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SECTION 1

POLICY STATEMENT
POLICY STATEMENT

It is the policy of Tarrant County College District (TCCD) to form business alliances with Small Minority Women-Owned Business Enterprises (Small M/WBE) that result in successful opportunities for certain categories of products and services. This policy is designed to involve the largest possible audience to participate in TCCD’s Small M/WBE Program. It will also provide equal opportunities to compete for contracts on services requested by TCCD.

This policy is designed for TCCD to include Small M/WBEs in Requests for Quote (RFQ) and Requests for Proposal (RFP) when appropriate, depending on the category and scope of the initiative. TCCD will develop a continuing source library of Small M/WBEs. The Small M/WBEs must demonstrate that they can be competitive in all applicable areas for consideration of award. Small M/WBEs will have equal opportunities to compete for contracts for products and services requested by TCCD. All M/WBEs have access to TCCD RFPs and RFQs by accessing www.tccd.edu, then, clicking on “Visitor”, then “Bid Information”.

The TCCD district wide goal is 20% for the construction related portion of the Capital Improvement Program (CIP) with workforce inclusion and participation from the adjacent counties. These eight adjacent counties include Denton, Collin, Rockwall, Parker, Dallas, Johnson, Ellis and Kaufman counties. Further, TCCD projects a stretch goal of 15% in the Tarrant County area. TCCD will exercise a good faith effort regarding M/WBE inclusion within the scope of consumables, materials and services. In order to reach the district wide goals set by TCCD for the utilization of Small M/WBE firms, TCCD will strive to achieve the following objectives:

- Establish a philosophy and method to develop, maintain, and enhance Small M/WBE involvement in the contracting process (we should incorporate sensitivity to Small M/WBE inclusion in the RFQ and RFP processes; ensure that we have tried to identify Small M/WBEs for specific participation).
- Ensure that certified and qualified Small M/WBE firms are offered fair-share advantages to compete for opportunities district-wide (we should be able to document that use and participation of M/WBEs are integral to our purchasing processes . . . whether contract is awarded or otherwise); we will ensure they have the opportunity to compete; the Director of Purchasing will be responsible for ensuring a Small M/WBE focus is built into the procurement process and handled with appropriate discipline and audited frequently to ensure we are executing as we say we will.
- Provide Small M/WBE firms’ Contractors and Subcontractors with prerequisites for bidding on all contracts procured by TCCD, and offer instructions on the steps necessary to prepare and complete.
- Provide information for each contract on job performance requirements, procurement opportunities, bid awards, and Small M/WBE opportunities.
- Encourage all companies that bid for TCCD contracts to form alliances with Small M/WBE firms and major organizations to create greater opportunities for successful and profitable business relationships.
- Keep Small M/WBE firms informed of current and upcoming bid opportunities through various media outlets such as TCCD’s newsletter, chambers of commerce postings, minority newspapers, and other sources that have direct contact with minority and small-business communities.

TCCD is committed to offering equal opportunities for Small M/WBE firms to provide commercially useful goods and services that are not contractually bound by TCCD and/or its national purchasing organization. However, M/WBEs have a responsibility to access TCCD methods of communicating business opportunities.
INTRODUCTION

Diversity and Minority Women Business Enterprise (M/WBE) are terms frequently used when describing the fabric of our ever-changing workplace. Whether in reference to the internal staff of a business, corporation, or a group of entrepreneurial contractors, diversity and M/WBE supplier development initiatives should be an integral part of any organization that is committed to inclusion and providing equal opportunities for all qualified individuals.

Generally, M/WBE supplier development initiatives are greatly influenced by the internal diversity practices of an organization, which take a strong business rationale to drive diversity activity. When staff members are held accountable for embracing and utilizing ethnic and cultural diversity, they are more inclined to accept the idea and make personal adjustments for a more productive work environment.

Utilization of a culturally diverse supplier base has clear advantages, and many business leaders see doing business with M/WBE firms as essential for staying competitive and sharing in business growth trends.

Tarrant County College District (TCCD) is preparing to implement a comprehensive Small M/WBE Program that will greatly impact TCCD’s mode of operation in project construction, purchasing of goods and services, and the functionality of all internal departments.

Data from interviews conducted by Ware & Associates was used as a guide in the development of the plan. TCCD stakeholders, both internally and externally, were interviewed and assumed an active role in providing information crucial to the development of the plan. Whether input was given individually or collectively as an organization, the overriding consensus was that the plan must be inclusive, demonstrate good faith, and mirror the desires of the overall community.
SECTION 3
CERTIFICATION/VERIFICATION
CERTIFICATION/VERIFICATION

TCCD will require Small M/WBE firms to be certified with the North Central Texas Regional Certification Agency (NCTRCA).

Certification in NCTRCA:

1. Ensures that the Small M/WBE Program provides increased contracting opportunities for minority and women-owned business enterprises; and

2. Develops qualified solicitation listings for TCCD, third parties, and other contractors.
SECTION 4
SMALL M/WBE CONTRACT CLAUSES
SMALL M/WBE CONTRACT CLAUSES

All applicable TCCD departments, and other related operations having contract administration responsibilities, will ensure that the following Small M/WBE clauses are included in all contracts and requests for bids or proposals subject to approval by the TCCD Board of Trustees and/or Chancellor. The inclusion of the Small M/WBE Program requirements and applicable percentages as determined by TCCD in all proposal packages will become a binding part of the contract.

A. DISPUTE RESOLUTIONS
Prime Contractors are encouraged to include appropriate language in their subcontract agreements that will be used to resolve disputes.

B. PROMPT PAYMENT
As a part of its Small M/WBE Program, TCCD will include the following or a similar clause in each contract.

The Prime Contractor or Vendor agrees to pay each Subcontractor under this prime contract agreement for satisfactory performance of its subcontract, no later than ten (10) calendar days from receipt of each payment the Prime Contractor receives from the owner. Prime Contractor or Vendor further agrees to return retainage payments (if applicable) to each Subcontractor within ten (10) calendar days after Subcontractor’s work is completed. Any delay or postponement of payment, from the above-referenced schedule, may only occur for good cause following written approval from TCCD.

C. NON-DISCRIMINATION ASSURANCE
As a part of its Small M/WBE Program, TCCD will include the following or a similar clause in each contract:

During the performance of this contract, the Contractor, Subcontractor, or Vendor agrees not to discriminate on the basis of race, color, national origin, sexual orientation, or disability. Failure to ensure non-discriminating efforts may result in a material breach of contract, which in turn may result in the termination of the contract or other remedies that TCCD deems appropriate. The Contractor or Vendor understands the requirement to include this clause in all subcontracts and purchase orders.

D. RETAINAGE
For all projects, retainage will be held by TCCD and paid when a Contractor or Vendor has fulfilled all of the obligations under the terms of the contract.

The Prime Contractor or Vendor agrees to return retainage payments (if applicable) to each Subcontractor in accordance with the requirements of the subcontracts after Subcontractor’s work is completed and accepted. Any delay or postponement of payment from the above-referenced schedule may only occur for good cause following written approval from TCCD.
SECTION 5

INTENT TO PERFORM AS A SUBCONTRACTOR
INTENT TO PERFORM AS A SUBCONTRACTOR

For every contract or bid, the Prime Offeror/Contractor/Vendor will provide a separate letter of intent for each identified Subcontractor on its team. If a contract is awarded, it is expected that the Subcontractors identified in the Letter of Intent will actually perform the work.

This is required for Small M/WBE and all other Subcontractors.
SECTION 6
SMALL M/WBE MODIFICATIONS OR SUBSTITUTIONS
SMALL M/WBE MODIFICATIONS OR SUBSTITUTIONS

This provision applies to all modifications and substitutions under the awarded contract. The Contractor or Vendor will be required to comply with this provision to the extent needed to achieve Small M/WBE percentage or goal.

A. The Prime Contractor or Vendor must submit to TCCD written documentation prior to the termination or substitution of a Small M/WBE Subcontractor in the event a Prime Contractor or Vendor requests to terminate or substitute a Small M/WBE Subcontractor listed to fulfill the contract requirements, and Prime Contractor subsequently performs the work with its own forces, an affiliate, a non-Small M/WBE Subcontractor or other Small M/WBE Subcontractor. This will include any changes to items of work, material, services, or Small M/WBE firms that differ from those identified in the Intent To Perform As A Subcontractor Form on file with TCCD (refer to Intent To Perform As A Subcontractor Form in Section 21). The Offeror/Contractor must provide any and all documentation and information as may be requested with respect to the requested change.

B. The Offeror/Contractor’s documentation will include the specific reasons for the proposed change. Reasons that are acceptable include, but are not limited to: Small M/WBE was not able to perform; Small M/WBE was unable to produce acceptable work; and/or Small M/WBE submitted an unreasonable escalation in price. If a Small M/WBE Subcontractor is substituted for another Small M/WBE Subcontractor, the Contractor will include the name, address, certification number, and principal office of the proposed Small M/WBE firm in its documentation. After providing an opportunity for the Contracting Department to make its recommendations, TCCD will approve or reject the change.

C. If the change involves a Subcontractor substitution, the Offeror/Contractor must make a good faith effort to replace the Small M/WBE with another Small M/WBE. The replacement firm must be NCTRCA certified in order for Offeror/Contractor to receive credit for fulfilling the Small M/WBE participation goal. In the event that the Offeror/Contractor is unable to contract with another Small M/WBE firm, good faith effort documentation must be provided to the Contracting Officer describing the unsuccessful attempts to locate a substitute Small M/WBE. In all situations, the Contractor may not terminate or replace a Small M/WBE Subcontractor without the prior written consent from TCCD.

D. With the request for change, the Offeror/Contractor must submit, if applicable, the Intent To Perform As A Subcontractor Form specified for contract modifications for any Small M/WBE Subcontractor affected by this change. This form may be obtained from TCCD.

E. If the change involves a modification, Offeror/Contractor must submit, if applicable, the Intent To Perform As A Subcontractor Form for contract modifications for any Small M/WBE Subcontractor affected by this change. This form may be obtained from TCCD.

F. If the Contractor does not comply with this provision, TCCD may elect to apply contract remedies as appropriate. Additionally, TCCD may order that Contractor forfeit any profits from the terminated portion of the Small M/WBE subcontract.
SECTION 7

JOINT VENTURE, TEAMING, AND MENTOR-PROTÉGÉ PROGRAMS
JOINT VENTURE, TEAMING, AND MENTOR-PROTÉGÉ PROGRAMS

A. TCCD will encourage joint ventures, teaming arrangements, and mentor-protégé programs to ensure prime contracting opportunities for Small M/WBE firms on eligible projects. For example, at some public entities, Small M/WBE firms perform a minimum of 30% of the work assigned to this joint venture contract. The Joint Venture, Teaming, and Mentor-Protégé provide professional guidance to the protégé and promote growth and development and an increase in opportunities.

B. If a Contractor or Consultant engages in a joint venture, teaming arrangement, or mentor-protégé program to satisfy the Small M/WBE commitment, TCCD will have access to and may review, evaluate, and accept or reject all contractual agreements and other pertinent documents regarding the following:

- Initial capital investment of each venture partner or team member;
- Allocation of profits and losses to each venture partner or the participation percentage to each team member;
- Sharing of the right to control the ownership and management of the joint venture or team;
- Actual participation of venture partners in the performance of the contract;
- Method of, and responsibility for, accounting;
- Methods by which disputes are resolved; and
- Other pertinent joint venture or teaming arrangement factors.
- Contractor’s equal business opportunity commitment, to the mentor protégé relationship.
- Protégé firm must be NCTRCA certified.
- A written mentor-protégé agreement must be completed by both parties engaged in the mentor-protégé arrangement and must be executed before a notary public. The agreement will clearly delineate the rights and responsibilities of each mentor-protégé and for their assigned contracting activity. Parties must agree to enter into the relationship for a minimum of one year.
- Protégé firm will not be permitted to re-subcontract any of its work to the mentor firm. The protégé firm will not re-subcontract or reassign any of its work to any other Contractor without TCCD’s prior written approval.
- Protégé firms may be used to satisfy up to 100 percent of the total Small M/WBE goal for any contracted project or service.
• For the duration of the contract, the mentor and protégé must each provide TCCD a monthly summary of the kinds of mentoring skills provided to the protégé, including:
  
  a) Number of hours expended toward fulfillment of the project by each participant.
  b) Managerial assistance provided.
  c) Technical assistance provided.
  d) Financial assistance provided.
  e) Bonding assistance provided.
  f) Number of private or public sector projects that were bid on by the mentor-protégé team.
  g) Number of private or public sector contracts awarded to the mentor-protégé team.

• No officer, director, employee, or member of the mentor-protégé team will be allowed to bid or otherwise participate independently on a contract where the mentor-protégé is bidding or otherwise participating.

