



**DISTRICT OF COLUMBIA WATER AND
SEWER AUTHORITY**

ATTACHMENT G

**CERTIFIED LOCAL/SMALL BUSINESS
ENTERPRISE PROGRAM**

GOODS AND SERVICES CONTRACTS

May 18, 2012

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

CERTIFIED LOCAL/SMALL BUSINESS ENTERPRISE PROGRAM

CERTIFIED LOCAL AND LOCAL SMALL BUSINESS ENTERPRISE PROGRAM

Preferences for Local Business Enterprises (LBEs) and Local Small Business Enterprises (LSBEs)

1. General

DC Water is committed to the participation and utilization of certified LBEs and LSBEs in its contracting and procurement activities. Pursuant to the Authority's Procurement Regulations and Business Development Plan, preferences shall apply in the evaluation of bids and proposals from local and small businesses located within the District of Columbia, Fairfax County, Loudoun County, Montgomery County and Prince George's County.

To facilitate and encourage the participation of local and small business utilization and participation, a preference will apply to competitive solicitations for goods, services, construction and architectural and engineering services. In order to participate in the preference program, a business enterprise shall have current certification or registration as a LBE or LSBE by one of the following:

- a) District of Columbia's CBE Certification Program;
- b) Montgomery County's Minority, Female and Disabled Business Enterprises Certification Program;
- c) Prince Georges County's Local, Minority Business Enterprise Registration Program;
- d) Virginia Department of Minority Business Enterprise's Small, Women and Minority Owned Business Program as accepted by Fairfax County;
- e) Virginia Department of Minority Business Enterprise's Small, Women and Minority Owned Business Program as accepted by Loudoun County; or
- f) Other certification programs recognized by the District of Columbia; Fairfax County; Loudoun County; Montgomery County; and Prince George's County and meet their respective criteria for Local and Local and Small Businesses.

2. Preferences

The Program provides for the utilization of preference points in evaluating proposals and a percentage reduction in price in evaluating bids submitted by LBEs and LSBEs or Prime contractors utilizing LBEs and or LSBEs as subcontractors. For evaluation purposes, the allowable preferences for a competitive solicitation are as follows.

- a) Any prime bidder/proposer that is certified as a LBE will receive a maximum of five percent (5%) reduction in the bid price in response to an Invitation for Bids (IFB) or the addition of a maximum of five (5) points added to the overall score for proposals in response to a Request for Proposal (RFP).
- b) Any prime bidder that is certified or registered as a LSBE will receive a maximum of ten percent (10%) reduction in the bid price or \$100,000 in response to an Invitation for Bids or the addition of a maximum ten (10) points added to the overall score for proposals in response to a Request for Proposal (RFP).

The maximum eligible preference price reduction for a single bid is a total of ten percent (10%) or \$100,000, whichever is less.

The maximum number of eligible preference points for a single proposal is an additional ten (10) points.

3. Preferences for Subcontracting with LBEs and LSBEs

- a) If the prime bidder/proposer is not a certified LBE or LSBE, preferences will be applied to the dollar value that is designated by the prime contractor for subcontracting with LBE or LSBE firms.
- b) If the prime bidder/proposer is a joint venture that is not a certified LBE or LSBE joint venture, preferences will be applied proportionately based on the total dollar value of the bid or proposal that is designated for the certified LBE or LSBE participation in the joint venture.
- c) If the prime bidder/proposer is a certified LBE, preferences will also be applied to LBE and/or LSBE based on the dollar value that is designated by the prime contractor for subcontracting with an LBE and/or LSBE.

