

**State of Delaware
Department of Education**

**DELAWARE SCIENCE COALITION
SCIENCE MATERIALS TRANSPORTATION CONTRACT**

**Invitation to Bid
Contract No. ITB DOE 2013-02**

July 27, 2012

- *Mandatory Pre-bid Meeting* -

August 6, 2012

2:30 P.M. - 3:30 P.M.

DEPARTMENT OF EDUCATION, COLLETTE CENTER - CONFERENCE ROOM A

Attendance at this meeting is a pre-requisite for submitting a bid.

- *Deadline to Respond* -

August 13, 2012

3:00 P.M.

DEPARTMENT OF EDUCATION, LIBRARY CONFERENCE ROOM

CONTRACT NO. ITB DOE 2013-02

ALL BIDDERS:

The enclosed packet contains an "INVITATION TO BID" for the Delaware Science Coalition Science Materials Transportation Contract. The invitation consists of the following documents:

INVITATION TO BID - CONTRACT NO. ITB DEPARTMENT OF EDUCATION

- 1 DEFINITIONS and GENERAL PROVISIONS
- 2 SPECIAL PROVISIONS and SPECIFICATIONS
- 3 BID QUOTATION REPLY SECTION
 - A - NO BID REPLY FORM
 - B - BID BOND
 - C - NON-COLLUSION STATEMENT AND ACCEPTANCE
 - D - QUOTATION SUMMARY

In order for your bid to be considered, the bid quotation reply section shall be executed completely and correctly and returned in a sealed envelope clearly displaying the contract number ITB DEPARTMENT OF EDUCATION , by **3:00 p.m. local time, Monday August 13, 2011.**

Bids shall be submitted to:

Emily M. Falcon
Director, Financial Reform Resources
Department of Education
401 Federal Street, Suite #2
Dover, DE 19901-3639

Please review and follow the information and instructions contained in the general and special provisions section of the invitation. Should you need additional information, please call (302) 735-4040.

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**STATE OF DELAWARE
Delaware Department of Education
DOE BID # 2013-02**

**Department of Education
Science Coalition Science Materials Transportation**

DEFINITIONS
AND
GENERAL PROVISIONS

The attached Definitions and General Provisions apply to all contracts and are part of each invitation to bid. The requirement to furnish a bid bond and performance bond is applicable unless waived in the Special Provisions. Should the General Provisions conflict with the Special Provisions, the Special Provisions shall prevail. Bidders or their authorized representatives are required to fully acquaint themselves as to State procurement laws and regulations prior to submitting bid.

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DEFINITIONS

Whenever the following terms are used, their intent and meaning shall be interpreted as follows:

STATE: The State of Delaware

AGENCY: State Agency as noted on cover sheet.

DESIGNATED OFFICIAL: The agent authorized to act for the Agency.

BID INVITATION: The "bid invitation" or "invitation to bid" is a packet of materials sent to vendors and consists of General Provisions, Special Provisions, specifications, and enclosures.

GENERAL PROVISIONS: General Provisions are instructions pertaining to contracts in general. They contain, in summary, requirements of laws of the State, policies of the Agency, and instructions to vendors.

SPECIAL PROVISIONS: Special Provisions are specific conditions or requirements peculiar to the contract under consideration and are supplemental to the General Provisions. Should the Special Provisions conflict with the General Provisions, the Special Provisions shall prevail.

BIDDER OR VENDOR: Any individual, firm, or corporation formally submitting a proposal for the materials or work contemplated, acting directly or through a duly authorized representative.

PROPOSAL: The offer of the bidder submitted on the approved form and setting forth the bidder's prices for performing the work or supplying the materials or equipment described in the specifications.

SURETY: The corporate body which is bound with and for the contract, or which is liable, and which engages to be responsible for the contractor's payments of all debts pertaining to and for its acceptable performance of the work for which it has contracted.

CONTRACT: The written agreement covering the furnishing and delivery of materials or work to be performed.

CONTRACTOR: Any individual, firm, or corporation with whom a contract is made by the Agency.

CONTRACT BOND: The approved form of security furnished by the contractors and its surety as a guaranty of good faith on the part of the contractor to execute the work in accordance with the terms of the contract.