With these factors considered, TCCD should determine the degree of Small M/WBE participation resulting from the joint venture or teaming arrangement, which may be credited toward the applicable goal of the project.

C. The Offeror/Contractor will provide TCCD access to and allow TCCD to review all records pertaining to joint venture or teaming arrangement before and after award of a contract.
SECTION 8
MONITORING PAYMENTS TO SMALL M/WBE FIRMS
MONITORING PAYMENTS TO SMALL M/WBE FIRMS

To ensure that the Prime Contractor meets all Small M/WBE obligations under contract, TCCD will review the Contractor’s Small M/WBE involvement during the life of the contract.

The Prime Contractor will submit invoices monthly or as designated by the contract documents. TCCD will pay approved invoices or payment requests within thirty (30) calendar days. The Prime Contractor agrees to pay each Subcontractor under this prime contract for satisfactory performance in accordance with requirements of the subcontract. **TCCD may require written notification when payment has been sent to the Subcontractor (refer to Proof Of Payment Certification Form in Section 21).**

Concurrently, with the submission of each invoice or payment request, the Contractor will provide a breakdown of the amounts previously paid to all Small M/WBE firms identified by the Contractor to participate in the contract. Prime Contractors will submit a Vendor Payment Report Form with all supporting documents (see Vendor Payment Report Form in Section 21).

The Vendor Payment Report Form will also be utilized for partial payments to Subcontractors for construction or Subconsultants for professional services. (Note: The information reflected in this report will be utilized to provide monitoring of payments made to Small M/WBE Subcontractors in relation to the percentage of work performed.)

Compliance monitoring may include on-site inspections for verification of Small M/WBE Subcontractors that are listed on the Intent To Perform As A Subcontractor Form (refer to Intent To Perform As A Subcontractor Form in Section 21). The Offeror/Contractor is responsible for providing TCCD, if requested, a work schedule with a list of all Subcontractors for the scheduled work. This will also assist in scheduling on-site compliance reviews.

TCCD may withhold all or part of any payments due to the Contractor, if the Contractor fails to make prompt payments to its Subcontractors, Suppliers, and Material Vendor as provided in the Contract.

**All reports of noncompliance will be referred to the Director of Purchasing, and if appropriate, to TCCD’s legal counsel for review.**

In order to monitor the progress of its Small M/WBE Program, TCCD may maintain a record-keeping system designed to:

1. Assess Small M/WBE use on all TCCD contracts and subcontracts.
2. Identify and monitor Prime Contractor’s and Subcontractor’s Small M/WBE inclusion and utilization.
3. Identify and list certified Small M/WBE firms. The list and timely updates will be available to all TCCD Bidders/Proposers and Contractors in their effort to meet Small M/WBE requirements.

On a monthly basis, TCCD will monitor TCCD’s progress and performance in achieving the Small M/WBE quality and quantity goals. Reviews will take place on a quarterly and annual basis (or as outlined in active prime contract agreements).
SECTION 9
CONSTRUCTION
CONSTRUCTION

TCCD will implement procedures for construction bids and contract awards that emphasize the inclusion of Small M/WBE firms. The successful bidder will be selected on qualification, reasonable pricing, and best value.

In some cases, if a satisfactory contract cannot be negotiated with the most highly qualified provider, TCCD will formally end negotiations with that provider and select the next most highly qualified provider. TCCD may continue the process to select and negotiate with providers until a contract is awarded.

A. SMALL M/WBE UTILIZATION REQUIREMENTS

1. In addition to the requirements set elsewhere, bid conditions will include a statement of the Small M/WBE percentage/goal established for the project. The requirements below also apply to circumstances where change orders or extra work give rise to new trade or vendor opportunities outside the original scope of work.

2. Bid conditions and all other specifications for applicable contracts to be awarded by TCCD will require that Offerors make a good faith effort to subcontract with, or purchase supplies from, Small M/WBE firms. Such specifications will require Offerors to meet or exceed the stated goal or submit documentation of good faith efforts for all applicable contracts to permit a determination of compliance with the specifications.

3. Construction contracts (with an estimated cost of $25,000.00 or more) will be awarded and administered in accordance with the following standards and procedures:

   a. Competitive bids for applicable contracts will include Small M/WBE participation requirements and accompanying documentation in the bid specifications. Small M/WBE documentation consists of the Special Instructions for Bidders, Affidavit Statement, Small M/WBE Utilization, Good Faith Effort and Joint Venture Forms (refer to forms in Section 21)

      • Competitive bids where the Offeror meets or exceeds the Small M/WBE project percentage/goal must be listed on the Subcontractor Utilization Form or the Joint Venture Form.

      • Competitive bids where the Offeror has subcontracting and/or supplier opportunities but does not include Small M/WBE participation that is equal to or exceeds the project percentage/goal must submit the Subcontractor Utilization Form and the Good Faith Effort Form and documentation.

      • Competitive bids where the Offeror has subcontracting and/or supplier opportunities but does not include Small M/WBE participation must submit the Subcontractor Utilization Form and the Good Faith Effort Form and appropriate documentation.
b. The Offeror must submit the Subcontractor Utilization Form and/or Good Faith Effort Form and/or Joint Venture Form, and appropriate documentation. The Offeror must obtain a receipt from the appropriate employee of the Managing Department where delivery was made. Such receipt will be evidence that TCCD received the documentation. The submission of the applicable completed form(s) submitted within the allotted time will be considered when determining the responsiveness of the bid. Failure to comply with the bid specifications, inclusive of Small M/WBE requirements and documentation, will render Offeror as nonresponsive.

c. The good faith effort documentation will demonstrate the Offeror’s commitment and honest efforts to utilize Small M/WBE firms. The burden of preparing and submitting the good faith effort information is on the Offeror and will be evaluated as part of the responsiveness to the bid/proposal. An Offeror who intentionally and/or knowingly misrepresents facts on the documentation submitted will be classified as nonresponsive and subject to debarment, and/or exclusion from future contract consideration.

B. BEST VALUE CRITERIA for TCCD SMALL M/WBE PROGRAM

TCCD will implement procedures for construction and purchase of goods and services under the formal bid amount to emphasize the inclusion of Small M/WBE firms.

C. DEMONSTRATION OF GOOD FAITH EFFORTS

In making a determination that the Offeror/Contractor has made a good faith effort to meet the Small M/WBE percentage as determined by TCCD, TCCD will consider, among other things, the criteria set forth below. The Offeror/Contractor will furnish, as a part of its Small M/WBE utilization information, specific documentation concerning the steps it has taken to obtain Small M/WBE participation, with a consideration of, by way of illustration and not limitation, the following factors:

1. Whether the Offeror/Contractor attended any pre-bid or pre-proposal meetings scheduled by TCCD to discuss Small M/WBE participation opportunities;

2. Whether the Offeror/Contractor advertised in general circulation, trade association, and or Small M/WBE–focused media concerning subcontracting opportunities;

3. Whether the Offeror/Contractor provided written notice to a reasonable number of Small M/WBE firms that their interest in the contracts was being solicited in sufficient time to allow Small M/WBE firms to participate effectively;

4. Whether the Offeror/Contractor followed up with initial solicitations of interest by contracting the Small M/WBE firm to determine with certainty whether the Small M/WBE firm was interested;
5. Whether the Offeror/Contractor selected portions of the work to be performed by Small M/WBE firms in order to increase the likelihood of meeting the Small M/WBE goals (including, where appropriate, breaking down the contract into economically feasible subcontracts to facilitate Small M/WBE participation);

6. Whether the Offeror/Contractor provided interested Small M/WBE firms with adequate information about the plans, specifications, and scope of work and requirements of the contract;

7. Whether the Offeror/Contractor negotiated in good faith with Small M/WBE firms, not rejecting Small M/WBE firms as unqualified without sound reasons based on a thorough investigation of their capabilities;

8. Whether the Offeror/Contractor negotiated in good faith with interested Small M/WBE firms, using good business judgment, taking into consideration the Small M/WBE Subcontractor’s price quote and not rejecting reasonable quotes from interested Small M/WBE firms;

9. Whether the Offeror/Contractor made efforts to assist interested Small M/WBE firms in obtaining bonding, lines of credit, insurance, etc., as required by TCCD;

10. Whether the Offeror/Contractor made efforts to assist Small M/WBE firms in obtaining necessary equipment, supplies, materials, or related assistance or services;

11. Whether the Offeror/Contractor effectively used the services of ethnic chambers of commerce, available minority and women organizations; community organizations; contractor groups; local, state, and federal business assistance offices; and other organizations that provide assistance in identifying Small M/WBE firms;

12. Whether the Offeror/Contractor obtained written documentation from a potential Subcontractor or a bona fide surety company indicating that bonding was denied prior to the Small M/WBE being rejected as a potential Subcontractor for failing to obtain Offeror/Contractor–required bonding. Documentation furnished by a surety company will be subject to verification by TCCD;

13. Whether the Offeror/Contractor has attained a sufficient level of Small M/WBE participation to meet the contract goal will also be taken into consideration in determining whether the Offeror/Contractor in question has made a good faith effort.

TCCD will review not only the different kinds of efforts made by the Offeror/Contractor but also the quantity and quality of those efforts. Efforts that are merely pro forma are not good faith efforts to meet the goal (even if they are sincerely motivated). If, given all relevant circumstances, the Offeror/Contractor efforts could not reasonably be expected to produce a level of Small M/WBE participation sufficient to meet the goal, the contracting officer will be responsible for determining the sufficiency of the Offeror/Contractor good faith efforts.
Construction Support

To support TCCD construction efforts, it will be very important to track all related activity. Vendor searches will assist Prime Contractors in their effort to reach and exceed the project goal. Certification screening and follow-up with all Subcontractors and Vendors is critical to the entire construction process. Education and communication are also key components of construction support.
SECTION 10
PURCHASING/LOGISTICS
PURCHASING/LOGISTICS

INTERLOCAL AGREEMENT

TCCD has an interlocal agreement that allows local units of government to cooperate in a beneficial activity such as owning and operating a trail. The agreement is written by representatives from each participating local government unit, and approved by their respective governing bodies. The interlocal agreement establishes a Trail Management Commission composed of representatives appointed by the participating government units.

TCCD’s purchasing department will make every effort possible to utilize local Small M/WBE businesses in the bid process. The purchasing department is cognizant of building best value in relationships doing business with the community it serves. To this end the purchasing department will work very closely with the Small M/WBE Program to look for opportunities.

CATALOG INFORMATION SYSTEMS VENDOR

TCCD utilizes the Catalog Information Systems Vendor (CISV) Purchasing Program to allow qualified entities (state agencies and political subdivisions) to purchase automated information systems products and/or services in an efficient, cost-effective, and competitive procurement method. To ensure appropriations are used wisely and in the best interest of the entity and taxpayers, the entity should attempt to remove all barriers that impede competition. Using comprehensive vendor lists, rotation of catalog vendors, and limiting proprietary specifications should ensure competition.

EXEMPTION DECLARATION—TECHNOLOGY ACCESS CLAUSE—FIRST RESPONDERS

Texas Government Code Chapter 2157.005 allows an exemption to the basic Technology Access Clause, currently listed in the on-line and printed versions of the Texas Standard Instructions, Terms and Conditions, Other Provisions (Section XI G), enacted as a result of SB 1155, 78th Legislative Session. The exemption pertains to the purchase of wireless communication device(s) to be used by “first responders” to a public safety emergency.
SECTION 11

PROFESSIONAL SERVICES
PROFESSIONAL SERVICES

TCCD will implement procedures for procurement of professional services that emphasize the inclusion of Small M/WBE firms. TCCD will make the selection and award the contract for professional services on the basis of demonstrated competence and qualifications to perform the services. The professional fees under the contract must be consistent with and not higher than the recommended fees published by the applicable professional standards and may not exceed any maximum provided by law.

If a satisfactory contract cannot be negotiated with the most highly qualified provider, TCCD will formally end negotiations with that provider and select the next most highly qualified provider. TCCD may continue the process to select and negotiate with providers until a contract is awarded.

A. SMALL M/WBE UTILIZATION REQUIREMENTS

1. In addition to the requirements set forth elsewhere, RFPs will include a statement of the Small M/WBE goal established for the project. The requirements below also apply to circumstances where amendments or extra work give rise to new subcontracting/supplier opportunities.

2. RFPs and all other specifications for applicable contracts to be awarded by TCCD will require that Offeror make a good faith effort to sub-consult with, or purchase supplies from, Small M/WBE firms. Such specifications will require Offeror to meet or exceed the stated goal and submit documentation of good faith effort for all applicable contracts to permit a determination of compliance with these specifications.

