

DEPARTMENT OF PUBLIC UTILITIES – IFB BID ADDENDUM

Project Name: SCP 12FW - SMOC Phase V Roof Replacement

CIP #: 650234-100109

Bid Due Date: 3/6/2024

Addendum #: 1

Date of Addendum: 2/12/2024

Reason(s) for the Addendum: This addendum is issued to clarify terms and conditions related to the City of Columbus Minority Business Enterprise/Woman Business Enterprise (MBE/WBE) goal and the United States Environmental Protection Agency (U.S. EPA) Disadvantaged Business Enterprise (DBE) goals (collectively referred to as “Diversity Goals”), and to address frequently made mistakes when submitting documentation related to these goals.

Note: A project may have Diversity Goals assigned by the City, the U.S. EPA, or both.

1. The following applies to bids issued with a City assigned MBE/WBE goal:
 - A. A “Form B11 - Declaration of Proposed MBE/WBE Utilization” is to be completed and submitted with the bid or the bid may be found non-responsive.
 - B. A “Form B12 - Request for MBE/WBE Goal Waiver and Documentation of Good Faith Effort” form is to be completed and submitted with the bid if the Form B11 - Declaration of Proposed MBE/WBE Utilization form (the form from 1A above) does not document spend with City certified MBE/WBE companies meeting the City assigned MBE/WBE goal, or the bid may be found non-responsive.
 - C. Only City certified MBE or WBE companies will be counted toward the City assigned MBE/WBE spend goal.
 - D. City certified Emerging Business Enterprise (EBE) companies (and other City certification types other than MBE or WBE) **DO NOT** count toward the City’s MBE/WBE spend goal. They will **NOT** be counted if listed on the Form 11 - Declaration of Proposed MBE/WBE Utilization form.
 - E. State of Ohio certified companies, and/or companies with certifications from other non-City of Columbus organizations, **DO NOT** count toward the City’s MBE/WBE spend goal unless they are also certified as an MBE or WBE by the City. Companies with certifications from the State of Ohio or from other non-City organizations that are not also City certified will **NOT** be counted if listed on the Form 11 - Declaration of Proposed MBE/WBE Utilization form.
 - F. Go to the following website and click the “Search Certified Businesses” box to determine if a company is a City certified MBE/WBE: <https://columbus.diversitycompliance.com/>.
 - G. The City’s Office of Diversity and Inclusion (ODI) is the City area solely responsible for certifying companies as a City certified MBE or WBE. Copies of certification letters from ODI are being submitted with bids as proof a company is a City certified MBE/WBE. However, companies can, and do, sometimes lose their MBE/WBE certification status after the certification letter is issued and prior to the expiration date stated on the letter. The website listed in 1F above is updated by ODI and is used by City departments to verify MBE/WBE certification status. Bidders are strongly encouraged to check that website prior to submitting a bid even if the MBE/WBE company has a letter from ODI affirming their certification status. Bidders should contact ODI for confirmation of an MBE/WBE company’s status if the company intended to be used has a letter affirming their City certified MBE/WBE status but does not appear on the website. Spend

