcontract before this proposed change: \$ _____

Goods and services to be provided before this proposed change

Dollar amount of subcontract after this proposed change: \$ _____

If the subcontract is to be reduced, describe the nature of the change
(such as adding \$5,000 in concrete work and deleting \$7,000 in grading)

Name of replacement MWBE subcontractor: _____

Contact Person: _____

Dollar amount of subcontract to this proposed change: \$ _____

Goods and services to be provided by this proposed subcontract

Substitutions of subcontractors in these circumstances, both before and after the awarding of a contract, are subject Clancy & Theys approval. If substitution or replacement of contractor is approved the bidder/contractor will also need to complete a CTSOI-1 form which confirms new Statement of Intent with new MWBE firm.



Good Faith Effort Statement

Affidavit of _____
(Name of Bidder)

I have made a good faith effort to comply under the following areas checked:
(A minimum of 5 areas must be checked in order to have achieved a "good faith effort")

- 1-Contacted minority businesses that reasonably could have expected to submit a quote and that were known to the contractor, or available on via the certifying agencies listed in the DEI plan, at least 10 days before the bid date and notified them of the nature and scope of the work to be performed.
- 2-Made the construction plans, specifications and requirements available for review by prospective minority businesses, or providing these documents to them at least 10 days before the bids are due.
- 3-Broken down or combined elements of work into economically feasible units to facilitate minority participation.
- 4-Worked with minority trade, community, or contractor organizations identified by the C&T DEI coordinator or listed in the DEI plan and included in the bid documents that provide assistance in recruitment of minority business.
- 5-Attended prebid meetings, project information session or MWBE partnering session scheduled by Clancy & Theys.
- 6-Provided assistance in getting required bonding or insurance or provided alternatives to bonding or insurance for subcontractors.
- 7-Negotiated in good faith with interested minority businesses and did not reject them as unqualified without sound reasons based on their capabilities. Any rejection of a minority business based on lack of qualification should have the reasons documented in writing.
- 8-Provided assistance to an otherwise qualified minority business in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letters of credit, including waiving credit that is ordinarily required. Assisted minority businesses in obtaining the same unit pricing with the bidder's suppliers in order to help minority businesses in establishing credit.
- 9-Negotiated joint venture or partnership arrangements with minority businesses in order to increase opportunities for minority business participation.
- 10-Provided quick pay agreements and policies to enable minority contractors and suppliers to meet cashflow demands.

Documentation is **required** to demonstrate the Bidder's good faith efforts to meet the goals. **Failure to provide the documentation as listed in these provisions may result in rejection of the bid and award to the next lowest responsible and responsive bidder.**

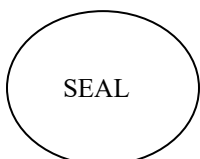
The undersigned hereby certifies that he or she has read the terms of the minority business commitment and is authorized to bind the bidder to the commitment herein set forth.

Date: _____ Name of Authorized Officer: _____

Signature: _____

Title: _____

State of North Carolina, County of _____
Subscribed and sworn to before me this _____ day of _____ 20____
Notary Public _____
My commission expires _____





DEI POLICY WAIVER REQUEST FOR SELF PERFORM LABOR OR SELF PERFORM MANUFACTURING OF MATERIALS

Please provide information below that details the reasons for your request of waiving the requirements of the Clancy & Theys DEI plan on this project. If you are requesting a waiver on self perform labor the policy still applies for all materials. If you are requesting a waiver on materials the DEI policy still applies for all labor and installation. If the waiver is approved, your firm will still be responsible for submitting the CTMBE-1 form and/or CTGFE-1 form for the remaining part of the scope of work your firm is bidding. The DEI Coordinator may request additional information in considering your application for approval.

Project:			
Name of Bidder:			
Contact Name:			
Contact Email:			
Bid Package #:		Amount of Bid	
WAIVER DETAILS & JUSTIFICATION			
1.) Scope of Work/Specification Summary:			
2.) Please describe any extraordinary and necessary requirements of this contract that prohibit the application of the DEI Policy:			
3.) If part of your application states there are no qualified MWBE firms in the RDU statistical area, did you search outside the local area?			
If Yes: what are your sources?			
Provide your sources of information to determine there were no qualified firms:			
I certify that all information contained in this form is, to the best of my knowledge, accurate and complete.			
Authorized Bidder Signature		Date	
Printed Name of Authorized Signature			