3. Professional services contracts and such other contracts, which may be competed for under sealed proposals procedures (estimated cost of $25,000.00 or more), will be awarded and administered in accordance with the following standards and procedures:

   a. Other than responses to RFPs for professional services defined in Chapter 2254 of the Texas Government Code, responses to RFPs will be submitted by the proposal deadline date and include a section which identifies the Small M/WBE utilization plan.

   • The proposal will specify the estimated percentage of the Small M/WBE participation, type of work to be performed by the Small M/WBE, and additional information as required to determine the responsiveness to the RFP.
• A Proposer who does not meet or exceed the goal, as required by the RFP, must submit a good faith effort explanation. Failure to include such good faith effort explanation will render the proposal nonresponsive.

b. The good faith effort documentation will demonstrate the Offeror’s commitment and honest efforts to utilize Small M/WBE firms. The burden of preparing and submitting the good faith effort information is on the Offeror and will be evaluated as part of the responsiveness to the bid/proposal. Information or facts intentionally and/or knowingly misrepresented on documentation submitted by Offeror will constitute a basis for classification as nonresponsive and possible debarment (and/or exclusion from future contracting opportunities).

B. DEMONSTRATION OF GOOD FAITH EFFORTS

In making a determination that the Offeror/Contractor/Vendor has made a good faith effort to meet the Small M/WBE goal, TCCD will consider, among other things, the criteria set forth below. The Offeror/Contractor/Vendor will furnish, as a part of its Small M/WBE utilization information, specific documentation concerning the steps it has taken to obtain Small M/WBE participation with a consideration of the following factors:

1. Whether Offeror/Contractor/Vendor attended any pre-bid or pre-proposal meetings scheduled by TCCD to discuss Small M/WBE participation opportunities;

2. Whether Offeror/Contractor/Vendor advertised in general circulation, trade association, and/or Small M/WBE–focused media concerning subcontracting opportunities;

3. Whether Offeror/Contractor/Vendor provided written notice to a reasonable number of Small M/WBE firms that their interest in the contracts was being solicited in sufficient time to allow Small M/WBE firms to participate effectively;

4. Whether Offeror/Contractor/Vendor followed up with initial solicitations of interest by contracting Small M/WBE firms to determine with certainty whether the Small M/WBE firms were interested;

5. Whether Offeror/Contractor/Vendor selected portions of the work to be performed by Small M/WBE firms in order to increase the likelihood of meeting the Small M/WBE firms’ goal (including, where appropriate, breaking down the Contract into economically feasible subcontracts to facilitate Small M/WBE participation);

6. Whether Offeror/Contractor/Vendor provided interested Small M/WBE firms with adequate information about the plans, specifications, scope of work, and requirements of the contract;

7. Whether Offeror/Contractor/Vendor negotiated in good faith with Small M/WBE firms, not rejecting Small M/WBE firms as unqualified without sound reasons based on a thorough investigation of their capabilities;
8. Whether Offeror/Contractor/Vendor negotiated in good faith with interested Small M/WBE firms, using good business judgment, taking into consideration the Small M/WBE Subcontractor’s price quote and not rejecting reasonable quotes from interested Small M/WBE firms;

9. Whether Offeror/Contractor/Vendor made efforts to assist interested Small M/WBE firms in obtaining bonding, lines of credit, insurance, etc., as required by TCCD;

10. Whether Offeror/Contractor/Vendor made efforts to assist interested Small M/WBE firms in obtaining necessary equipment, supplies, materials, or related assistance or services;

11. Whether Offeror/Contractor/Vendor effectively used the services of ethnic chambers of commerce; available minority and women organizations; community organizations; contractor groups; local, state, and federal business assistance offices; and other organizations that provide assistance in identifying Small M/WBE firms;

12. Whether Offeror/Contractor/Vendor obtained written documentation from a potential Subcontractor or a bona fide surety company indicating that bonding was denied prior to the Small M/WBE being rejected as a potential Subcontractor for failing to obtain Offeror/Contractor–required bonding. Documentation furnished by a surety company will be subject to verification by TCCD;

13. Whether Offeror/Contractor/Vendor has attained a sufficient level of Small M/WBE participation to meet the contract goal will also be taken into consideration in determining whether the Offeror/Contractor/Vendor in question has made a good faith effort.

TCCD will review the different kinds of efforts the Offeror/Contractor/Vendor has made as well as the quantity and quality of those efforts.
2254.002 SUBCHAPTER A. PROFESSIONAL SERVICES
(2) “Professional services” means services:
(A) within the scope of the practice, as defined by state law, of:
   (i) accounting;
   (ii) architecture;
   (iii) landscape architecture;
   (iv) land surveying;
   (v) medicine;
   (vi) optometry;
   (vii) professional engineering;
   (viii) real estate appraising; or
   (ix) professional nursing.
(B) provided in connection with the professional employment or practice of a person who is licensed or registered as:
   (i) a certified public accountant;
   (ii) an architect;
   (iii) a landscape architect;
   (iv) a land surveyor;
   (v) a physician, including a surgeon;
   (vi) an optometrist;
   (vii) a professional engineer;
   (viii) a state certified or state licensed real estate appraiser; or
   (ix) a registered nurse.

2254.003 SELECTION OF PROVIDER; FEES
(a) A governmental entity may not select a provider of professional services or a group or association of providers or award a contract for the services on the basis of competitive bids submitted for the contract or for the services, but will make the selection and award:
   (1) on the basis of demonstrated competence and qualifications to perform the services; and
   (2) for a fair and reasonable price.
(b) The professional fees under the contract:
   (1) must be consistent with and not higher than the recommended practices and fees published by the applicable professional associations; and
   (2) may not exceed any maximum provided by law.

2254.004 CONTRACT FOR PROFESSIONAL SERVICES OF ARCHITECT, ENGINEER, OR SURVEYOR
(a) In procuring architectural, engineering, or land surveying services, a governmental entity will:
   (1) first select the most highly qualified provider of those services on the basis of demonstrated competence and qualifications; and
   (2) then attempt to negotiate with that provider a contract at a fair and reasonable price.
(b) If a satisfactory contract cannot be negotiated with the most highly
qualified provider of architectural, engineering, or land surveying services, the entity will:
(1) formally end negotiations with that provider;
(2) select the next most highly qualified provider; and
(3) attempt to negotiate a contract with that provider at a fair and reasonable price.
(c) The entity will continue the process described in Subsection (b) select and negotiate with providers until a contract is entered into.
IN-REACH

TCCD In-Reach is defined as internal activity that will be performed to support, enhance, measure, evaluate, track, and report Small M/WBE Program participation.

Comprehensive Small M/WBE Programs require tracking of activities that strengthen the entire commitment. Human Resources and Community Affairs are necessary components to this program. Often, activities from these departments are not recognized for the critical role they each play in the Program’s success. By tracking these areas, we can obtain continuous feedback as we evaluate the needs of the comprehensive program. How TCCD communicates the value placed on our employees, students, and resources can impact how stakeholders and the community we serve perceive the program.
SECTION 13
OUTREACH PLAN
OUTREACH PLAN

The TCCD team will work with business groups that support the inclusion of Small M/WBE firms in the solicitation of bids. These groups include: Fort Worth Hispanic Chamber, Fort Worth Metropolitan Black Chamber, Tarrant County Asian Chamber, American Indian Association, Women in Construction, Women in Engineering, Black Contractors Association, Hispanic Contractors Association, Business Assistance Center, TCCD Small Business Department, and other appropriate organizations. Links to Web sites (where possible) will help Small M/WBE firms gain broader access to bidding information, business development resources, and training opportunities.

Strong emphasis will be placed on the importance of soliciting certified Small M/WBE firms for subcontracting opportunities at pre-bid conferences and in bid documents. TCCD will examine specifications to identify special subcontracting opportunities, and strongly encourage Prime Contractors and Bidders to solicit Subcontractor bids from Small M/WBE firms.

The TCCD team will assess the effectiveness of the Small M/WBE Program and identify opportunities to enhance the Program by evaluating Small M/WBE participation, compliance and reviewing the good faith efforts provided in bid packages. Feedback will be given to bidders regarding their submitted good faith efforts.

The TCCD team will identify subcontracting opportunities unique to each construction contract and procurement bid. The TCCD team will also concentrate heavily on targeting certified Small M/WBE firms that have expressed an interest in TCCD. Contacts will be made to interested businesses no later than ten (10) days prior to the bid opening, and a list of Prime Contractors that are pre-qualified to bid on the project will be provided to interested Small M/WBE Firms.
OUTREACH SUPPORT

Tarrant County College District, providing outreach support, will utilize the North Central Texas Regional Certification Agency (NCTRCA) as resources. Additional sources to be utilized include:

- Community Partnerships
- Job Fairs
- Employment Fairs
- Partnership Newsletters
- Pre-bid Meetings
- Student Recruitment Fairs
- TCCD–The Collegian

TCCD OUTREACH SUPPORT

- Community Partnership
  - Tarrant County
    - FWHCC
    - FWBCC
    - BAC
    - AAACC
    - HCA
    - DBCC
    - DHCC
    - DACC
    - GDCRC

- Outreach
  - Tarrant County
    - Ethnic Festivals
    - Vendor Fairs
    - Cinco de Mayo
    - Chinese New Year
    - Juneteenth
    - La Feria

- Newsletters
  - Tarrant County
    - ( Stakeholders )
    - Board of Directors
    - Elected Officials
    - Chambers of Commerce
    - Minority Business Owners
    - Women Business Owners
    - Students
    - Mainstream/Minority Media
TRACKING SUPPORT

One of the greatest values of a comprehensive Small M/WBE Program is to develop and implement the plan, work through the challenges, evaluate the accomplishments, and celebrate the successes. Tracking allows TCCD Team to document successes. The critical area for the plan is the tracking component for construction. The approximate $400 million in TCCD Capital Improvement Program will be one focused on monitoring and tracking Small M/WBE participation.

A systemwide tracking program will be developed by the TCCD team to provide a uniform procedure. Timeliness in capturing measurable results is key to the tracking process. The tracking program will allow testing and evaluation of critical program components on a monthly basis. It will also assist in the evaluating of “best practices.”

Tracking documents will require a monthly commitment from all partners involved. Reporting forms will be developed by the TCCD team to capture all elements in a timely manner. The areas designated for tracking include:

- Construction
- Prime Contractors
- Good Faith
- Small M/WBE Participation
- Multiple Tiered
- Compliance

TRACKING SYSTEM COMPONENTS

CONSTRUCTION

Prime Contractor  Good Faith  Small M/WBE  1st Tier Participation  Compliance

2nd Tier Participation

3rd Tier Participation
TRACKING SYSTEM COMPONENTS

PROFESSIONAL SERVICES

Prime Consultant  Good Faith  Small M/WBE  Subconsultant(s) Participation  Compliance
SECTION 15
SANCTIONS FOR NONCOMPLIANCE
SANCTIONS FOR NONCOMPLIANCE

A. The Good Faith Effort (GFE) documentation will demonstrate the Offeror’s commitment and honest efforts to Small M/WBE firms. The burden of preparing and submitting the good faith effort information is on the Offeror and will be evaluated as part of the responsiveness to the bid/proposal (refer to Good Faith Effort Form in Section 21). Intentionally and/or knowingly misrepresenting facts on the documentation submitted may constitute a basis for classification as nonresponsive and possible termination (and/or the possible exclusion from future contracting opportunities).

B. A Contractor’s failure to make payments to Subcontractors in accordance with requirements of the Subcontract may require TCCD to withhold future payments from Contractor until compliance is attained.

C. Contract Suspension:

1. An Offeror who intentionally and/or knowingly misrepresents facts will be determined to be an irresponsible Offeror and may be suspended from participating in TCCD work for a period of time of not less than three (3) years.

2. The failure of an Offeror to otherwise comply with TCCD’s Small M/WBE Program constitutes a material breach of contract as stated herein, and may result in the Offeror being classified as an irresponsible Offeror and suspension from participating in TCCD work for a period of time of not less than one (1) year.

3. TCCD may send a written statement of facts and a recommendation for suspension to legal counsel. After consultation with legal counsel, TCCD may determine that sanctions are warranted and send a certified notice to the Offeror.

4. An Offeror that receives notification of suspension may request an appeal by giving written notice within ten (10) days from the date of receipt of the sanctions notice.

5. TCCD will meet within thirty (30) days from the date of receipt of the request for appeal of suspension, unless Offeror requests an extension of time. Offeror can request an extension of five (5) days. Offeror will be notified of the meeting time and location.

6. Offeror will be afforded an opportunity to appear with legal counsel if so desired, submit documentary evidence, and interact with any person presented by Management. TCC also reserves the right to legal counsel during such discussions.

