

INSTRUCTIONS TO BIDDERS
(to be incorporated into all formal solicitations)

Minority and Women’s Business Enterprise Participation

In accordance with chapter 39.19 RCW, the University of Washington encourages participation in all of its contracts by firms certified by the Office of Minority and Women’s Business Enterprises (OMWBE). Participation may be either on a direct basis in response to this solicitation or on a subcontractor basis. However, no preference will be included in the evaluation of proposals, no minimum level of MWBE participation shall be required as a condition for receiving an award and proposals will not be rejected or considered non-responsive on that basis. Any affirmative action requirements set forth in federal regulation or statutes included or referenced in the contract documents will apply.

The established annual procurement participation goals for the solicitation are: MBE 6% and WBE 4%. These goals are voluntary. For information on certified firms, Suppliers may contact OMWBE at (360) 753-9693, (866) 208-1064 toll-free, or <http://www.omwbe.wa.gov>.

U.S. Small Business Participation

Participation in contracts for goods and services is encouraged by firms which qualify under definitions by the U.S. Small Business Administration as small business (SB), small disadvantaged business (SDB), small women owned business (WOB) veteran owned small business, disabled veteran owned small business or HUBzone business. The percentage listed below is voluntary. No preference will be included in the evaluation of bids/proposals. Participation in University contracts may be either direct as the Bidder in response to this solicitation, or as a subcontractor to a Bidder. *Voluntary U.S. Small Business goals for this solicitation are 10% SB/SDB/WOB/Veteran*

Additional “optional” language for use in solicitations

MWBE Outreach Plan:

Consistent with the University’s commitment to encourage the use of Minority Business Enterprises (MBEs) and Women’s Business Enterprises (WBEs) on its contracts, we are interested in our supplier’s efforts in securing certified MWBE subcontractors or second-tier suppliers.

Provide an MWBE Outreach Plan that demonstrates specific strategies, approaches, and steps your firm will use to encourage the participation of MBEs and WBEs

While the University is interested in contracting with firms who employ a diverse workforce, this is not part of the MWBE Outreach Plan where the focus is on outreach efforts to contract with minority-owned and women-owned businesses.

The MWBE Outreach Plan should include:

- 1) Names and titles of those responsible for managing and implementing specific aspects of your MWBE Outreach Plan.
- 2) A description of the strategies, approaches, and specific steps your firm will take to assist the University in meeting its voluntary MBE and WBE percentage utilization goals, which may include but are not limited to a description of the following:
- 3) Any mentoring of MWBEs that your firm has been involved with or is currently involved with. Please identify the nature and extent of the mentoring, the number and type of firms mentored, how long your firm has been mentoring MWBEs, and how effective the mentoring has been in the success of the MWBEs.
- 4) Your firm’s participation in outreach events planned by others and/or your firm as a means of developing relationships with MWBEs.

- 5) Describe your firm's current method of measuring MWBE utilization. Regular MWBE Utilization reports will be required as part of any ensuing contract.
 - 6) Identify how your firm identifies and contacts MWBEs through various methods (i.e., media, government agencies, industry and non-profit associations and organizations, referrals, and relationships, etc.).
 - 7) Describe how your firm will monitor its progress toward meeting the voluntary MWBE goals on the contract to be awarded based on this solicitation, and how your firm will adjust its strategy as necessary in order to improve its performance in this area.
 - 8) The MWBE outreach plan will be one of the criteria to be evaluated and scored as part of the solicitation review.
-

**Minority and Women's Business Enterprise (MWBE) and Federal Small Business Certification
RESPONSE FORM**

To be included with all formal solicitations

This solicitation includes voluntary goals for MWBE and Small Business participation. Complete this form and return it with your response to the solicitation.

Complete Part 1 below if: Supplier is **certified** by the State of Washington Office of Minority and Women's Business Enterprises (OMWBE).

Complete Part 2 below if: Supplier is proposing to subcontract or joint venture with certified Minority Business Enterprises (MBE's) or Women's Business Enterprises (WBE's).

Complete Part 3 below if: Supplier proposes NO MWBE participation

Complete Part 4 below if: Supplier is classified as a Federal Small Business.

Complete Part 5 below if: Supplier is proposing to subcontract or joint venture with a Small Business.

Complete Part 6 below if: Supplier proposes NO Small Business Participation

1. MWBE Certification:

Supplier is certified by the OMWBE as: (Check as applicable)

MBE

Both Minority **and** Woman Owned

WBE

Combination 50% Minority / 50% Woman Owned

2. MWBE Subcontract Participation:

The voluntary goals for MWBE participation in this contract are established in the accompanying solicitation. Supplier proposes to include certified MWBE's in the contract as described below:

Name(s) of Participating MWBE: _____

Description of Participation: _____

Dollar amount of Participation: \$_____

Contract Percentage of Participation: _____ %

3. NO MWBE Participation Proposed:

Signed: _____

(Supplier or authorized representative)