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SECTION A - GENERAL PROVISIONS

GENERAL PROVISIONS

1. GENERAL INFORMATION:

The Delaware Department of Education invites your organization to bid on Transportation services for pick-up and delivery of science materials from the John W. Collette Education Resource Center, 35 Commerce Way, Dover, Delaware 19904 to public school districts and charter schools. In addition to the technical specifications described herein, bidders must comply with all Delaware statutes, rules, and regulations of the Department of Education.

Deliverables

Provide science materials transportation services for the following school districts and charter schools

Districts of Appoquinimink, Brandywine, Cape Henlopen, Capital, Christina, Colonial, Delmar, Indian River, Lake Forest, Laurel, Milford, Red Clay, Seaford, Smyrna, NCC Votech, Polytech, Sussex Technical, Caesar Rodney, and Woodbridge and other districts that may join the Coalition.

Charter Schools: Academy of Dover, Delaware Military Academy, Charter School of Wilmington, College Prep., East Side Charter, Thomas A. Edison, Family Foundations, Kuumba Academy, Odyssey Charter, MOT Charter School, Pencader Bus. & Finance Charter, Positive Outcomes Charter School, Reach Academy, Prestige Academy, Maurice Moyer Academy, Las Americas Aspiria Academy, Gateway Academy, Providence Creek, First State Montessori Academy, Early College High School, Sussex Academy of Arts & Sciences, and other charter schools that may join the Coalition.

Approximately 10,000 science modules (kits) are delivered and picked up each year. Each kit requires multiple storage containers for shipping that totals approximately 27,000 per year.

Services:

Science materials are to be transported from the Science Resource Center warehouse located in the John W. Collette Education Resource Center 35 Commerce Way Dover, Delaware 19904. Materials shall be moved within the warehouse (near the loading docks) and loaded on trucks by the contractor.

Science materials are to be transported to designated schools within the districts and charter schools. Contractor will work closely with Science Materials Manager and school principals/secretaries concerning all deliveries and pick-ups and provide documentation for all services. These services will be provided between the work hours of 7:00 am – 4:30 pm.

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Science materials are to be picked-up and transported back to the Science Resource Center warehouse located in the John W. Collette Education Resource Center, 35 Commerce Way, Dover, Delaware 19904.

Materials shall be unloaded from trucks by the contractor and placed on pallets within the warehouse near the loading docks. Pick-up and delivery schedules may be altered throughout the school year. Pick-up and delivery points at schools may need to be discussed with the principal's office and the Warehouse Manager. Contractor will contact school principals or designees each time they arrive at a public school facility. The successful vendor agrees that it will conduct themselves in a professional manner while providing services. All problems or unusual occurrences concerning these services are to be reported to the Science Materials Manager.

Below are delivery and pickup dates for school districts and charter schools for school years 2012-2015. Additional schools, pickups and deliveries may be added or rearranged by the Science Materials Manager to meet the needs of the program. *A 'Delivery and Pick Up' log will be completed by the successful contractor and submitted to the Science Materials Manager on a weekly basis.*

School District: Seaford District

School Year: 2012-13

District Delivery Dates

Delivery Date and Pick Up Date

8/22/2012 Elementary/Middle School 11/30/2012
12/03/2012 Elementary/Middle School 03/05/2013
03/05/2013 Elementary/Middle School 06/04/2013

School District: Woodbridge District

School Year: 2012-13

District Delivery Dates

Delivery Date and Pick Up Date

8/22/2012 Elementary/Middle School 11/30/2012
12/03/2012 Elementary/Middle School 03/05/2013
03/05/2013 Elementary/Middle School 06/04/2013

School District: Laurel District

School Year: 2012-13

District Delivery Dates

Delivery Date and Pick Up Date

8/22/2012 Elementary/Middle School 11/30/2012
12/03/2012 Elementary/Middle School 03/05/2013
03/05/2013 Elementary/Middle School 06/04/2013

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School District: Lake Forest District
School Year: 2012-13
District Delivery Dates

Delivery Date and Pick Up Date

8/22/2012 Elementary/Middle School 11/30/2012
12/03/2012 Elementary/Middle School 03/05/2013
03/05/2013 Elementary/Middle School 06/04/2013

School District: Delmar School District
School Year: 2012-13
District Delivery Dates

Delivery Date and Pick Up Date

8/22/2012 Elementary/Middle School 11/30/2012
12/03/2012 Elementary/Middle School 03/05/2013
03/05/2013 Elementary/Middle School 06/04/2013

School District: Cape Henlopen District
School Year: 2012-13
District Delivery Dates