7. TCCD may render a decision within thirty (30) days of the hearing and send notice to Offeror.

8. Any Small M/WBE Subcontractor or Supplier who intentionally and/or knowingly misrepresents facts or otherwise violates the provisions of the Program may be classified as irresponsible for a period of time not to exceed one (1) year. If deemed irresponsible, such Small M/WBE will not be included in calculating an Offeror’s responsiveness and will be barred from bidding on TCCD work.
SECTION 16
ENFORCEMENT PENALTIES
ENFORCEMENT PENALTIES

All participants in the Small M/WBE Program must comply with TCCD requirements as set forth in the Small M/WBE Program, and applicable federal and state laws. TCCD reserves the right to apply all remedies available under federal, state, and local laws, including, but not limited to, responsibility determinations in future contracts, suspension and sanction procedures, and forfeiture of profits as provided for elsewhere.

TCCD may recommend additional sanctions against Contractors/Consultants that are found to be in noncompliance with the Small M/WBE Program requirements of Small M/WBE contract provisions at any time during the term of a TCCD contract.

TCCD may report any suspected false, fraudulent, or dishonest conduct to the appropriate parties or any applicable enforcement agency, including the Texas Attorney General’s Office.
SECTION 17
SEVERABILITY
SEVERABILITY

Provisions of this Small M/WBE Program are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of the Small M/WBE Program, or the invalidity of the application thereof to any person or circumstance, will not affect the validity of the remainder of this Program, or the validity of its application to other persons or circumstances.
SECTION 18
GRIEVANCE PROCEDURE
GRIEVANCE PROCEDURE

If possible, it is important to resolve issues at the very lowest level. TCCD has developed timely procedures for filing grievances. In the event the participant is not satisfied, said participant may appeal the grievance by filing the following documentation within ten (10) working days of the alleged violation:

DESIGN/CONSTRUCTION

   Step I – File documentation with the Director of Facilities Planning, who will respond within ten (10) working days of receipt of the grievance;

   Step II – File grievance with Provost; within ten (10) working days of receipt of response from the Director of Facilities Planning. Provost will respond within ten (10) working days.

   Step III – File grievance with Chancellor within ten (10) working days of receipt of response from the Director of Facilities Planning for decision, which will be final step within TCCD. Chancellor will respond within ten (10) working days.

Purchasing

   Step I – File documentation with the Director of Purchasing, who will respond within ten (10) working days of receipt of the grievance;

   Step II – File grievance with the Vice Chancellor of Financial Services within ten (10) working days of receipt of response from the Director of Purchasing. The Vice Chancellor of Financial Services will respond within ten (10) working days.

   Step III – File grievance with the Chancellor within ten (10) working days of receipt of response from the Vice Chancellor of Financial Services for decision, which will be final step within TCCD. The Chancellor will respond within ten (10) working days.
SECTION 19

CONCLUSION
CONCLUSION

As Texas becomes more economically diverse and a growing number of women enter what once was traditionally male leadership positions, it is critically important that Tarrant County College District (TCCD) makes a commitment to provide strategic counsel and support to business enterprise programs headed by minorities and women.

U.S. Census demographics demonstrate that business and workforce trends are greatly impacted by growth in minority- and women-owned companies. These dynamics are having a daily and direct impact on local and national economics and reflect the multicultural contributions of the nation’s society.

TCCD is committed to maximizing opportunities for small, minority/women business enterprise owners to contract for construction, goods, and services within TCCD. On its behalf, Ware & Associates, Inc. has interviewed many member organizations in Texas and has reviewed many Minority/Women Business Enterprise Programs in higher education and public municipalities nationwide.

By utilizing the recommendations submitted, Ware & Associates, Inc. efforts reflect the values offered by local organizations, businesses, and community groups that currently maintain and support programs, which are all-inclusive of Tarrant County taxpayers and stakeholders. These extensive efforts have been utilized in developing a program that addresses needs identified by Tarrant County College District’s internal and external stakeholders. This program parallels those of large metropolitan and municipal programs that have had large demographic shifts in census, seen business growth trends similar to Tarrant County, identified long-standing gaps in contracting, and has a desire to incorporate a larger pool of qualified vendors and suppliers.

Ware & Associates, Inc. reputation and legacy as a full-service agency strongly recommends that this document be reviewed by legal counsel to ensure compliance with federal, state, and local regulations. We would also ask legal staff to review and make recommendations to all sample document forms that professional and nonprofessional vendors are required to sign and notarize.
SECTION 20

Certification Applications

English
Spanish
CERTIFICATION

Tarrant County College District (TCCD) has selected the North Central Texas Regional Certification Agency (NCTRCA) as its official agency for all Small M/WBE firms.

The NCTRCA uses certification guidelines established by the U. S. Department of Transportation, Title 49 CFR Park 26 and from the Federal Aviation Administration as applicable.

The NCTRCA will accept 8(a) certification from the Small Business Administration and other DOT certified certification agencies.

If your agency is currently certified by a different governmental agency, you may submit it for approval for use in the TCCD Small M/WBE Program. If approved, that certification will be accepted through the remainder of its term. Upon expiration of the term of that certification, the agency must be certified by the NCTRCA.
Dear Business Owner:

Thank you for your interest in becoming certified with the North Central Texas Regional Certification Agency (NCTRCA). NCTRCA represents several public entities in the Dallas/Fort Worth Metroplex that are committed to minority and women business enterprises (MBE/WBE) participating in their government contracts and other procurement activities. NCTRCA is responsible for the implementation of the certification process for these entities and for ensuring that only firms that meet the eligibility criteria are certified as MBEs, or WBEs.

It is very important that all questions on the application are answered and that all required documents be submitted in order for your firm to be evaluated accurately and promptly. If a question is not applicable, please insert NA (not applicable) on the line for that question.

It is the responsibility of the applicant to submit the required documentation, which will be used to evaluate and assist in determining the firm’s eligibility. Please complete the attached certification affidavit, sign it, notarize it and return it to us with all the supporting documentation required to the address below.

If you have any questions regarding the completion of this affidavit please give us a call at 817-640-0606 and we will be happy to provide assistance.

Respectfully Yours,

Agency Director
The following documents must be submitted with the attached application form. Failure to provide the required documents will result in your application package being returned with no action taken. Please mark an "X" in the blank opposite each item submitted. Place "N/A" in the blank opposite those items, which do not apply.

### I. ALL FIRMS MUST PROVIDE THE FOLLOWING ITEMS:

<table>
<thead>
<tr>
<th>MARK “X” IF SUBMITTED</th>
<th>INFORMATION REQUESTED</th>
<th>ACCEPTABLE PROOF</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proof of u.s. citizenship or permanent residency status</td>
<td>Birth Certificate, U.S. Passport, Alien Resident Card, etc</td>
<td></td>
</tr>
<tr>
<td>Proof of race / ethnicity</td>
<td>Birth Certificate, Tribal Card, MV License, etc</td>
<td></td>
</tr>
<tr>
<td>Income tax returns for the firm</td>
<td>Three most recent years</td>
<td></td>
</tr>
<tr>
<td>Resume of all owners and management staff</td>
<td>Work experience and Management experience</td>
<td></td>
</tr>
<tr>
<td>Assumed name certificate</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Copy of bank signature card (s)</td>
<td>Business/Commercial Account</td>
<td></td>
</tr>
<tr>
<td>Proof of capital investment in firm</td>
<td>Cancel Check, Loans, etc</td>
<td></td>
</tr>
<tr>
<td>Proof of equipment and real estate contribution</td>
<td>Title papers, Lease agreements, Mortgage, etc.</td>
<td></td>
</tr>
<tr>
<td>Copy of rental or lease agreement for office space</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Copy of licenses and/or permits</td>
<td>All Owners</td>
<td></td>
</tr>
</tbody>
</table>

**PLEASE EXPLAIN ON A SEPARATE SHEET WHY YOU HAVE NOT INCLUDED ANY OF THE ABOVE REQUESTED INFORMATION**

### II. FOR A PARTNERSHIP; ADD:

<table>
<thead>
<tr>
<th>MARK “X” IF SUBMITTED</th>
<th>INFORMATION REQUESTED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complete Copy Of Partnership Agreement Including Buyout Rights And Profit Sharing</td>
<td></td>
</tr>
</tbody>
</table>
### III. FOR A CORPORATION AND/OR LLC; ADD:

<table>
<thead>
<tr>
<th>INFORMATION REQUESTED</th>
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<tbody>
<tr>
<td>Certificate of Incorporation or Organization</td>
</tr>
<tr>
<td>Articles Of Incorporation Or Organization</td>
</tr>
<tr>
<td>Copy Of Corporate Bylaws Or Regulations</td>
</tr>
<tr>
<td>Copy Of First And/Or Last Corporate Meeting Minutes</td>
</tr>
<tr>
<td>Copy Of Any Minutes That Affect Ownership</td>
</tr>
<tr>
<td>Copy Of Stock Transfer Ledger And/Or Stock Register</td>
</tr>
<tr>
<td>Copy Of All Issued And Voided Stock Certificates (Inc)/ Membership Certificates (LLC)</td>
</tr>
<tr>
<td>Proof Of Stock Purchase (Inc)</td>
</tr>
</tbody>
</table>
## North Central Texas Regional Certification Agency

**624 Six Flags Drive, Suite 216**  
**Arlington, Texas 76011**

### THIS APPLICATION IS FOR MBE OR WBE CERTIFICATION, PLEASE CIRCLE THE TYPE OF CERTIFICATION YOU ARE SEEKING

| MINORITY BUSINESS ENTERPRISE (MBE) | A business which is at least 51% owned, managed and the daily business operations controlled by one or more minority individuals. Minority generally includes the following groups: American Indians, Aleuts, Asian-Pacific Americans, Black Americans, Eskimos, Hispanic Americans, Native Hawaiians and Subcontinent Asian Americans. Complete this application and submit all required documentation. |
| WOMAN BUSINESS ENTERPRISE (WBE) | A business which is at least 51% owned, managed and the daily business operations controlled by one or more women owners. Complete this application and submit all required documentation. |

### IF YOU ARE SEEKING DBE CERTIFICATION, PLEASE STOP AND COMPLETE A DBE CERTIFICATION APPLICATION

| DISADVANTAGED BUSINESS ENTERPRISE (DBE) | A small business which is at least 51% owned, managed and the daily business operations controlled by one or more minorities and/or women. Minority generally includes the following groups: American Indians, Aleuts, Asian-Pacific Americans, Black Americans, Eskimos, Hispanic Americans, Native Hawaiians and Subcontinent Asian Americans. You must also complete a Personal Net Worth (PNW) form to submit with the DBE application and its required documentation. Complete the DBE application, submit all required documentation and the PNW form that is available on the NCTRCA website. |

DBE certification is required by public agencies on contracts financed in whole or in part with federal funds. Prime contractors seeking to meet DBE subcontracting goals will seek to identify firms certified as DBEs instead of MBEs or WBEs. Potential subcontracting opportunities may be missed if DBE certification is not obtained. The decision to pursue a DBE certification, instead of MBE or WBE, is a business decision that you, the applicant, must make.

### GENERAL BUSINESS INFORMATION

1. **Business Name**  
   **Owner's Name**

2. **Telephone Number**  
   **Fax Number**  
   **Mobile/Cell Number**

3. **E-mail address**  
   **Internet Website / URL Address**

4. **Does this business use any other name(s)?**  
   **Yes_____ No_______**

   If yes, indicate name(s)
3. Business Mailing Address

<table>
<thead>
<tr>
<th>City</th>
<th>State</th>
<th>County</th>
<th>Zip</th>
</tr>
</thead>
</table>

4. Physical Address of Business

<table>
<thead>
<tr>
<th>City</th>
<th>State</th>
<th>County</th>
<th>Zip</th>
</tr>
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</table>

5. Tax Identification Number

6. Date business was established under present name and ownership:

7. Is this business a continuation of a pre-existing business? Yes ___ No____; If yes indicate name(s)

8. Indicate if this firm has previously been certified or participated as a DBE / MBE / WBE. Indicate the name of the certifying authority and provide a copy of the certification letter/certificate.

<table>
<thead>
<tr>
<th>Certifying Authority</th>
<th>Address</th>
<th>Date</th>
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9. Is the business affiliated with another business? Yes _____ No _____

If yes, list Name and Address of the affiliate firm.

