



## HOUSTON-GALVESTON AREA COUNCIL PROCUREMENT AND CONTRACTS PROGRAM

### SMALL AND MINORITY BUSINESS, WOMEN'S BUSINESS ENTERPRISE, AND LABOR SURPLUS AFFIRMATION FORM

#### **Section A - Schedule of Participation (complete this section only if subcontracting)**

H-GAC's goal is to assure that small and minority businesses, women's business enterprises, and labor surplus area firms are used when possible in providing services under a contract. In accordance with federal procurement requirements of 2 CFR §200.321, if subcontracts are to be let, the prime contractor must take the affirmative steps listed below:

1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
2. Assuring that small and minority businesses and women's business enterprises are solicited whenever they are potential sources;
3. Dividing total requirements, when economically feasible, into smaller task or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
5. Using the services and assistance as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce

**Nothing in this provision will be construed to require the utilization of any firm that is either unqualified or unavailable.**

Solicitation Number	Solicitation Title
Proposer/Prime Contractor	Small/Minority/Women Business/Labor Surplus Entity

The above named Small/Minority/Women Business/Labor Surplus Entity named above intends to perform work for the referenced prime contractor for the referenced project to provide the following goods/services: (Please complete one form for each entity).

#### Description of goods/services to be provided

The undersigned affirms that s/he is a duly authorized official representing the proposed Small/Minority/Women Business/Labor Surplus Entity and affirms that its certification has not expired nor been revoked. (Attach certification letter.)

The undersigned both certify and agree that they will enter into a formal agreement upon execution of the contract for the above referenced project pursuant to all conditions noted in attached documents, swearing and affirming under the pains and penalties of perjury, that the foregoing information and appropriate attachments are true to the best of their knowledge.

Small/Minority/Women Business/Labor Surplus Entity  
Authorized Signature

Proposer/Prime Contractor Authorized Signature

Date

Date

**\*\*If Small/Minority/Women Business/Labor Surplus Entities are not applicable or unavailable, please complete and submit only Section B or Section C section on page 2.**

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**Section B - No Subcontracting Statement (complete this section only if subcontracts are not applicable)**

The Proposer/Prime Contractor declares to the best of its knowledge, it DOES NOT INTEND to let subcontracts for the referenced project, and the participation of Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Entities is not applicable to the project.

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**Solicitation Number**


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**Solicitation Title**


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**Proposer/Prime Contractor Authorized Signature**


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**Date**


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**Section C - Good Faith Effort Compliance (complete this section only if subcontracts are applicable and entities were solicited, but unavailable)**

Proposer must provide documentation to support a “good faith” effort in the solicitation of Small/Minority/Women Business/Labor Surplus Entity. A Prime Contractor is a business concern that enters written agreements directly with the entity which includes agreements to provide services (including engineering and legal), supplies, equipment and construction. Submission of documentation to support a “good faith” effort in the solicitation of Small/Minority/Women Business/Labor Surplus Entity is required if no entity is available.

Documentation may include the following:

1. Copies of announcements/postings in newspapers or other media for specific contracting/subcontracting opportunities. Include language in announcements/postings that Small/Minority/Women Business/Labor Surplus firms are encouraged to bid;
2. Copies of announcements/postings of contracting/subcontracting opportunities in trade publications or minority media that target Small/Minority/Women Business/Labor Surplus Entity firms;
3. Documentation of sources used to identify potential Small/Minority/Women Business/Labor Surplus Entity firms;
4. Documentation of contacts with Small/Minority/Women Business/Labor Surplus Entity firms, including the firm name, address, telephone number dates of phone calls, letters and the contact results;
5. Copies of direct solicitation letters sent to all Small/Minority/Women Business/Labor Surplus Entity firms;
6. Copies of the Small/Minority/Women Business/Labor Surplus Entity certification documentation for ALL proposed firms.

Searches should be done of potentially qualified Small/Minority/Women Business/Labor Surplus firms. From these lists, identify those firms in your area to directly solicit. Solicit firms that you would reasonably expect to respond and submit a quote. Document the searches executed and the results of the searches, describe criteria used to determine who on the list(s) to directly solicit (i.e. zip code, distance, etc.) and describe any other resources used to seek qualified Small/Minority/Women Business/Labor Surplus Entity firms.

The undersigned certifies that it has taken the required affirmative steps, and the participation of Small/Minority/Women Business/Labor Surplus businesses is unavailable for the referenced project pursuant to all conditions as noted in the attached documentation which supports a “good faith effort”, swearing and affirming under the pains and penalties of perjury, that the foregoing information and appropriate attachments are true to the best of their knowledge.

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**Solicitation Number**


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**Solicitation Title**


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**Proposer/Prime Contractor Authorized Signature**


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**Date**