

APPENDIX F - Diversity Program

It is TriMet's policy that minority-owned, women-owned and emerging small businesses and service disabled veteran-owned businesses ("MBE/WBE/ESB/SDVBEs") certified by the State of Oregon's Certification Office of Business Inclusion and Diversity ("COBID") have an equal opportunity to participate in the performance of contracts funded with general funds. TriMet views adherence to the Pre-Award Guidelines and Post-Award Requirements listed below as important mechanisms for meeting this policy objective.

I. Pre-Award Guidelines

- A. Bidder may obtain a list of certified MBE/WBE/ESB/SDVBE firms from the State website by categories consistent with anticipated subcontracting opportunities. The website address is: <https://orcobid.com>.
- B. Bidder should designate a qualified individual to manage all MBE/WBE/ESB/SDVBE matters on the project ("Diversity Coordinator").
- C. Bidder should solicit the interest of certified MBE/WBE/ESB/SDVBEs for two consecutive weeks to allow firms time to respond to each solicitation. Bidder should solicit through all reasonable and available means, including mailing and faxing information on subcontracting opportunities to all or some firms on the state certified MBE/WBE/ESB/SDVBE list and to all other interested firms, advertising in local, minority-owned newspapers, and attendance at pre-bid meetings.
- D. Bidder should provide interested certified firms with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation.
- E. Bidder should document in writing the MBE/WBE/ESB/SDVBE solicitations. Bidder should list all certified firms solicited in the Documentation Form (Appendix F - Form 1 below) or provide the information in a similar format.
- F. Bidder should break out contract work items into economically feasible units and, where possible, identify rotation of work opportunities so that firm participation from the Portland metropolitan area is included. Bidder is encouraged to utilize small contract packages as necessary to include MBE/WBE/ESB/SDVBE participation as described below.
- G. For the contract under **BC170226TF** (Merlo Bus Maintenance and Administration/Operator Buildings Exterior Painting), TriMet has identified potential subcontracting opportunities in the areas of work listed below. This list is not intended to limit the opportunities that may be available for other services.
 - Carpentry
 - Demolition
 - Asbestos Removal
 - Joint Sealing
 - Painting
 - Trucking
 - Site Cleanup
 - QA/QC

- Materials Supplier

Bidder should describe how it will allocate these and other subcontracting work opportunities to qualified firms, including MBE/WBE/ESB/SDVBEs.

- H. Bidder should not reject any subcontractor as unqualified without a thorough investigation of its capabilities.
- I. Bidder should make efforts to assist interested certified firms in obtaining bonding, lines of credit, or insurance as required by the Bidder.
- J. Bidder should make efforts to assist interested MBE/WBE/ESB/SDVBEs in obtaining the necessary equipment, supplies, materials, or related assistance or services needed for a competitive bid/proposal.
- K. Bidder should follow up with all competitive bids/proposals from certified firms to clarify any questions that may arise. If MBE/WBE/ESB/SDVBE proposals are not utilized in the identified areas of work (shown in G. above), Bidder should document in writing the reasons for this decision, and submit the documentation to TriMet.
- L. Bidder should use the services of available minority/women community organizations; minority/women contractors' groups; local, state, and federal minority/women business assistance offices; the State of Oregon on line directory, and other organizations and resources to provide assistance in the recruitment and placement of MBE/WBE/ESB/SDVBEs.

II. Post-Award Requirements

- A. Contractor will submit a MBE/WBE/ESB/SDVBE Utilization Form identifying the certified subcontractors, at all tiers, on the Project for each construction services modification. (See Appendix F - Form 2 below for a sample Utilization Form).
- B. Contractor's Diversity coordinator shall schedule monthly project meetings with TriMet's Diversity manager, or as otherwise required by TriMet. Contractor must maintain records of all subcontracts entered into with MBE/WBE/ESB/SDVBEs and records of materials purchased from such suppliers. Such records shall show the name and business address of each MBE/WBE/ESB/SDVBE subcontractor or vendor and the total dollar amount actually paid to each subcontractor or vendor. Records of MBE/WBE/ESB/SDVBE utilization shall be entered into TriMet's "Elations" tracking system, which is an on-line database manager more fully described in the RFP under the Special Provisions, SP-52.
- C. Contractor must also submit to the TriMet Project Manager's office an affidavit certifying that payment was made to the MBE/WBE/ESB/SDVBE subcontractor or supplier, to be signed by both the prime contractor and the sub. Such an affidavit must be submitted when final payment is made to a sub, and when any retainage held is returned. A summary certification affidavit must be submitted at the completion of the project. TriMet reserves the right to require similar affidavits for interim progress payments in cases where payments to subcontractors are disputed.
- D. The participation of a M/W/ESB/SDVBE subcontractor will not be considered part of Contractor's M/W/ESB/SDVBE achievements until progress payments, as well as any retainage held by Contractor, has been paid to the certified firm and recorded in "Elations".

Appendix F – Form 1

MBE/WBE/ESB/SDVBE DOCUMENTATION FORM

Bidder should submit documentation of its efforts to include MBE/WBE/ESB/SDVBE participation.

Date Contacted	Name of Firm and Contact Person	Area of Expertise/Type of Work	Response (will or will not provide services under a subcontract)

(Attach additional sheets if necessary)

Date: _____

Signature: _____

Name: _____
(Print)

Title: _____

Company Name: _____

Appendix F – Form 2 (for Post Award)

MBE/WBE/ESB/SDVBE UTILIZATION FORM

The Contractor shall provide the information requested, and sign and submit this form.

Subcontractor Name	Address	Oregon Certification No.	Description of Work	Tier

Date: _____

(Attach additional sheets if necessary)

Company Name: _____

Name: _____

Signature: _____

Title: _____