10. Business Structure

(CHECK ONE):

<table>
<thead>
<tr>
<th>PROPRIETORSHIP</th>
<th>PARTNERSHIP</th>
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<tbody>
<tr>
<td>LIMITED LIABILITY (LLC)</td>
<td>GENERAL CORP (INC)</td>
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</table>

11. Please list three company and/or client references:

<table>
<thead>
<tr>
<th>COMPANY</th>
<th>CONTACT PERSON</th>
<th>TITLE</th>
<th>TELEPHONE</th>
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12. Identify four or less of your major products/services

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<thead>
<tr>
<th>PRODUCT OR SERVICE</th>
<th>PROVIDE A BRIEF DESCRIPTION:</th>
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<tbody>
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<td>1.</td>
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<td>2.</td>
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<td>3.</td>
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<td>4.</td>
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13. Does your firm share any resource(s) (office facilities, storage space, equipment, and personnel) with any other firms or individuals? Yes ☐  No ☐; If yes explain:

<table>
<thead>
<tr>
<th>YEAR ENDING</th>
<th>GROSS RECEIPTS</th>
<th>NUMBER OF EMPLOYEES</th>
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</table>
15. Please identify the firms’ ownership: (use additional sheet if more than three owners)

<table>
<thead>
<tr>
<th>NAME</th>
<th>Ethnicity</th>
<th>Sex</th>
<th>Years of ownership</th>
<th>Ownership percentage</th>
<th>Voting percentage</th>
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16. Identify any owner or management official of the firm who is or has been an employee of another firm that has ownership interest or a present business relationship with your firm:

17. List the contribution of money, equipment, real estate and percentage of expertise for each owner (please use an additional sheet of paper if necessary):

<table>
<thead>
<tr>
<th>NAME</th>
<th>MONEY ($)</th>
<th>EQUIPMENT ($)</th>
<th>REAL ESTATE ($)</th>
<th>EXPERTISE (%)</th>
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**NOTE:** SUBMIT DOCUMENTED PROOF OF CONTRIBUTION FIGURES LISTED UNDER MONEY, EQUIPMENT AND REAL ESTATE.

18. Is a license required for the product or service you provide? 
   - Yes ☐
   - No ☐

   If yes, list the name of the license and the licensed individual(s) in your business (submit a copy of license with application):

19. Identify those individuals in the firm (including owners and non-owners) who are responsible for the day-to-day management and policy decision-making including, but not limited to those with prime responsibility for:

<table>
<thead>
<tr>
<th>AREA</th>
<th>NAME</th>
<th>ETHNICITY</th>
<th>SEX</th>
<th>TITLE</th>
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<tbody>
<tr>
<td>FINANCIAL DECISIONS</td>
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<tr>
<td>MANAGEMENT DECISIONS</td>
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<tr>
<td>ESTIMATING</td>
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<td>HIRING/FIRING MANAGEMENT PERSONNEL</td>
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<td>PURCHASING OF MAJOR ITEMS OR SUPPLIES</td>
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<tr>
<td>SUPERVISION OF FIELD OPERATIONS</td>
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<tr>
<td>CONTRACTS</td>
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AFFIDAVIT

The undersigned swears/affirms that the foregoing information and statements are true and correct and include all material and information necessary to identify and explain the operations of
____________________________________________________________ as well as the ownership thereof.

(Name of Firm)

Further, the undersigned agrees to permit the Agency and/or U.S. Department of Transportation (DOT) as part of this certification process and thereafter to interview owners, principals, officers and employees; and to audit or examine books, records and files of the above firm. Furthermore, any of the public entities that are part of this agency reserve the right to reevaluate a firm’s eligibility for certification.

If at any time the DOT or the Agency has reason to believe that any person or firm has willfully and knowingly provided incorrect information or made false statement, the Agency may refer the matter to the General Counsel of DOT or take other action. The General Counsel may initiate debarment procedures in accordance with 41 CFR 1-1.604 and 12-1.062 and/or refer the matter to the Department of Justice under U.S.C. 1001, as the General Counsel deems appropriate.

NOTE: Under Title 18 U.S.C. Section 1001 and Title 15 U.S. C. Section 645, any person who misrepresents a firm’s status as a small disadvantaged business concern or makes false statements in order to influence the certification process in any way to obtain a government contract, shall be subject to fines of up to $500,000 and imprisonment of up to 10 years, or both.

The burden of proof of control and management of the business is on the applicant. The Agency reserves the right to request any additional information it deemed necessary to determine if a firm is certifiable. Failure to cooperate and/or provide requested information within the time specified is grounds for termination of the processing of your application for certification.

_____________________________________   __________________________________
Name   Signature

_____________________________________   __________________________________
Title   Date

Date ____________ State of _______________ County of_________________

On this day before me appeared (name)____________________ with proper identification, who being duly sworn, did execute the foregoing affidavit and did aver that he or she was properly authorized by (name of firm) ______________________________ to execute this affidavit and did so as his or her free act/deed.

(SEAL)

_____________________________________   ____________________________
Notary Public   Commission Expiration
Estimado Solicitante:

Gracias por su interés en certificarse con la Agencia de Certificación Regional para el Norte y Centro de Texas (NCTRCA). La agencia representa a varias entidades públicas en el área metropolitana de Dallas y Fort Worth, que están comprometidas con la participación de las empresas en desventaja (DBE), minoritarias (MBE) y las que son propiedad de mujeres (WBE), en negocios, contratos de gobierno y otras actividades de contratación. La Agencia es responsable del proceso de aplicaciones de certificación para dichas entidades, y de asegurar que solo participen como DBEs, MBEs o WBEs empresas que cumplan con el criterio de elegibilidad del programa.

Es responsabilidad del solicitante someter la documentación necesaria para evaluar y ayudar a determinar la elegibilidad de cada empresa. Por favor complete las declaraciones notariadas de la certificación adjuntas a la misma. Firmelas, notariselas, y entreguelas nuevamente a nuestra agencia junto con toda la documentación comprobante requerida en la dirección indicada más adelante. Es muy importante contestar todas las preguntas y entregar todos los documentos requeridos para que su empresa sea evaluada con precisión y rapidamente. Si alguna pregunta no es aplicable, por favor indíquelo.

Si usted no quiere hacer negocios con entidades que requieren una certificación de DBE cuando estas utilicen fondos del Departamento de Transporte (DOT) en sus contratos, usted no tiene que completar la declaración de su estado financiero personal (PNW). La agencia en ese caso, lo certificará y, clasificará como minoría o negocio propiedad de mujer pero no como empresa comercial en desventaja (DBE).

<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>DBE</td>
<td>requiere un PNW</td>
</tr>
<tr>
<td>MBE</td>
<td>No requiere un PNW</td>
</tr>
<tr>
<td>WBE</td>
<td>No requiere un PNW</td>
</tr>
</tbody>
</table>

Si usted tiene cualquier pregunta con respecto a cómo llenar la declaración notariada, llámenos al (817)-640-0606 y estaremos en la mejor disposición de proporcionarle ayuda.

Respetuosamente,

La Dirección de la Agencia
Favor de Someter La Siguiente Documentacion Requerida Con Esta Declaración

I. Todos los solicitantes deben someter esta informacion:
- Prueba de ciudadania o residencia permanente (certificado de nacimiento, pasaporte de los Estados Unidos, comprobante de residencia legal)
- Prueba de raza / identidad (certificado de nacimiento, carta tribal, licencia MV, etc.)
- Declaracion de impuestos del negocio. (Los dos ultimos años)
- Curriculum vitae de todos los dueños
- Certificado del nombre de la empresa
- Copias de las tarjetas de firmas de la cuenta bancaria
- Comprobante del capital o dinero invertido en la empresa (cheques cancelados, prestamos, etc)
- Prueba de contribuciones para adquirir maquinaria y bienes raices
- Prueba del acuerdo de renta
- Copias de licencias y/o permisos (de todos los dueños)

II. En Caso de Asociacion, Agregue:
- Copia completa del acuerdo de la Asociacion, incluyendo derechos de adquisicion y reparticion de utilidades

III. En Caso de Corporacion, Agregue:
- Certificado de Incorporacion
- Articulos de Incorporacion
- Copia de Leyes de Corporacion
- Copia de las primeras y ultimas minutas de las juntas corporativas
- Copia de minutas corporativas que afectan las acciones de la Compañia
- Copia del registro de transferencias de acciones y del registro de acciones
- Copias de todos los certificados de acciones, distribuidos y anulados (de frente, y reves)
- Comprobantes de compra de acciones

IV. Para la declaracion financiera personal (PNW), Agregue lo siguiente:
- Se deberá someter una declaracion personal del patrimonio neto con documento apropiada junto con la declaración en acuerdo con el Ariculo 49, Seccion 26, para certificar a una empresa como compania en desventaja (DBE); la cual tendrá autorización para hacer negocios con aquellas entidades que utilizan fondos del Departamento de Transporte en sus contratos.

De acuerdo con la ley federal y la ley del estado, todos los documentos sometidos con esta declaración no estan sujetos al “Acto de Registro Abierto”. Lo cual significa que estarán a disposición de nadie sin la autorización del dueño.
Información General

La Agencia evaluará las compañías para certificación como D/M/WBE usando los estándares de certificación de la Agencia. Los estándares de la agencia son basados en el Artículo 49 CFR, Sección 26 y las reglas del Departamento de Transporte de los Estados Unidos (DOT), la Administración Federal de Transportación y la Administración Federal de Aviación. Si elegible bajo los criterios antes mencionados, una compañía puede ser certificada como:

DBE – Empresa con Desventaja, si la compañía llena todos los requisitos del Artículo 49 CFR, Sección 26 y tamaño de la empresa según Artículo13 CFR, Sección 121.2

MBE – Empresa Minoritaria, si la compañía llena todos los requisitos de la agencia

WBE – Propiedad de Mujeres, si la compañía llena todos los requisitos de la agencia

Una Empresa en desventaja, minoritaria, y/o una que es propiedad de mujer (D/M/WBE) significa que la empresa es propiedad y bajo el control de individuos social y económicamente en desventaja. Una empresa es considerada social y económicamente en desventaja cuando por lo menos 51% es propiedad de un individuo socialmente y económicamente en desventaja, y en la cual las operaciones diarias y de administración son controladas por uno o más individuos social y económicamente en desventaja.

La Agencia considera a los individuos en los siguientes grupos como social y económicamente en desventaja y tiene el derecho de determinar, en cada caso, cuales individuos que no pertenecen a estos grupos, pueden ser considerados social y económicamente en desventaja.

Mujeres

Africano-Americano- personas que tienen origen en algún grupo de raza Negra de Africa

Hispano-Americano – personas de Mexico, Puerto Rico, Cuba, Centro o Sur America, o de origen Español o Portuguez, sin importar raza.

Americano Indigena- personas que son Indios Americanos, los Esquimales, Aleuts o nativo Hawaiiano.

American Asiático- personas con orígenes de Birmania, Tailandia, Malasia, Indonesia, Singapur, Brunei, Japón, China, Taiwán, Laos, Camboya, Vietnam, Corea, las Filipinas, Samoa, Guam, los territorios de los Estados Unidos en las Islas Pacificas, la República de las Islas Marshall, los Estados Federados de Micronesia, o de la República de las Islas Marinas Nortenas, Macao, Hong Kong, Fiji, Tuvalu o Nauru

Indio Americano Asiático - personas con orígenes de India, Pakistán, Bangladesh, Sri Lanka, Bután, Las Islas de Maldivas o Nepal.

Miembros de otros grupos que han sido declarado en desventaja por la Administración Empresas Pequeñas (SBA) bajo la Sección (8) (a) del Acto de Empresas Pequeñas.

También todos aquellas empresas certificadas por otras entidades del DOT y SBA bajo sus programas y son consideradas social y económicamente en desventaja por la Agencia después de completar una declaración acompañada por la documentación apropiada.

Solamente Ciudadanos de los Estados Unidos o residentes permanentes legalmente admitidos son elegibles para calificar como individuos social y económicamente en desventaja. Todos los participantes deben someter documentacion apropiada para comprobar su estado en una de las siguientes categorías.
NCTRCA
Agencia de Certificacion Regional Para el Norte y Centro de Texas

Declaracion de Certificacion

1. Nombre de la Empresa _______________________________________________________

2. Direccion Postal ____________________________________________________________

3. Direccion Fisica _____________________________________________________________

4. Telefono ________________ Fax _______________ Correo electronico ________________

5. Dueño o Contacto ________________ Titulo __________________________________

6. Numero de Seguro Social o Identificacion para los Impuestos _________________________

7. Indique si esta compania ha recibido previamente o ha sido negada la certificacion o la participacion como un DMWBE. Indique el nombre de la autoridad certificante y la fecha de tal certificacion o la negacion.