Delivery Date and Pick Up Date

8/24/2012 Elementary/Middle School 11/30/2012
12/03/2012 Elementary/Middle School 03/05/2013
03/05/2013 Elementary/Middle School 06/14/2013

School District: Milford District
School Year: 2012-13
District Delivery Dates

Delivery Date and Pick Up Date

8/24/2012 Elementary/Middle School 11/30/2012
12/03/2012 Elementary/Middle School 03/05/2013
03/05/2013 Elementary/Middle School 06/14/2013

School District: Indian River District
School Year: 2012-13
District Delivery Dates

Delivery Date and Pick Up Date

8/20/2012 Elementary/Middle School 12/04/2012

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12/04/2012 Elementary/Middle School 03/06/2013
03/06/2013 Elementary/Middle School 06/07/2013

School District: Capital District
School Year: 2012-13
District Delivery Dates

Delivery Date and Pick Up Date

8/21/2012 Elementary/Middle School 12/05/2012
12/05/2012 Elementary/Middle School 03/08/2013
03/08/2013 Elementary/Middle School 06/03/2013

School District: Smyrna District
School Year: 2012-13
District Delivery Dates

Delivery Date and Pick Up Date

8/21/2012 Elementary/Middle School 12/05/2012
12/05/2012 Elementary/Middle School 03/08/2013
03/08/2013 Elementary/Middle School 06/03/2013

School District: Providence Creek Charter
School Year: 2012-13
District Delivery Dates

Delivery Date and Pick Up Date

8/21/2012 Elementary/Middle School 12/05/2012
12/05/2012 Elementary/Middle School 03/08/2013
03/08/2013 Elementary/Middle School 06/03/2013

School District: Academy of Dover Charter
School Year: 2012-13
District Delivery Dates

Delivery Date and Pick Up Date

8/21/2012 Elementary/Middle School 12/05/2012
12/05/2012 Elementary/Middle School 03/08/2013
03/08/2013 Elementary/Middle School 06/03/2013

School District: Appoquinimink District
School Year: 2012-13
District Delivery Dates

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Delivery Date and Pick Up Date

8/27/2012 Elementary/Middle School 12/07/2012
12/07/2012 Elementary/Middle School 03/20/2013
03/20/2013 Elementary/Middle School 06/06/2013

School District: MOT Charter

School Year: 2012-13

District Delivery Dates

Delivery Date and Pick Up Date

8/20/2012 Elementary/Middle School 12/07/2012
12/07/2012 Elementary/Middle School 03/20/2013
03/20/2013 Elementary/Middle School 06/06/2013

School District: Red Clay District

School Year: 2012-13

District Delivery Dates

Delivery Date and Pick Up Date

8/28/2012 Elementary/Middle School 12/12/2012
12/19/2012 Elementary/Middle School 03/12/2013
03/13/2013 Elementary/Middle School 06/10/2013

School District: Brandywine District

School Year: 2012-13

District Delivery Dates

Delivery Date and Pick Up Date

9/05/2012 Elementary/Middle School 12/06/2012
12/06/2012 Elementary/Middle School 03/14/2013
03/14/2013 Elementary/Middle School 06/12/2013

School District: Christina District

School Year: 2012-13

District Delivery Dates

Delivery Date and Pick Up Date

8/21/2012 Elementary/Middle School 12/05/2012
12/05/2012 Elementary/Middle School 03/04/2013
03/04/2013 Elementary/Middle School 06/11/2013

School District: Colonial District

School Year: 2012-13

District Delivery Dates

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Delivery Date and Pick Up Date

8/30/2012 Elementary/Middle School 12/10/2012
12/10/2012 Elementary/Middle School 03/10/2013
03/11/2013 Elementary/Middle School 06/05/2013

**School District: Kuumba Charter, East Side Charter, Thomas Edison, Family Foundations
Odyssey Charter, Del College Prep, Positive Outcomes, Reach Academy, Prestige Academy,
Maurice Moyer Academy, Las Americas Aspiria Academy, Gateway Academy, First State
Montessori Academy, and Early College High School**

School Year: 2012-2013

Charter School Delivery Dates

Delivery Date and Pick Up Date

9/07/2012 Elementary/Middle School 12/14/2012
12/14/2012 Elementary/Middle School 03/07/2013
03/07/2013 Elementary/Middle School 06/13/2013

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2. BID PROPOSAL:

All bid proposals must be submitted in 5 (#) copies to the Department of Education, Room 252, Townsend Building in a sealed package on or before 3:00 P.M. local time. (August 13, 2012). At this time the sealed bids will be opened and recorded. No bids received after this time will be accepted for consideration.