Title: _____

4. Federal Small Business Certification Response - Check the appropriate box:

Small Business Disadvantaged Small Business Women Owned Small Business

Veteran Owned Small Business Service Disabled Veteran Owned Small Business

HUBZone Small Business ANC's & Indian Tribes not certified by SBA

ANCs & Indian Tribes not small business

Include the four digit Standard Industrial Classification NAICS code, if known: #_____

5. Small Business Subcontract Participation:

The voluntary goals for Federal Small Business participation in this contract are established in the accompanying solicitation. Supplier proposes to include the contract as described below:

Name(s) of Participating Small Business: _____

Description of Participation: _____

Dollar amount of Participation: \$ _____

Contract Percentage of Participation: _____ %

6. NO Small Business Participation Proposed: .

Signed: _____

(Supplier or authorized representative)

Title: _____

INFORMATION REGARDING STATE AND FEDERAL CERTIFICATIONS.

State of Washington Minority and Women's Business Enterprises Participation

General Statement:

In accordance with the legislative findings and policies set forth in Chapter 39.19 RCW the State of Washington encourages participation in all of its contracts by MWBE firms certified by the Office of Minority and Women's Business Enterprises (OMWBE). <http://www.omwbe.wa.gov>. Participation may be either on a direct basis in response to this solicitation/invitation or as a subcontractor to a Supplier/Proposer.

However, unless required by federal statutes, regulations, grants or contract terms referenced in the contract documents, no preference will be included in the evaluation of bids/proposals. No minimum level of MWBE participation shall be required as a condition for receiving an award and bids/proposals will not be rejected or considered non-responsive on that basis. Any affirmative action requirements set forth in federal regulations or statutes included or referenced in the contract documents will apply.

Record Keeping:

The Contractor shall maintain, for at least three years after completion of this contract, relevant records and information necessary to document the level of utilization of MWBEs and other businesses as subcontractors and suppliers in this contract as well as any efforts the contractor makes to increase the participation of MWBEs as listed below. The contractor shall also maintain, for at least three years after completion of this contract, a record of all quotes, bids, estimates, or proposals submitted to the Contractor by all businesses seeking to participate as subcontractors or suppliers in this contract. The State shall have the right to inspect and copy such records. If this contract involves federal funds, Contractor shall comply with all record keeping requirements set forth in any federal rules, regulations or statutes included or referenced in the contract documents.

Affirmative efforts to increase participation by MWBE's:

Advertise opportunities for subcontractors or suppliers in a manner reasonably designed to provide MWBEs capable of performing the work with timely notice of such opportunities, and include a provision encouraging participation by MWBE bids/proposals directly from MWBEs.

1. Provide MWBEs that express interest with adequate and timely information about plans, specifications, and requirements of the Contract.
2. Break down total requirements into smaller tasks or quantities, where economically feasible, in order to permit maximum participation by MWBEs and other small businesses.
3. Establish delivery schedules, where the requirements of this contract permit, that encourage participation by MWBEs and other small businesses.
4. Reduce bonding requirements where practicable
5. Utilize the services of available minority community organizations, minority contractors groups, local minority assistance offices and organizations that provide assistance in the recruitment and placement of MWBEs and other small businesses.
6. The actions described in this section should supplement efforts to provide information to all qualified firms, and nothing in this section is intended to prevent or discourage Suppliers, Proposers, or Contractors from inviting proposals for participation from non-MWBE firms as well as MWBE firms.

Non-discrimination:

Contractors, Suppliers and Proposers shall not create barriers to open and fair opportunities for all businesses, including MWBEs, to participate in all State contracts and to obtain, or compete for, contracts and subcontracts as sources of supplies, equipment, construction and services. In considering offers from and doing business with subcontractors and suppliers, the Contractor shall not discriminate on the basis of race, color, creed, religion, sex, age, nationality, marital status, or the presence of any mental or physical disability in an otherwise qualified disabled person.

Federal Small, Small Disadvantaged or Small Woman Owned Business Certification:

In accordance with Public Law 95-507, Federal Contracts that contain Federal Acquisition Regulations (FAR) clause 52.219-8 (Utilization of Small Business Concerns and Small Disadvantaged Business Concerns) impose requirements regarding subcontracting with small businesses and small business subcontracting plans. Refer to FAR 19.001 for guideline definitions.

With regards to certification, the Small Business Administration (SBA) classifies small businesses on an industry-by-industry basis, utilizing a Standard Industrial Classification (SIC) code as described in the Code of Federal Regulations (CFR) Title 13, Part 121. The offeror certifies that the information is true and understands that whoever, for the purpose of securing a contract or subcontract is accountable under Public Law 99-661 and the CFR Title 13, Part 124 & 125.

If a firm misrepresents the status of any concern or person as a small business owned and controlled by a minority or woman owned business, they shall (1) be punished by imposition of a fine, imprisonment, or both; (2) be subject to administrative remedies including suspension and disbarment; and (3) be ineligible for participation in programs conducted under the authority of the Small Business Act.

If you need assistance in determining whether your business is considered to be small, contact the Seattle branch of the U.S. Small Business Administration at (206) 553-7310, or the University's Representative at (206) 543.4156.