<table>
<thead>
<tr>
<th>Agencia de Certificacion</th>
<th>Fecha</th>
<th>Certificacion (Si / No)</th>
<th>Razon</th>
</tr>
</thead>
<tbody>
<tr>
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</table>

8. Estructura del Negocio (circule uno): Propietario Unico; Asociacion; Responsibilidad Limitada; Corporacion General; Negocio Comun

9. Fecha que el negocio se establecio bajo dueño actual ______________________________

10. Mencione tres (3) referencias (compañias o clientes).

<table>
<thead>
<tr>
<th>Compania</th>
<th>Contacto</th>
<th>Titulo</th>
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<tbody>
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</table>

11. Identifique sus mayores productos/servicios. (proporcione una descripcion):

_______________________________________________________________________________________

_______________________________________________________________________________________

_______________________________________________________________________________________
12. Comparte su compañía algunos recurso(s) (oficina, facilidad, espacio de almacenamiento, equipo y personal) con alguna otra compañía o individuos? Si / No   Si su respuesta es afirmativa, explique:
__________________________________________________________________________
__________________________________________________________________________

13. Cual fue el total de ganancia de la empresa por cada uno de los dos años anteriores?

<table>
<thead>
<tr>
<th>Año</th>
<th>Ganancia Total</th>
<th>Empleados</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

14. Identifique a los dueños de la compañía:

<table>
<thead>
<tr>
<th>Nombre</th>
<th>Raza</th>
<th>Sexo</th>
<th>Años de Possesion</th>
<th>% de Possesion</th>
<th>% Electoral</th>
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</table>

15. Mencione la contribución de dinero, equipo, bienes raíces y el porcentaje de pericia de cada dueño. Use por favor una hoja adicional si es necesario.

<table>
<thead>
<tr>
<th>Nombre</th>
<th>Dinero ($)</th>
<th>Equipo ($)</th>
<th>Bienes y Raíces ($)</th>
<th>Pericia</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

Nota: Entregue prueba documentada de las cantidades de contribución que usted mencionó bajo dinero, equipo y bienes raíces.

16. Identifique por nombre, raza o etnicidad, sexo y título a los individuos en la compañía (incluyendo dueños) que son responsables por tomar las decisiones diarias en cuanto a administración y decisiones incluyendo, pero no limitado, a esos individuos con responsabilidad principal para:

<table>
<thead>
<tr>
<th>Area</th>
<th>Nombre</th>
<th>Raza/Etnicidad</th>
<th>Sexo</th>
<th>Titulo</th>
</tr>
</thead>
<tbody>
<tr>
<td>Decision Financiera</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Decision de Gerencia</td>
<td></td>
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</tr>
<tr>
<td>Estimacion</td>
<td></td>
<td></td>
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<tr>
<td>Gerencia General</td>
<td></td>
<td></td>
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<tr>
<td>De Contratacion y Despido</td>
<td></td>
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<tr>
<td>Compra de Artículos</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Y Materiales</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>Mayores</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
17. Proporcione el nombre de individuos licenciados y el tipo de licencia necesaria para el negocio. (Someter copias con la aplicación). _____________________________________________

18. Identifique a cualquier dueño o gerente de la empresa quienes han sido empleado por otra empresa que tiene interes o negocios recientes con usted en su empresa.

19. ¿Tiene usted la capacidad de aceptar tarjetas de crédito? _________________________

20. De quien o de donde recibio usted esta declaracion? _______________________________
NCTRCA
Agencia de Certificación Regional Para el Norte y Centro de Texas

Declaración

El solicitante jura que las declaraciones aquí presentes son verdaderas y correctas y incluyen toda información material necesaria para identificar y explicar las operaciones de _______________ así como también la propiedad del mismo.

(Nombre de Empresa)

El solicitante concuerda en permitir la Agencia, sus representantes autorizados y/o El Departamento de Transporte (DOT) como parte de este proceso de la certificación entrevistar a los dueños, los directores, los oficiales y los empleados, y verificar o examinar los libros, los registros y los archivos de la empresa mencionada arriba. Además, cualquiera de las entidades públicas que son una parte de esta agencia tienen el derecho de reevaluar la elegibilidad de la empresa para la certificación.

Si en cualquier momento el Departamento de Transporte o la Agencia tienen razón de creer que un individuo o la empresa hayan deliberadamente proporcionado declaraciones falsas o informaciones incorrectas, la Agencia puede referir la cuestión al Consejo General de DOT o tomar otra acción según la ley.

El consejo general puede iniciar procedimientos de exclusión o prohibición, de acuerdo al Artículo 41 CFR 1-1.604 y 12-1.062 y/o referir la cuestión al Departamento de la Justicia bajo USC 1001, cuando el Consejo General así lo cree apropiado.

Nota: Bajo Artículo 18 Sección de USC 1001 y Artículo 15 Sección de USC 645, cualquier persona que falsifica un estado empresarial como un negocio pequeño y en desventaja o hace falsas declaraciones en la orden para influir en el proceso de la certificación; o para obtener un contrato del gobierno, será multas hasta $500,000 y el encarcelamiento por hasta 10 años o ambos.

La responsabilidad de comprobar el control y manejo de la empresa está en el solicitante. La Agencia tiene el derecho de requerir cualquier información adicional necesaria para determinar si la empresa es calificable. La negación de cooperación y-o proveer la información pedida durante el tiempo específico es motivo para terminación del proceso de certificación.

______________________________     ______________________________
Nombre                           Firma

______________________________     ______________________________
Título                           Fecha

Fecha: __________________________ Estado de: __________________________ Condado de: __________________________

En este día ante mí apareció (nombre) __________________________ con identificación apropiada, y bajo juramento, ejecutó la declaración y afirmó que él o ella fue autorizada apropiadamente por (el nombre de la empresa) __________________________ para ejecutar esta declaración e hizo así de su propia voluntad.

(Sello) ____________________________     ____________________________
Notario Publico                     La Comisión Expira
Declaración Personal de Patrimonio Neto (PNW)

Complete una forma para (1) cada propietario socialmente en desventaja, o (2) para cada socio socialmente en desventaja, limitado y general, con interés combinado totalizando 51% o más, o (3) cada accionista socialmente en desventaja con 51% o más de acciones electorales. Un patrimonio neto personal (PNW) del individuo incluye sólo su propia acción de ganancia, obtenida colectivamente o de propiedad común con el esposo del individuo.

Nombre ______________________________________  Fecha ________________________
Direccion de Residencia ________________________________________________________
Nombre de Negocio____________________________Telefono de Negocio _______________

ESTADO PERSONAL FINANCIERO
Fecha ____________ Al determinar el patrimonio neto, excluye el interés individual de la propiedad en el negocio del solicitante y la residencia personal. Redondee todos los números al más cercano dólar.

GANANCIA

Effectivo en cuenta del banco $ __________________
Cuenta de Ahorros $ __________________
IRA y otra Cuenta de Pensión $ __________________
Cuentas por Cobrar $ __________________
Seguros de Vida. Valor En efectivo solamente. $ __________________

(Complete Sección 7)

Acciones $ __________________
(B describa en Seccion 2)
Bienes raíces, con excepción de la residencia personal. $ ________________

(LStorm en Sección 3)

Los automóviles - el valor actual y presente $ __________________

Otra Propiedad Personal$ __________________

Otras Ganancias $ __________________

Total de Ganancias $ __________________

Otras Fuentes de Ingresos
Salario / Comisiones $ __________________
Ingresos Netos de Inversión $ __________________
<table>
<thead>
<tr>
<th>RESPONSIBILIDADES FINANCIERAS</th>
</tr>
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<tbody>
<tr>
<td>Cuentas por Pagar</td>
</tr>
<tr>
<td>Notas por Pagar al Banco y a Otros (Describa en Sección 1)</td>
</tr>
<tr>
<td>Cuentas a Plazos (Automóvil)</td>
</tr>
<tr>
<td>Otras Cuentas a Plazos</td>
</tr>
<tr>
<td>Préstamo sobre Seguro de Vida</td>
</tr>
<tr>
<td>Prestamos Para Bienes Raíces, Excepto la Residencia Personal (Describa en Sec.3)</td>
</tr>
<tr>
<td>Impuestos Pendientes de Pago (Describa en Sec. 5)</td>
</tr>
<tr>
<td>Otros Responsabilidades Financieras (Describa en Sec. 6)</td>
</tr>
<tr>
<td><strong>Total de Responsabilidades Financieras</strong></td>
</tr>
<tr>
<td>Otras Responsabilidades Contingentes Como Endosante o Colega</td>
</tr>
<tr>
<td>Reclamos y Juicios Legales</td>
</tr>
<tr>
<td><strong>Patrimonio Neto (PNW)</strong></td>
</tr>
<tr>
<td><strong>Total de Ganancias menos el Total de Responsabilidades Financieras</strong></td>
</tr>
</tbody>
</table>
Sección 1 Prestamos por pagar al banco y a otros. Use hojas extras si necesario. Cada hoja agregada deberá ser firmada e identificada como parte de esta declaración.

<table>
<thead>
<tr>
<th>Nombre y Dirección del Dueño</th>
<th>Balance Original</th>
<th>Balance Reciente</th>
<th>Cantidad del Pago</th>
<th>Frecuencia</th>
<th>Prestamo Asegurado por</th>
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</table>

Sección 2 Acciones. Use hojas extras si necesario. Cada hoja agregada deberá ser firmada e identificada como parte de esta declaración.

<table>
<thead>
<tr>
<th>No. de Acciones</th>
<th>Descripción de Valores</th>
<th>Costo</th>
<th>Valor del Mercado /Cambio</th>
<th>Fecha de Cotización</th>
<th>Valor Total</th>
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</table>

Sección 3 Bienes Raices Use hojas extras si necesario. Cada hoja agregada deberá ser firmada e identificada como parte de esta declaración.

<table>
<thead>
<tr>
<th>Tipo de Propiedad</th>
<th>Propiedad A</th>
<th>Propiedad B</th>
<th>Propiedad C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dirección</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Fecha de compra</td>
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<tr>
<td>Costo Original</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Valor del Mercado Presente y Acutal</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nombre y Dirección De Prestamista</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No. de Cuenta Del Prestamo</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Balancia del Prestamo</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cantidad del Pago por Mes/Año</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Posición del Prestamo</td>
<td></td>
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</tbody>
</table>

Sección 4 Otra Propiedad Personal y Otras Ganacias Describa, y si cualquiera esta prometida como seguridad, dé el estado, el nombre y la dirección de Prestamista, la cantidad del prestamo, los términos del pago y si delincuente, describe.
Sección 5 Impuestos, Pendientes de Pago  
Describa con todo detalle. Dé el tipo, a quién se paga, cuándo debido, la cantidad y a qué propiedad, si cualquiera, un gravamen del impuesto conecta.

Sección 6 Otros Responsibilidades Financieras  
Describa con todo detalle.

Sección 7 Seguros de Vida  
Dé el valor nominal y el valor en efectivo

Sección 8 Transferencia de Ganancia

En los últimos dos años, ha usted (el solicitante de la empresa en desventaja) transferido cualquier tipo de ganancias, total o en parcial, a su esposa/o o otras personas o entidades, incluyendo una compañía financiera?  __________ SI  
__________NO

Si su respuesta es afirmativa, favor de proporcionar la siguiente información en una hoja por separado: fecha de la transferencia, a quien se hizo la transferencia, cantidad pagada por las ganancias y valor financiero de las ganancias en el momento de la transferencia.

NOTA: Los solicitantes pueden excluir aquellas ganancias transferidas a un familiar cercano por razones de ocasiones especiales y también pueden excluir aquellas transferencias a un familiar cercano por razones educacionales, medicos o para propósitos de ayuda esencial.

Favor de proveer copias completas de la Declaración de Impuestos del Trabajo, incluyendo las formas W-2. El Artículo 49 CFR Sección 26 y la ley federal clasifica toda información proporcionada junto con esta solicitud como confidencial. Esta solicitud o cualquier información no será declarada pública a cualquier persona o entidad comercial o gubernamental sin permiso escrito del solicitante.
Declaración

El solicitante jura que las declaraciones aquí presentes son verdaderas y correctas y incluyen toda información material necesaria para identificar y explicar las operaciones de _______________ así como también la propiedad del mismo.

(Nombre de individuo)

El solicitante concuerda en permitir la Agencia, sus representantes autorizados y/o El Departamento de Transporte (DOT) como parte de este proceso de la certificación entrevistar a los dueños, los directores, los oficiales y los empleados, y verificar o examinar los libros, los registros y los archivos de la empresa mencionada arriba. Además, cualquiera de las entidades públicas que son una parte de esta agencia tienen el derecho de reevaluar la elegibilidad de la empresa para la certificación.

Si en cualquier momento el Departamento de Transporte o la Agencia tienen razón de creer que un individuo o la empresa hayan deliberadamente proporcionado declaraciones falsas o informaciones incorrectas, la Agencia puede referir la cuestión al Consejo General de DOT o tomar otra acción según la ley.

El consejo general puede iniciar procedimientos de exclusión o prohibición, de acuerdo al Artículo 41 CFR 1-1.604 y 12-1.062 y/o referir la cuestión al Departamento de la Justicia bajo USC 1001, cuando el Consejo General así lo cree apropiado.

