

APPENDIX E

Minority Business Enterprise Plan

CITY OF BOWLING GREEN

MINORITY BUSINESS ENTERPRISE PLAN

1. Purpose of Plan:

The purpose in establishing a Minority Business Enterprise (MBE) plan is to provide opportunities for the participation of business owned and operated by minorities in projects or activities funded in whole or part through the City's Community Development Block Grant program.

2. Definition of a minority business:

- a. A business of which at least 51 percent is owned by minority group members or of which at least 51 percent of the stock is owned by minority group members.
- b. A business whose management and daily operations are controlled by one or more such individuals.

3. Definition of a minority:

- a. Black – Those persons of African descent, as well as those identified from Jamaica, Trinidad, and the West Indies.
- b. American Indian – Those persons who identify themselves, or are known as such, by virtue of tribal association, and Eskimos, Aleuts or Alaskan natives.
- c. Hispanic – Those persons who are of Spanish or Portuguese culture, with origins in Mexico, South or Central America or the Caribbean Islands.
- d. Asian American or Pacific Islander – Persons of Japanese, Chinese, Korean or Filipino descent.

4. Procedures to ensure that MBE's have an equitable opportunity to participate in federally financial assisted programs.

- a. The City shall develop a directory or listing of MBE's that can serve this locality.
- b. The City shall include in every Solicitation of Bid and contract document a goal of 10-15% for MBE participation.
- c. The City shall mail a copy of the Solicitation to Bid to all MBE's, for each area of expertise required, that are identified on the City's directory or list.

5. Written assurance to meet goals by contractor

The City should indicate, in solicitations for federally assisted contracts that provide opportunities for MBE participation, goals for the use of firms owned and controlled by minorities or women. Solicitations should require all bidders/proposers to submit a written assurance of meeting the goals in their bids or proposals. The City should require that all bidders or proposers wishing to remain in competition for contracts to submit the names of MBE subcontractors. The information shall give a description of the work each is to perform and the dollar amount.

6. To ensure that prime contracts are awarded to contractors that meet MBE goals.

It should be the responsibility of the contractor wishing to contract work with the City on federally assisted contracts, to meet the percentage goals for utilization of MBE subcontractors set forth in the proposal for the project on which he bids. The contractor should use all reasonable efforts to meet MBE goals and should document the steps it has taken to show that all reasonable efforts were made to obtain MBE participation by including, but not limited to, the following:

- a. Advertisement in general circulation media, trade association publication and minority-focused media for at least 10 days before bids or proposals are due.
- b. Written notification to MBE's that their interest in the contract is solicited.
- c. Efforts made to select portions of the work proposed to be performed by MBE's in order to increase the likelihood of achieving the stated goals.
- d. Efforts to negotiated with MBE's for specific sub-bids.

7. Assigning a staff person whose responsibility it is to ensure that the MBE program is properly implemented and documenting that the company is a bonified MBE through the Ohio Department of Administrative Services.

8. Maintenance of records and reports

The Grants Division should maintain records concerning works awarded to MBE's both as prime contractors and subcontractors.

9. General requirements

The City should agree to adhere to the intent of the following statements:

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City of Bowling Green

- a. Policy – It is the policy of the City that minority business enterprises, as defined in 49 CFR, Part 23, shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with federal funds under this agreement.

- b. MBE Obligation – The City and its contractors agree to ensure that minority businesses, as defined in 49 CFR, Part 23, have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with federal funds provided under this agreement. In this regard, the City and its contractors shall take all necessary and reasonable steps in accordance with 49 CFR, Part 23, to ensure that minority business enterprises have the maximum opportunity to compete for and perform contracts. The City and its contractors shall not discriminate on the basis of race, color, national origin or sex in the award and performance of federally assisted contracts.