

QUESTIONS REGARDING MBE & WBE PARTICIPATION

What is the minimum goal for MBE and WBE participation?

Pursuant to the *Code of the Chicago Park District*, the MBE and WBE participation goals for each contract are 25% MBE and 5% WBE. Accordingly, bids, proposals, and qualifications must include a commitment to expend at least 25% of the total contract value to certified MBEs and 5% to certified WBEs.

Does the Chicago Park District certify firms as a MBE or WBE?

No. The Chicago Park District is not a certifying agency. We accept certifications from other public agencies and the MBE/WBE assist agencies, such as the City of Chicago, Cook County, Central Management Services, the Chicago Minority Supplier Development Council (CMSDC), the Women's Business Development Center (WBDC), and the Small Business Administration's 8(a) Program.

How can I find an MBE and/or a WBE?

There are a number of resources available to assist you in identifying MBEs and/or WBEs.

1. The MBE/WBE directory of the City of Chicago is online and available 24/7. To view it go to www.cityofchicago.org, click on city departments at the top, select "Procurement Services," and look along the left side of the page for the link that reads "search the MWBE/BEPD directory."
2. Additionally, you can contact the MBE/WBE assist agencies. You can link directly to their home pages through the Department of Purchasing's home page. Just click on the link that reads "Assist Agencies" and then click on the link to the assist agency's home page. Not all of the assist agencies have online directories.
3. Finally, you can contact our Senior Compliance Officer at 312-742-4436.

If my firm is a certified MBE firm do I still need to utilize a WBE firm, or does my certified status meet all requirements?

If the bidder/submitter is a certified MBE, the WBE requirement *must still be met*. If the bidder/submitter is a certified WBE, the MBE requirement *must still be met*. A business enterprise owned by a woman who is a member of a minority group may be counted on a particular contract as either an MBE or a WBE, but not both.

If my firm is located out of the area or state and I am going to submit a bid or proposal, can I utilize a MBE or WBE in my area?

No. The *Code of the Chicago Park District* requires that MBE/WBE companies be *local* businesses. Local business means a business entity located in the State of Illinois, within the six-county region of Cook, DuPage, Kane, Lake, McHenry, and Will counties, and which has the majority of its regular, full-time work force located within that six-county region.

Can I get an exemption (a waiver or reduction) from the MBE/WBE requirements?

1. The Department of Purchasing has not historically granted waivers or reductions.

2. However, the MBE/WBE COMPLIANCE CONDITIONS (located in the IFB, RFP, or RFQ documents) explain the procedure to request a waiver or reduction of the MBE/WBE requirements.
 - a. You must substantiate your request with detailed information, such as a list of the MBE/WBE firms you have contacted, or other special circumstances surrounding your submittal. You must be able to demonstrate that a good faith effort was made to identify MBEs or WBEs.
 - b. Any request for a waiver or reduction and all supporting documentation must be submitted prior to the bid submittal.

Note: All waiver requests are reviewed on a case-by-case basis. Submission of a request for a waiver does *not* mean that a waiver will be granted.

How do I complete the MBE/WBE portion of an IFB or RFP correctly?

1. SCHEDULE A

The SCHEDULE A must be completed by the bidder/submitter.

- a. In Part I of the form, you must identify the MBEs and WBEs that you will be using on the project, including their names, addresses, and contact information. Additionally, you must provide the dollar amount and matching percentage of participation for each MBE and WBE, and indicate whether the participation is direct or indirect.
- b. Part II of the form is the summary page, and there you must provide the names and percentages of participation for each MBE and WBE named in Part I.
- c. Lastly, the SCHEDULE A must be signed by either the President of your company or by an authorized officer/representative of the firm.

2. SCHEDULE B

A SCHEDULE B must be completed and signed by each MBE and WBE you have named in your SCHEDULE A.

- a. On this form, the MBE or WBE must provide a description of its participation on the project, the price of its performance, and the terms of payment.
- b. Additionally, each MBE and WBE must indicate its race/ethnicity.
- c. Lastly, a current copy of the MBE's or WBE's certification letter must accompany their SCHEDULE B. The certification letter must indicate the service and/or commodity it is certified for.