Nota: Bajo Artículo 18 Sección de USC 1001 y Artículo 15 Sección de USC 645, cualquier persona que falsifica un estado empresarial como un negocio pequeño y en desventaja o hace falsas declaraciones en la orden para influir en el proceso de la certificación; o para obtener un contrato del gobierno, será multas hasta $500,000 y el encarcelamiento por hasta 10 años o ambos.

La responsabilidad de comprobar el control y manejo de la empresa está en el solicitante. La Agencia tiene el derecho de requerir cualquier información adicional necesaria para determinar si la empresa es calificable. La negación de cooperación y/o proveer la información pedida durante el tiempo específico es motivo para terminación del proceso de certificación.

_________________________     __________________________
Nombre                        Firma

_________________________     __________________________
Título                        Fecha

Fecha: __________________ Estado de: __________________ Condado de: __________________

En este día ante mí apareció (nombre) _______________ con identificación apropiada, y bajo juramento, ejecutó la declaración y afirmó que él o ella fue autorizada apropiadamente por (el nombre de la empresa) _______________ para ejecutar esta declaración e hizo así de su propia voluntad.

(Sello) __________________________ Notario Publico

La Comisión Expira
PLEASE COMPLETE THE APPLICATION IN ENGLISH
SECTION 21

APPENDIX

FORMS

DEFINITIONS
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**SMALL M/WBE UTILIZATION FORM**
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- **SMALL M/WBE DEVELOPMENT QUESTIONNAIRE**
  (To be completed only if above form is used)

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- Identify subcontractors selected for work on the Contract

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- Instructions for completing the following forms for payment
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- To be completed by Prime and submitted with invoice each month until final payment of Contract

MENTOR-PROTÉGÉ SUBCONTRACTOR PAYMENT REPORT FORM
- To be completed by Prime and submitted with invoice each month until final payment of Contract

MENTOR-PROTÉGÉ INTERNSHIP CONSTRUCTION TECHNOLOGY PAYMENT REPORT FORM
- To be completed by Prime and submitted with invoice each month until final payment of Contract

MENTOR-PROTÉGÉ INTERNSHIP ARCHITECTURAL TECHNOLOGY PAYMENT REPORT FORM
- To be completed by Prime and submitted with invoice each month until final payment of Contract

PROFESSIONAL SERVICES VENDOR PAYMENT REPORT FORM
- To be completed by Prime and submitted with invoice each month until final payment of Contract

DEFINITIONS
TCCD SMALL M/WBE SPECIFICATIONS FORM

SPECIAL INSTRUCTIONS FOR BIDDERS

APPLICATION OF POLICY

If the total dollar value of the contract is $25,000.00 or more, the SMALL M/WBE goals are applicable. If the total dollar value of the contract is less than $25,000.00, the SMALL M/WBE goals are not applicable.

POLICY STATEMENT

It is the policy of the TCCD to ensure the full and equitable participation by Small M/WBE firms in the procurement of all goods and services to TCCD on a contractual basis. The objective of the Policy is to increase the use of Small M/WBE firms to a level comparable to the availability of qualified Small M/WBE firms, which provide goods and services directly or indirectly to TCCD.

SMALL M/WBE PROJECT

TCCD Small M/WBE minimum goal on this project is ________% (will be determined on the basis of availability and capacity during specific bidding periods) of the base bid value of the contract.

COMPLIANCE TO BID SPECIFICATIONS

For TCCD contracts of $25,000.00 or more, bidders are required to comply with the intent of the TCCD’s Small M/WBE Program by either of the following:

1. Meet or exceed the above stated minimum Small M/WBE ________ % (as determined by TCCD); or
2. Good Faith Effort documentation.

SUBMITTAL OF REQUIRED DOCUMENTATION

The applicable documents must be received by the Managing Department, within the following times allocated, in order for the entire bid to be considered responsive to the specifications.

1. Small M/WBE Affidavit Statement: received with the bid documents on bid opening date.
2. Small M/WBE Utilization Form: received with the bid documents on bid opening date.
3. Good Faith Effort Form: received with the bid documents on bid opening date.

FAILURE TO COMPLY WITH TCCD SMALL M/WBE PROGRAM, WILL RESULT IN THE BID BEING CONSIDERED NONRESPONSIVE TO SPECIFICATIONS.
TCCD SMALL M/WBE SPECIFICATIONS FORM

AFFIDAVIT STATEMENT

Project Name: ____________________________________________________________

Project No.: ____________________ TCCD ______________ % : ___________________

FAILURE TO SUBMIT THIS COMPLETED AFFIDAVIT STATEMENT WITH THE BID AT TIME OF BID OPENING WILL RESULT IN THIS BID BEING CONSIDERED NONRESPONSIVE TO SPECIFICATIONS.

The undersigned bidder hereby certifies that they will comply with TCCD’s SMALL M/WBE Program and the specifications of this bid in the following manner:

[Check all applicable categories]

1. ___ THE SMALL M/WBE PARTICIPATION WILL MEET OR EXCEED THE STATED _____________ %, WILL COMPLETE THE SMALL M/WBE UTILIZATION FORM.

2. ___ THE SMALL M/WBE PARTICIPATION WILL BE LESS THAN THE STATED _____________ %, WILL COMPLETE THE UTILIZATION FORM AND GOOD FAITH EFFORT FORM.

3. ___ NO SMALL M/WBE PARTICIPATION, WILL COMPLETE GOOD FAITH EFFORT FORM.

Authorized Signature
Printed Signature

Title
Contact Name and Title (if different)

Company Name
Contact Telephone Number(s)

Address
Fax Number

City/State/Zip Code
Date
# TCCD SMALL M/WBE SPECIFICATIONS FORM

## SMALL M/WBE UTILIZATION

<table>
<thead>
<tr>
<th>PRIME COMPANY NAME</th>
<th>BID DATE</th>
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<tbody>
<tr>
<td>Project Name</td>
<td>Project Number</td>
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</table>

| TCCD'S SMALL M/WBE PROJECT: _______% | SMALL M/WBE PERCENTAGE ACHIEVED: |

The undersigned bidder agrees to enter into a formal agreement with the Small M/WBE firms for work listed in this schedule, conditioned upon execution of a contract with TCCD. The willful misrepresentation of facts is grounds for consideration of disqualification and will result in the bid being considered nonresponsive to specifications.

<table>
<thead>
<tr>
<th>Company Name, Contact Name, Address, Telephone No.</th>
<th>Small M/WBE</th>
<th>Cert. (*) Agency</th>
<th>Scope of Work</th>
<th>Specify Tier (**)</th>
<th>Dollar Amount</th>
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(*) Acceptable certifying agencies please specify: (NCTRCA) North Central Texas Regional Certification Agency

(**) Only first and second tier acceptable

THIS FORM MUST BE RECEIVED WITH THE BID DOCUMENTS ON BID OPENING DATE.
TCCD SMALL M/WBE SPECIFICATIONS FORM

SMALL M/WBE UTILIZATION

<table>
<thead>
<tr>
<th>Company Name, Contact Name, Address, Telephone No.</th>
<th>Small M/WBE Cert. (*) Agency</th>
<th>Scope of Work</th>
<th>Specify Tier (**)</th>
<th>Dollar Amount</th>
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The bidder further agrees to provide, directly to TCCD upon request, complete and accurate information regarding actual work performed by all Subcontractors, including Small M/WBE arrangements submitted with this bid. The bidder also agrees to allow an audit and/or examination of any books, records, and files held by their company that will substantiate the actual work performed by the Small M/WBE on this contract, by an authorized officer or employee of TCCD. Any willful misrepresentation will be grounds for terminating the contract or debarment from TCCD work for a period of not less than three (3) years and for initiating action under federal, state or local laws concerning false statements.

All Small M/WBE firms MUST BE CERTIFIED BEFORE CONTRACT AWARD.

Authorized Signature  Company Name

Title  Date
TCCD SMALL M/WBE SPECIFICATIONS FORM

GOOD FAITH EFFORT

In making a determination that a good faith effort has been made, TCCD requires the Bidder to complete these forms and submit supporting documentation explaining specifically how the Bidder has made a good faith effort to obtain Small M/WBE participation.

Prime Company Name     Bid Date

Project Name      Project Number

If you have failed to secure Small M/WBE participation, and you have subcontracting and/or supplier opportunities, or if your Small M/WBE participation is less than TCCD’s project goal, you must complete this form.

If the Bidder’s method of compliance with the Small M/WBE goal is based upon demonstration of a “good faith effort,” the Bidder will have the burden of correctly and accurately preparing and submitting the documentation required by TCCD. Compliance with each item, 1 through 8 below, will satisfy the Good Faith Effort requirement absent proof of fraud, misrepresentation, or intentional discrimination by the Bidder.

Failure to complete this form in its entirety with supporting documentation and failure to include with your bid will result in the bid being considered non-responsive to bid specifications.

1. Please list each and every subcontracting and/or supplier opportunity that will be used in the completion of this project, regardless of whether it is to be provided by a Small M/WBE or non-Small M/WBE. (Use additional sheets, if necessary)

List of: Subcontracting Opportunities       Supplier Opportunities

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________
2. Did you obtain a current list of Small M/WBE firms from the TCCD Contracting Office? This list is considered in compliance if it is less than two months old from the date of bid opening.
   
   _____ Yes
   _____ No

   **Note:** If an SIC list of Small M/WBE firms is five or less, the Bidder must contact the entire list to be in compliance with questions 4 and 5. If an SIC list of Small M/WBE firms is more than five, the Bidder must contact at least two-thirds of the list but not less than five to be in compliance with questions 4 and 5.

3. Did you attend the Pre-Bid Conference scheduled by the TCCD?
   
   _____ Yes
   _____ No
   _____ N/A (Pre-Bid not scheduled by TCCD)

   Did you request bids from Small M/WBE firms in attendance at the Pre-Bid Conference?
   
   _____ Yes
   _____ No
   _____ N/A (No Small M/WBE firms at Pre-Bid)

4. Did you solicit bids from Small M/WBE firms, within the subcontracting and/or supplier areas previously listed, on a timely basis by mail?
   
   _____ Yes If yes, attach Small M/WBE mail listing and dated copy of letter mailed.
   _____ No

5. Did you solicit bids from Small M/WBE firms, within the subcontracting and/or suppliers areas previously listed, on a timely basis by telephone?
   
   _____ Yes If yes, attach list to include name of Small M/WBE firm, person contacted, phone number, and date of contact.
   _____ No

6. Did you solicit bids from Small M/WBE firms, within the subcontracting and/or suppliers areas previously listed, on a timely basis by advertisement in local newspaper(s)?
   
   _____ Yes If yes, attach copy(s) of advertisement, with date(s).
   _____ No
Note: “On a timely basis” is considered ten (10) days prior to bid opening.

7. Did you provide plans and specifications to potential Small M/WBE firms or information regarding the location of plans and specifications in order to assist the Small M/WBE firms?

   ____ Yes
   ____ No

8. If Small M/WBE bids were received and rejected, you must (1) list the Small M/WBE firms and the reason(s) for rejection (i.e. qualifications, quotation not commercially reasonable, etc.) and (2) attach documentation to support the reason(s) listed below (i.e. letters, memos, bids, telephone calls, meetings, etc.) Please use additional sheets, if necessary, and attach.

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Address</th>
<th>Telephone</th>
<th>Contact Person</th>
<th>Scope of Work</th>
<th>Specify Small M/WBE</th>
<th>Reason for Rejection</th>
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</table>
Note: Bidders who continuously list the same Small M/WBE firms when contact has previously been unsuccessful as a result of disconnected numbers or returned mail will not be deemed in compliance with the Good Faith Effort requirements.

ADDITIONAL INFORMATION:

Please provide additional information you feel will further explain your good and honest efforts to obtain Small M/WBE participation on this project.

_______________________________________________________________________________________________
_______________________________________________________________________________________________
_______________________________________________________________________________________________
_______________________________________________________________________________________________
_______________________________________________________________________________________________

The Bidder further agrees to provide directly to TCCD upon request, complete and accurate information regarding actual work performed on this contract, the payment thereof, and any proposed changes to the original arrangements submitted with this bid. The Bidder also agrees to allow an audit and/or examination of any books, records, and files held by their company that will substantiate the actual work performed on this contract, by an authorized officer or employee of TCCD.

Any willful misrepresentation will be grounds for terminating the contract or debarment from TCCD work for a period of not less than three (3) years and for initiating action under federal, state, or local laws concerning false statements.

The undersigned certifies that the information provided and the Small M/WBE firm(s) listed was/were contacted in good faith. It is understood that any Small M/WBE firms listed will be contacted and the reasons for not using them can be verified.

