



MBE/WBE & LABOR SURPLUS AREA FIRMS CONTRACTING REQUIREMENTS CHECKLIST

PROJECT NAME: _____

NAME OF CONTRACTOR: _____

Six Affirmative Steps as required by 2 CFR 200.321 (CDBG-DR) and 44 CFR 13.36(e) (PA & HMGP)

(a) The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

The 2017 Labor Surplus Areas (LSA) list produced by the U.S. Department of Labor does not include any LSAs within or near Boulder County, the nearest Colorado LSA is approximately 190 miles away. LSAs in Colorado include: Costilla County, Fremont County, Huerfano County, Rio Grande County, Saguache County, and City of Pueblo. (effective date of LSA list: 10/1/2016 – 9/30/2017). The best resource for outreach to these LSAs is through the Colorado Office of Economic Development and International Trade (OEDIT) since this organization maintains region-specific business resources. See Affirmative Step (b)(5).

(b) Affirmative steps must include:

(1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;

Do all of the following:

1. Post to BidNet – any MBE/WBE firms registered with BidNet will receive notification of the solicitation, along with other non-MBE/WBE firms. However, do not select the MBE/WBE checkbox for the solicitation, or else it indicates that being a MBE/WBE firm is required to respond.
2. Post the solicitation to the OEDIT website at <http://www.mbocolorado.com/certifications/submit>.
3. Search the Colorado UCP DBE Directory at <http://coloradodbe.org>; generate a vendor list; send notifications via email.

Documentation: Detailed Solicitation Statistics and List of Firms Included, copies of emails, screenshots of OEDIT posts, vendor lists and emails.

Select One: Complete Not Applicable

Description: Insert Narrative of what was done, what documentation is included in the file, or why this Affirmative Step is not applicable for this procurement. **Example:** "Published on BidNet and uploaded printout of Solicitation Stats and List of firms in project file; requested OEDIT posting, email evidence in project file; generated vendor list from CO UCP DBE Directory, evidence of email blast in project file."

(2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;

Example: Send direct communications to MBE/WBE firms.

Documentation: Direct communication log.

Select One: Complete Not Applicable

Description: Insert Narrative of what was done, what documentation is included in the file, or why this Affirmative Step is not applicable for this procurement. **Example:** "Sent bid solicitation directly to "xyz" MBE contractor who works with our rehab program, copy of email uploaded to project file."

(3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;

*Example: split asbestos survey and remediation into two solicitations. *Be careful not to conflict with Davis Bacon requirements.**

Documentation: If feasible to comply, include a narrative below describing what was done.

Select One: Complete Not Applicable

Description: Insert Narrative of what was done, what documentation is included in the file, or why this Affirmative Step is not applicable for this procurement. **Example:** "Was not feasible to split this contact into smaller segments without conflicting with Davis-Bacon."

(4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;

Example: Avoid unreasonable turn-around times to encourage smaller capacity businesses to participate.

Documentation: If feasible to comply, include a narrative below describing what was done.

Select One: Complete Not Applicable

Description: Insert Narrative of what was done, what documentation is included in the file, or why this Affirmative Step is not applicable for this procurement. **Example:** "Not able to change delivery schedules for this project, they were already as liberal as they could be while still meeting project completion requirements."

(5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and

Examples:

1) Post the solicitation to the OEDIT website at <http://www.mbecolorado.com/certifications/submit>.
(same as step #1)

2) Search the Colorado UCP DBE Directory at <http://coloradodbe.org>; generate a vendor list; send notifications via email. (same as step #1)

Documentation: Copies of emails, screenshots of OEDIT posts, vendor lists.

Select One: Complete Not Applicable

Description: Insert Narrative of what was done, what documentation is included in the file, or why this Affirmative Step is not applicable for this procurement. **Example:** "Refer to Affirmative Step #1."

(6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

Examples: This form is included in the CDBG-DR Federal Provisions Contract Addendum for Contractors to complete when seeking subcontractors.

Note for LSAs: Opportunities for contractors seeking new employees: Workforce Centers are present within the LSAs listed at the top of this form and can be used as a resource for employee recruitment, however they do not function as an advertisement resource for soliciting bids/proposals. Prime contractors and subcontractors seeking employees may use Workforce Centers as a resource and document outreach efforts in their MBE/WBE checklist.

Workforce Centers that serve these LSAs include: Alamosa (cdle_alamosa_wfc@state.co.us), Canon City (cdle_canon_city_wfc@state.co.us), Monte Vista (cdle_monte_vista_wfc@state.co.us), Walsenburg (cdle_walsenburg_wfc@state.co.us), and Pueblo (cdle_pueblo_wfc@state.co.us).

Documentation: Ensure contractors comply and fill out the form in the Addendum with their bid/proposal.

Select One: Complete Not Applicable

Description: Insert Narrative of what was done, what documentation is included in the file, or why this Affirmative Step is not applicable for this procurement. **Example:** "Provisions were included in the bid packet and received forms filled by selected contractor. Info uploaded in project file."

SIGNATURE OF BCC PARTNER COMMUNITY PROJECT MANAGER

DATE