The bidder/submitter must use the MBE or WBE firm in the service(s) or commodities stated in its certification letter.

What if I forgot to complete the MBE/WBE portion of the IFB or RFP (Schedule A and/or Schedule B), or I submit the forms incorrectly?

Your bid/proposal may be deemed non-responsive and removed from consideration.

If my firm is awarded a contract will I have any reporting requirements regarding MBE/WBE compliance?

Yes, there are reporting requirements for all Chicago Park District contracts in order to document the utilization of the MBE/WBE companies committed to on the SCHEDULE A and Bs. The

MBE/WBE utilization reporting requirements and the required supporting documentation are clearly listed in each IFB, RFP, and RFQ.

MBE/WBE compliance is monitored throughout the life of the contract.

If my firm lists a MBE or WBE on the SCHEDULE A and SCHEDULE Bs do I have to use them during the contract?

Yes. Any MBE and WBE identified on the SCHEDULE A must be used for the services they are certified for during the life of the contract. Any substitution must receive prior approval from the Department of Purchasing.

If the contractor believes it has become necessary to substitute a new MBE or WBE for one listed on the SCHEDULE A in order to actually fulfill the MBE or WBE goal, or to complete the work of the contract, the contractor must submit a written request to the Department of Purchasing for permission to do so. Such a request must include reasons for the proposed substitution and documentation establishing that a good faith effort was made to use that MBE or WBE to the full extent of the commitment indicated on the SCHEDULE A.

A good faith effort to utilize the specified MBE and WBE firms includes communicating *in writing* to the MBE and WBE as soon as an issue arises. Additionally, the contractor should indicate to the MBE or WBE the steps that should be taken to remedy the problem and a time frame in which to do so.

Acceptable reasons for substitution include the following:

1. The MBE or WBE was found not to be able to perform the work as described in the SCHEDULES, or was not able to perform on time.
2. The MBE or WBE was found not to be able to produce acceptable work.
3. The MBE or WBE was discovered to be improperly certified.
4. The MBE or WBE later demanded an unreasonable escalation of price.

Please contact the Department of Purchasing immediately if you believe a substitution may be necessary.

If my firm has a contract with the Chicago Park District and the contractual value increases during the contract term, do I have to increase my MBE/WBE participation?

Yes. If the contract value is increased through a change order or contract modification, the MBE and WBE expenditures must increase proportionally.

If I am a certified MBE or WBE how can I participate in Chicago Park District procurement opportunities?

1. *Complete and submit the online vendor application.*

Department of Purchasing staff uses the vendor database as a resource to identify potential bidders for solicitations over \$10,000, and to identify firms that may be able to provide a quote for procurements from \$5,000-\$10,000. When completing the online vendor application, make sure to enter your current contact information and clearly indicate what services or commodities your firm is capable of providing.

2. *Attend pre-bid or pre-submittal meetings.*

This provides an opportunity for networking with other potential bidders/submitters and obtaining more information regarding the scope of services. These meetings are open to the public.

3. *Review and download sign-in sheets from pre-bid/submittal meetings.*

If you are unable to attend the pre-bid or pre-submittal meeting for an opportunity you are interested in, the attendance sign-in sheets from the meeting will be available at our home page. Market your firm as a subcontractor to these vendors directly.

4. *When you download an IFB, RFP, or RFQ, view the "current list of registrants."*

That is the list of every other company that has registered to download the IFB, RFP, or RFQ. You can network with those companies directly. Market your firm and try to subcontract with more than one bidder/submitter.

5. *Review the Park District's pre-qualified pool vendors listed online.*

The Department of Purchasing procures some architecture, construction, engineering, and landscaping services through pre-qualified pools. A complete list of all of these vendors is available on our homepage. Market your firm to these vendors directly for multiple subcontracting opportunities.

6. *Bid as the prime contractor.*

If I still have additional questions regarding MBE/WBE participation whom can I contact?

1. Please contact the CPD's Senior Compliance Officer directly at 312-742-4436 with any questions regarding MBE/WBE participation.
2. You may also contact any of the certifying and/or assist agencies