

RETURN WITH BID

MINORITY AND WOMEN BUSINESS (MBE/WBE) PARTICIPATION FORM

GOALS: The MBE/WBE target goal for this Contract is (12% MBE, 8% WBE) of the amount of the contract awarded by the District. The contract award is defined as the Base Bid plus any or all alternates.

INSTRUCTIONS: The Bidder will include below the names of certified minority/women owned business enterprises (CMS Certified) and the proposed dollar value of subcontract. If the Bidder needs assistance in identifying subcontractors or suppliers, contact the school district prior to submitting the bid. **This sheet should be returned with the bid.**

BIDDER'S MBE/WBE SUBCONTRACTOR/SUPPLIER FIRMS, INCLUDING ADDRESS AND TELEPHONE NUMBER, TO BE UTILIZED IN REGARD TO THIS CONTRACT (Include base bids below): Note: A firm can only be designated as an MBE or WBE, but not both. Firms must be certified or registered with CMS as an MBE/WBE prior to bid opening.
(Attach additional sheets if necessary)

	Name of MBE/WBE Firm Address City State Zip	Proposed \$ Value of Subcontract	Telephone Number	MBE/WBE Denotation And Certifying Agency
1.				<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Certified by CMS
2.				<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Certified by CMS
3.				<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Certified by CMS
4.				<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Certified by CMS
5.				<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Certified by CMS
6.				<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Certified by CMS
7.				<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Certified by CMS
8.				<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Certified by CMS

Minority/Women Business Enterprise Program Requirements

- A. It is the intent of Champaign Community School District Unit #4 to utilize Minority and Women Business Enterprises (MBE/WBE) in the construction of the school facilities in the District. In this regard, the District encourages minority and women participation as Prime Contractors, as well as for Prime Contractors to utilize available resources to identify such businesses, and recruit them to work as subcontractors and suppliers on the Project. Unit 4 is especially interested in qualified firms who can contribute to the diversity of the District. Unit 4 is committed to providing equal employment opportunities to all employees, candidates for employment, and contractors and will not discriminate against any employee, candidate for employment, or contractor on the basis of race, color, religion, sex, national origin, disability, or other class protected by law.
- B. The District's target goal is 12% MBE and 8% WBE participation for each bid package. The percent goal is reflective of current Capital Development Board participation goals for Champaign County at the date of the Invitation to Bid.
- C. Eligible MBE/WBE firms must be certified through the Illinois Department of Central Management Services (CMS). A list of CMS BEP-certified firms can be found at the following link: <https://cms.diversitycompliance.com/Default.asp?>
- D. In its bid, a bidding entity shall list the name and relevant contact information of any certified MBE/WBE firm with which the bidding entity plans to subcontract, the proposed dollar value of any subcontract(s) and shall include a copy of the MBE/WBE firm's CMS Certificate or Recognition Certification Approval Letter. These items must be included with the bid.
- E. The contractor shall provide documentation to comply with both MBE/WBE contract with the Construction Schedule of Values (CSV) and with the Final Application for Payment. All information will be provided through ePrismSoft, an electronic web based compliance tracking software. Access to ePrismSoft has been furnished by the Champaign Unit School District #4. The contractor access is activated when Champaign Unit School District #4 enters the award in ePrismSoft. Subsequently, the subcontractors' access is activated when the Prime Contractor enters the subcontract award in ePrismSoft. For more information contact Human Capital Development, Gabe Jaja, at 309-692-6400.
- F. Champaign Community Unit School District #4 values the utilization of MBE/WBEs in its capital construction projects. All such enterprises must perform a **commercially useful function**. Enterprises which might be considered "pass-throughs" or "fronts" are not permitted.
- G. Definitions
 - a. **Commercially Useful Function: MBE/WBE vendors are** responsible for the execution of a distinct element of the work of the contract which is carried out by actually

performing, managing, and supervising the work involved, or fulfilling responsibilities as a joint venture. To perform a commercially useful function, the MBE/WBE must also be responsible, with respect to materials (including equipment) and supplies used on the contract, for negotiating price, determining quality and quantity, ordering the material (including equipment), and installing (where applicable) and paying for the material (including equipment) itself. To determine whether a MBE/WBE is performing a commercially useful function, the District shall evaluate the amount of work the firm subcontracted, industry practices, whether the amount the firm is to be paid under the contract is commensurate with the work it is actually performing.

- b. **Non-Performance of a Commercially Useful Function:** A MBE/WBE does not perform a commercially useful function if its role is limited to that of an extra participant in a transaction, contract, or project through which funds are passed in order to obtain the appearance of MBE/WBE participation. In determining whether a MBE/WBE is such an extra participant, the District will examine similar transaction and standard industry practice, particularly those in which MBE/WBE do not participate.
- c. **Extra Participant:** a person, entity, affiliate, corporation, or joint venture that participates in a transaction, contract or project through which funds are passed in order to obtain the appearance of MBE/WBE participation thereby purporting to perform a commercially useful function.
- d. **Similar transaction:** The examination of the process and flow of funds in construction subcontracting or procurement of goods and services for materials, equipment or supplies within a market or industry where MBE/WBE are not participants to establish common industry practice involving responsibility, ownership, risk and control between parties involved in the transaction.
- e. **Regular Dealer:** an IL CMS BEP certified MBE/WBE company that owns or maintains a store, warehouse or other physical establishment in which materials or supplies required for the performance of the contract are bought, kept in stock, and regularly sold to the public in the usual course of business. To be considered a regular dealer, the company must engage in, as its principal business and in its own name, the purchase and sale of the products in question.
- f. **Brokers, Packagers, Manufacturers Representatives and Others:** Packagers, brokers, manufacturers' representatives, or other persons who arrange or expedite transactions are not regular dealers within the meaning of the immediate preceding paragraph.

- g. **Counting Regular Dealer Participation:** If the materials or supplies are purchased from a MBE/WBE regular dealer, count **100 percent** of the cost of the materials, equipment or supplies toward MBE/WBE goals. This is also applicable to materials, equipment or supplies with joint checks