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- with a company that has lost City certified MBE/WBE status will not be eligible to be counted toward the MBE/WBE goal even if they have a letter from ODI stating they were certified at one time.
- H. Bids with a Form 11 - Declaration of Proposed MBE/WBE Utilization form that does not meet the City assigned MBE/WBE spend goal, and without an approved Form B12 - Request for MBE/WBE Goal Waiver and Documentation of Good Faith Effort form, may be found to be non-responsive. This also applies to bids that did not submit a Form B12 - Request for MBE/WBE Goal Waiver and Documentation of Good Faith Effort because the submitted Form B11 - Declaration of Proposed MBE/WBE Utilization form appeared to show the bid meeting the City assigned MBE/WBE goal, but then falls below the City assigned MBE/WBE goal because a planned sub is found not to be a City certified MBE/WBE or has lost City MBE/WBE certification.
 - I. To clarify the scoring on the Form B12 - Request for MBE/WBE Goal Waiver and Documentation of Good Faith Effort form (to demonstrate a Good Faith Effort when the assigned MBE/WBE goal is not met), the points listed for the seven criterion (categories) are the maximum number of points that can be received for that category. The overall maximum number of points that can be received for a Good Faith Effort is 100. When reference is made to receiving a minimum score of 80 points to demonstrate a Good Faith Effort, it means receiving at least 80 out of the maximum of 100 points.
 - J. For bids for which the responding company is submitting pricing, the City assigned MBE/WBE goal percentage is to be calculated on the “base bid amount” submitted, not the “total bid” amount. The “base bid amount” is the bid pricing minus contingency and if-authorized amounts.
 - K. For construction contract bids, all subcontractors are required to be listed on Form B5 in Bid Express or uploaded in Bid Express on a separate document listing subcontractors. Only listing a subcontractor on the Declaration of Form B11 - Proposed MBE/WBE Utilization form does not meet this requirement. Subcontractors intended to be used to meet MBE/WBE goals must also be listed on Form B5 or, if not completing B5 online in Bid Express, they must also be listed on the subcontractor listing uploaded into Bid Express.
2. The following applies to bids issued with a U.S. EPA Disadvantaged Business Enterprise (DBE) goal due to funding for the project coming from the Ohio EPA WPCLF and/or WSRLA programs:
- A. The U.S. EPA DBE goals are 1.3% MBE and 1.0% FBE (Female Business Enterprise). These amounts are fixed amounts that apply to every bid and do not vary by project like a City goal does.
 - B. Both parts of the DBE goal (the MBE portion and the FBE portion) must be satisfied for the DBE goal to be met. A company is either an MBE or an FBE. It is not both. One company cannot be used to satisfy both the MBE and the FBE requirements.
 - C. If a project has both WPCLF and WSRLA funding, the 1.3% MBE and 1.0% FBE goal must be met for each of the two loan funded projects. (Note: The same sub-contractors can be utilized for each project.) This means two sets of the U.S. EPA DBE paperwork (Form E10: Contractor Equal Employment Opportunity (EEO) Certification; Form E11: Certification Regarding Debarment, Suspension and Other Responsibility Matters; Form 6100-2: DBE Subcontractor Participation Form; Form 6100-3: DBE Subcontractor Performance Form; and Form 6100-4: DBE Subcontractor Utilization Form) will need to be completed and submitted, one set for each loan funded project.
 - D. Only State of Ohio DBE or EDGE certified companies will be counted toward the Ohio EPA DBE spend goal.
 - E. City of Columbus certified companies, and/or companies with certifications from other organizations, **DO NOT** count toward the DBE spend goal unless they are also DBE or EDGE certified by the State of Ohio. Companies with certifications from the City of Columbus or from

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other non-State of Ohio organizations that are not also State of Ohio DBE or EDGE certified will **NOT** be counted if listed as part of the DBE Utilization Plan to meet the DBE goal.

- F. Websites to verify DBE certifications applicable to the Ohio EPA loan programs are:
 - a. <https://www.dot.state.oh.us/divisions/odi/sdbe/pages/dbe-directory.aspx>
 - b. <https://eodreporting.oit.ohio.gov/edge-certification>
- G. The State’s EDGE website does not state if an EDGE certified company is an MBE or FBE. EDGE certified companies used to satisfy a DBE goal should be designated as either MBE or FBE in the bid response.
- H. Copies of certification letters from the State are being submitted with bids as proof a company is State certified as a DBE or EDGE company. However, companies can, and do, sometimes lose their certification status after the certification letter is issued. The websites listed in 2F above are used by the Department of Public Utilities to verify State DBE and EDGE certification status. Bidders are strongly encouraged to check these websites prior to submitting a bid even if the company has a letter from the State affirming their certification status. Bidders should contact the State for confirmation of a company’s certification status if the company intended to be used has a letter affirming their certification status but does not appear on the appropriate website. Spend with a company that has lost State certified DBE or EDGE status will not be eligible to be counted toward the DBE goal even if they have a letter from the State stating they were certified at one time.
- I. Per the requirements of both the WPCLF and WSRLA loan programs, Prime Contractors must follow, document, and maintain documentation of their good faith efforts to solicit DBE participation on the project. This requirement applies whether the U.S EPA DBE goals are met for the project or not.
- J. If the project also has a City MBE/WBE goal assigned to it, these U.S. EPA DBE goals **DO NOT** negate or change the City’s MBE/WBE goal. The City’s goal program and the U.S. EPA DBE goal program(s) are separate programs, with different eligibility requirements, and spend to obtain the goals are reviewed separately. The same subcontractor(s) can be utilized to obtain the City goal and the DBE goals provided the subcontractor(s) meet the certification requirements of both the City and the State.
- K. For bids for which the responding company is submitting pricing, the State DBE goal percentage is to be calculated on the “base bid amount” submitted, not the “total bid amount”. The “base bid amount” is the bid pricing minus contingency and if-authorized amounts.

This addendum will become part of and modify the original bid documents and any addenda issued prior to this addendum. All bidders must acknowledge this addendum and all other addenda issued for this bid when submitting a bid. Failure to do so may subject the bidder to disqualification.

END OF ADDENDUM