The following formula will be used to calculate the number of preference points or percent price reduction that will be used in evaluating the bid/proposal:

Proposal

Amount of LBE/LSBE subcontract ***divided by*** the total proposal amount ***times*** five (5) points for LBE (or ***times*** ten (10) points for LSBE) ***equal*** applicable preference points or:

$$\frac{\text{LBE Subcontract Amount}}{\text{Total Proposal Amount}} \times 5 = \text{Applicable points}$$

Bid

Amount of LBE/LSBE subcontract ***divided by*** the total bid amount ***times*** five percent (5%) for LBE (or ***times*** ten percent (10%) for LSBE) ***equal*** applicable price reduction or:

$$\frac{\text{LSBE Subcontract Amount}}{\text{Total Bid Amount}} \times 10 = \text{Applicable \% Price Reduction}$$

- d) Any prime bidder/proposer receiving the full maximum bid price reduction or maximum point addition to its overall score will not receive any additional price reduction or points for LBE or LSBE participation on a subcontracting level.
- e) When a joint venture includes a certified LBE or LSBE that owns and controls at least fifty-one (51%) of the venture, the joint venture will receive the preferences as if it were a certified LBE or LSBE.
- f) When a prime contractor is a certified LBE or LSBE, the prime contractor shall perform at least fifty-one percent (51%) of the contracting effort, excluding the cost of materials, goods and supplies, with its own organization and resources.

4. LBE and LSBE Documentation

- a) When the prime contractor is seeking a preference on the basis of subcontracting with an LBE or LSBE, the prime contractor shall submit the following:
 - 1) A completed Contractor’s Intent to Subcontract with Certified Local and Local Small Business Enterprise Form; and a Certified Local and Local Small Business Enterprise Form.

- 2) Assurance that the prime contractor will cooperate in any studies or surveys that may be required by the contracting officer, and submit periodic reports, as requested by the contracting officer, to allow DC Water to determine compliance by the prime contractor with the subcontracting plan.
- 3) A copy of current LBE or LSBE certification or registration letter(s) from one of the following:
 - a) District of Columbia Department of Small and Local Business Development;
 - b) Montgomery County Economic Development Agency;
 - c) Prince George's County Minority Business Development Department;
 - d) Virginia Department of Minority Business Enterprise; or
 - e) Other certification agencies and programs recognized by the District of Columbia or a DC Water user jurisdiction and meets the District of Columbia's or user jurisdiction's criteria for local and local and small business enterprises.

Bidders/proposers should contact the applicable agency directly regarding its certification procedures, requirements and/or certification or registration status as a LBE or LSBE.

- 4) Any material misrepresentation on the certificate form may result in termination of the contract, contractor's liability for civil and criminal action in accordance with the law, and possible debarment.

The DC Water Business Development Plan can be accessed on-line at:

http://www.dewater.com/business/special_contracts.cfm, or by contacting the DC Water, Department of Procurement at 202/ 787-2704.

CONTRACTOR'S INTENT TO SUBCONTRACT WITH CERTIFIED LOCAL and LOCAL SMALL BUSINESS ENTERPRISES

Non-certified prime contractors may obtain consideration for evaluation of preferences for subcontracting with certified local or local small business enterprises as described in Attachment D: "Certified Local/Small Business Enterprise Program for Goods and Services Contracts", by completing this form for the qualifying subcontractor(s) with their response.

Solicitation Number:	Project Name:

Name of Prime Bidder/ Proposer

If awarded this project, the Prime Contractor intends to use the following subcontractor(s):				
Company Name	Type of Work To Be Performed	Estimated Dollar Amount	Current Certification Type (Local or Local Small)	Certification Number

CERTIFIED LOCAL and LOCAL SMALL BUSINESS ENTERPRISE PROGRAM CERTIFICATION STATEMENT

(To Be Filled Out for Each Certified Firm the Prime Contractor is Seeking Preference Points)

Solicitation Number: _____

Project Name: _____

Project Location: _____

Name of Bidding Prime: _____

Total Bid Price: \$ _____

Name of Certified Subcontractor: _____

Address of Certified Subcontractor: _____
Address 1

_____ Address 2

_____ City State Zip

_____ Name of Certified Subcontractor Representative Title

Contact Telephone: _____ Contact Email: _____

Amount of Planned Subcontract \$ _____

Description of Work to Be Performed _____

_____ Prime Contractor Signature Date Certified Subcontractor Signature Date