Authorized Signature ____________________________ Printed Signature ____________________________
Title __________________________________________ Contact Name and Title (if different) ________________
Company Name ____________________________ Telephone Number(s) ____________________________
Address ____________________________ Fax Number ____________________________
City/State/Zip ____________________________ Date ____________________________
INSERT
PRIME CONTRACTOR AND SUBCONTRACTOR/SUPPLIER
PARTICIPATION FORM
TIER 1
TIER 2
TIER 3
SMALL M/WBE DEVELOPMENT QUESTIONNAIRE

[Please circle appropriate tier]

NOTE: Vendors are to complete this form along with a copy of the Contractor and 1st Tier, 2nd Tier, and/or 3rd Tier Subcontractor/Supplier Participation Forms and return it in a separate envelope to:

Tarrant County College District
1500 Houston Street
Fort Worth, Texas 76102-6599

FIRM NAME: __________________________________________________________

FIRM ADDRESS: __________________________________________________________

TELEPHONE: ______________________

FAX NUMBER: _________________________________

E-MAIL ADDRESS: ______________________________

CONTACT PERSON’S NAME AND PHONE NO. __________________________________

SIGNATURE OF FIRM’S AUTHORIZED OFFICIAL: __________________________________

NAME AND TITLE (Type or Print): ____________________________________________

COMPANY MAJORITY OWNERSHIP (Check one in each column)

<table>
<thead>
<tr>
<th>ETHNICITY</th>
<th>GENDER</th>
<th>LOCATION</th>
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<tbody>
<tr>
<td>_____ African American (AA)</td>
<td>_____ Male</td>
<td>_____ Fort Worth (Ft. W)</td>
</tr>
<tr>
<td>_____ Asian Pacific American (APA)</td>
<td>_____ Female</td>
<td>_____ Texas (T)</td>
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<td>_____ Caucasian (C)</td>
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<td>_____ Out of State (OS)</td>
</tr>
<tr>
<td>_____ Hispanic American (HA)</td>
<td></td>
<td>Specify State ___</td>
</tr>
<tr>
<td>_____ Native American (NA)</td>
<td></td>
<td>_____ Publicly Owned (PO)</td>
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<tr>
<td>_____ Other (OT) Specify ____________________</td>
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</table>

BUSINESS CLASSIFICATION

| SB Small Business | WBE Women Owned Business Enterprise |
| MBE Minority Business Enterprise |

Please provide information regarding certifying agency (if any)

<table>
<thead>
<tr>
<th>NAME OF AGENCY</th>
<th>CERTIFICATE NUMBER</th>
<th>EXPIRATION DATE</th>
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SMALL M/WBE INTENT TO PERFORM AS A SUBCONTRACTOR FORM

(POTENTIAL PROFESSIONAL/CONTRACTOR/VENDOR TO IDENTIFY SUBCONTRACTORS SELECTED FOR WORK ON THE CONTRACT)

Prime Contractor: _________________________________________________________________
Vendor Identification Number: _______________________________________________________
Address: _________________________________________________________________________
Phone: _____ - _____ - ________ Bid Number: ________________________________
Contract Amount: $___________________
Description of commodities/specifications: _____________________________________________
________________________________________________________________________________
Time Period: _____________________________________________________________________
Name of Subcontractor/Supplier: _____________________________________________________
Address: _________________________________________________________________________
Phone: _____ - _____ - __________ E-mail Address: ______________________________________
Is the subcontractor certified by NCTRCA?
Yes _____ No _____
Dollar amount of contract with this Subcontractor/Supplier: $___________________________
Percentage amount of contract with this Subcontractor/Supplier: % __________________________
Description of work performed under agreement with the Subcontractor for amount indicated above:
________________________________________________________________________________
________________________________________________________________________________
________________________________________________________________________________

PLEASE SUBMIT A SEPARATE FORM FOR EACH SUBCONTRACTOR/SUPPLIER SERVICE
INSERT
JOINT VENTURE ELIGIBILITY FORM
INSERT
SUBCONTRACTOR/SUBCONSULTANT/SUPPLIER
PROOF OF PAYMENT CERTIFICATION FORM
INSERT
SCHEDULE OF SUBCONTRACTORS FORM
Contractor/Company, _____________________________________________________________________, project __________________________________________________________________, requests approval of the following addition(s) and/or deletion(s) on the SCHEDULE OF SUBCONTRACTORS as originally submitted as part of the bid on the above-named project.

CHECK (X) BLOCK FOR EACH TRANSACTION

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<td>COMPANY NAME</td>
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<td>TRADE</td>
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<tr>
<td>SMALL M/WBE STATUS</td>
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<tr>
<td>DOLLAR AMOUNT</td>
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<td>INTENT TO PERFORM</td>
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JUSTIFICATION


CERTIFICATION OF AFFIDAVIT

The above information is true and complete to the best of my knowledge and belief. I further understand and agree that this certification will become a part of my contract with the TCCD.

(Please Print or Type)

Name and Title of Signer: _______________________________________________________/____________________________________________________

Printed Name

Title

Signature: ___________________________ Date: ___________________________
The Vendor Payment Report Form is to be filled out by the Contractor and submitted with each invoice. The instructions below correspond to each item on the report on the previous pages. Please follow these instructions carefully.
1. **Invoice No.**
   Fill in the invoice number accompanying this report.

2. **Report No.**
   Fill in the number of the report you are sending in sequence. For example: If this is the second report you are submitting, you send Report No. 2.

3. **Reporting Period**
   This is to be filled in to state the period of time for which you are reporting. Example: From: April 1, 2005 To: April 30, 2005.

4. **TCCD Contract Number**
   Fill in the contract number assigned to your project by TCCD.

5. **Type of Contract**
   Designate the type of contract that has been awarded your company by TCCD.

6. **Contractor’s Business Name, Address, Telephone Number and E-mail Address**
   Fill in your company’s name, address, telephone number, and e-mail address.

7. **Date of Contract Award**
   Fill in the date the contract was executed by both you and TCCD.

8. **Scheduled Date of Completion**
   Fill in the completion date as written in contract.

9. **Original Contract Amount**
   Fill in the dollar amount of original contract agreed upon by you and TCCD.

10. **Current Amended Contract Amount & Date**
    Current contract modifications, include date modification was executed.

11. **Total Amount Received to Date**
    Fill in dollar amount you have received from TCCD to date.

12. **Total Amount Owed**
    Fill in the dollar amount of the contract minus amount paid to you by TCCD.

12a. **Current invoice amount**

13. **Committed Small M/WBE Participation**
    Fill in the percentage of Small M/WBE participation you committed to obtain in the contract.

14. **Instructions for Calculation of Small M/WBE Percentage**

15. **Actual Small M/WBE Percent Paid to Date**
    Fill in the calculated dollar amount paid to the Small M/WBE and divided by the dollar amount you received from TCCD.

16. **Name of Subcontractors**
    Name all the Small M/WBE Subcontractors. (Use additional sheets as necessary.)

17. **Small M/WBE**
    State whether the Subcontractor is a Small M/WBE.

18. **Description of Work**
    State the work performed by the Small M/WBE Subcontractor.

19. **Amount and Date of Last Payment**
    State the amount and date of last payment made to each Small M/WBE Subcontractor. Submit evidence of payment, i.e., cancelled check, check register, etc.

20. **Subcontract Value (Dollars)**
    State the committed dollar value to the Small M/WBE Subcontractor for the duration of the contract and retainage withheld by Prime Contractor.

21. **Total Amount Paid to Date (Dollars)**
    Add all amounts paid to each Small M/WBE Subcontractor to date and retainage released to date.

22. **Percent of Earned Progress to Date**
    State dollar amount paid to the Small M/WBE Subcontractor divided by the amount committed to them.

23. **Amount of This Invoice Allocated to the Subcontractor**
    Fill in how much of this invoice will be paid to each Small M/WBE Subcontractor.
INSERT
CONSTRUCTION VENDOR
PAYMENT REPORT FORM
INSERT
MENTOR-PROTÉGÉ SUBCONTRACTOR PAYMENT REPORT FORM
INSERT
MENTOR-PROTÉGÉ INTERNSHIP
CONSTRUCTION TECHNOLOGY
PAYMENT REPORT FORM
INSERT
MENTOR-PROTÉGÉ INTERNSHIP
ARCHITECTURAL TECHNOLOGY
PAYMENT REPORT FORM
INSERT
PROFESSIONAL SERVICES VENDOR
PAYMENT REPORT FORM
DEFINITIONS

CERTIFICATION - Tarrant County College District (TCCD) has selected the North Central Texas Regional Certification Agency (NCTRCA) as its official agency for all Small M/WBE firms.

The NCTRCA uses certification guidelines established by the U. S. Department of Transportation, Title 49 CFR Park 26 and from the Federal Aviation Administration as applicable.

The NCTRCA will accept 8(a) certification from the Small Business Administration and other DOT certified certification agencies.

If your agency is currently certified by a different governmental agency, you may submit it for approval for use in the TCCD Small M/WBE Program. If approved, that certification will be accepted through the remainder of its term. Upon expiration of the term of that certification, the agency must be certified by the NCTRCA.

GOAL – Means the percentage of minority business enterprise and/or women business enterprise participation on an applicable project as determined by TCCD, based on availability of such businesses in the marketplace and the subcontracting/supplier opportunities of the project. The Goal is also a numerically expressed objective, which contractors and consultants are required to make good faith efforts to achieve.

STRETCH GOAL – Efforts by TCCD to establish realistic goals for specific portions of work and geographic locations impacted by the CIP after careful review and evaluation of data supporting potential workforce and resource capacity and availability.

GOOD FAITH EFFORTS – Is an honest and conscientious effort by the Offeror to meet TCCD goal for M/WBE participation. Compliance with each of the following steps shall satisfy the Good Faith Effort requirement absent proof of fraud, misrepresentation, or intentional discrimination by the Offeror.

   a. List each and every subcontracting and/or supplier opportunity for the completion of this project.

   b. Obtain a current (not more than three (3) months old from the bid open date) list of MBE/WBE subcontractors and/or suppliers from the Director of Facilities Planning Office.

   c. Solicit bids from MBE/WBE’s, within the subcontracting and/or supplier areas previously listed, at least ten calendar days prior to bid opening by mail, exclusive of the day the bids are opened.

   d. Solicit bids from MBE/WBE’s, within the subcontracting and/or supplier areas previously listed, at least ten calendar days prior to bid opening by telephone, exclusive of the day the bids are opened.

Note: A facsimile may be used to comply with either (c) or (d), but may not be used for both.
Note: If the list of MBE/WBE’s for a particular subcontracting/supplier opportunity is ten or less, the Offeror must contact the entire list within such area of opportunity to be in compliance with (c) and (d). If the list of MBE/WBE’s for a particular subcontracting/supplier opportunity is more than ten, the Offeror must contact at least two-thirds of the list within such area of opportunity, but not less than ten, to be in compliance with (e) and (d).

e. Provide plans and specifications or information regarding the location of plans specification to MBE/WBE’s.
f. Submit list of all subcontractors/suppliers, other than M/WBE’s, their scope of work and the dollar amount that will be utilized on the contract.
g. Submit affidavit and/or documentation if MBE/WBE bids were rejected on the basis of quotation not being commercially reasonable (TCCD will not accept as a good and honest effort, the rejection of M/WBE bids for an insignificant amount), qualifications, etc.

Documents may be requested to be produced for an in camera inspection.

GOOD FAITH EFFORTS - Steps taken to achieve a M/WBE goal or other requirements, which by their scope, intensity, and appropriateness to the objective, can reasonably be expected to fulfill the program requirement.

MINORITY BUSINESS ENTERPRISE (MBE) - (1) Which is at least 51 percent owned and controlled by one or more minority persons, or in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more minorities; and

(2) Whose management and daily operations are controlled by one or more of minority individual(s) owner(s). Minority persons include Blacks, Hispanics, Asian Pacific Americans, Asian Indian Americans, and Native Americans.

SMALL BUSINESS – Small Business Administration has established a size standard for most industries in the economy. The most common size standards are as follows:

- 500 employees for most manufacturing and mining industries
- 100 employees for all wholesale trade industries
- $6 million for most retail and service industries
- $28.5 million for most general & heavy construction industries
- $12 million for all special trade contractors
- $0.75 million for most agricultural industries

About one-fourth of industries have a size standard that is different from these levels. They vary from $0.75 million to $28.5 million for size standards based on average annual revenues and from 100 to 1500 employees for size standards based on number of employees. Several SBA programs have either alternative or unique size standards, such as the Small Business Investment Company Program.

WOMEN-OWNED BUSINESS ENTERPRISE (WBE) - (1) Which is at least 51 percent owned and controlled by one or more women, or in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and (2) Whose management and daily operations are controlled by one or more women owner(s).