This package must be clearly labeled "DOE BID # 2013-02 – SCIENCE MATERIALS DEPARTMENT OF EDUCATION" on the outside of the sealed envelope. The offerer is responsible for ensuring that the sealed bid proposal be delivered on time. It is recommended that the proposal be delivered through a special carrier service such as UPS or FedEx. Be advised that if a proposal is sent via the U.S. Postal Service, allow at least one additional day for an item to be delivered to the Department of Education Business Office.

The proposal must be sent to the attention of:

Emily M. Falcon
Director, Financial Reform Resources
Department of Education
401 Federal Street, Suite #2
Dover, DE 19901
Phone: 302 735-4040

SPECIAL PROVISIONS AND SPECIFICATIONS

- 1. CONTRACT AWARD:** The Department of Education reserves the right to accept or reject any and all bids for cause or if it is considered to be in the best interest of the State and to waive technicalities on the bids. Recommendations for contract award will be made by the Associate Secretary, Finance Reform & Resource Management to the Secretary of Education. It is expected that the contract will be awarded no later than (August 31, 2012). The Department of Education may extend the time and place for opening the bids from that described above on not less than two (2) calendar days notice, by certified delivery, facsimile machine, or other electronic means to those vendors who obtained copies of the bid specifications or description.
- 2. CONTRACT PERIOD:** The contract will be for one (1) year beginning from the date of the execution of the contract with two (2) possible extensions for a period of one (1) year for each extension. Agreement on an additional year must be in writing from both the vendor and the DEPARTMENT OF EDUCATION and must be initiated no later than ninety (90) days prior to the termination of the contract. Either party may reject optional years without prejudice.

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3. **PRICES:** Prices will remain firm for the term of the contract.

The pricing policy that you choose to submit must address the following concerns:

- a. The structure must be clear, accountable and auditable.
 - b. It must cover the full spectrum of services required.
 - c. Costs must be consistent with the rates established or negotiated as a result of this RFP or Purchase Order issued based on this contract.
4. **PRICE ADJUSTMENT:** If agreement is reached to extend the contract for an additional optional year, the DEPARTMENT OF EDUCATION shall have option of offering a determined price adjustment and shall not exceed the current Philadelphia All Urban Consumers Price Index (CPI-U), U.S. City Average. If the CPI-U is used, any increase/decrease shall reflect the change during the previous published twelve (12) month period at the time of the renegotiation.
5. **QUANTITIES:** The attention of offerers is called to the fact that, unless stated otherwise, the quantities given in the proposal are best estimates and are given as a basis for the comparison of the proposals. Quantities ordered may be increased as deemed necessary during the period of the contract.
6. **PROPOSAL BOND REQUIREMENT:**
7. **PERFORMANCE BOND REQUIREMENT:**
8. **TERMINATION FOR CAUSE:** The DEPARTMENT OF EDUCATION may terminate the contract at any time during the contract period for just cause, provided that five (5) days written notice shall be given to the vendor before such termination shall take effect. The term: "just cause" as used in this section shall be deemed to include, but not be limited to, failure of the vendor to comply with the provisions of the contract.
- Should the vendor anticipate not being able to meet a delivery date for some substantial reason, an extension may be requested from the DEPARTMENT OF EDUCATION. Such extension may or may not be granted at the discretion of the DEPARTMENT OF EDUCATION. If approval of the extension is granted, liquidated damage charges will not be assessed for the period of the extension.
9. **FUNDING OUT:** The continuation of this contract is contingent upon funding appropriated by the legislature.
10. **MANDATORY INSURANCE REQUIREMENTS:** Certificate of Insurance and/or copies of insurance policies are waived.
11. **BASIS OF AWARD:** The Department of Education shall award this contract to the lowest responsible and responsive bidder(s) who best meets the terms and conditions of the bid. The award will be made on basis of price, product evaluation, and prior history of service and capability.

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Delaware Department of Education reserves the right to reject any or all bids in whole or part, to make multiple awards, partial awards, award by types, item by item, or lump sum total, whichever may be most advantageous to the State of Delaware.

12. **STATE OF DELAWARE BUSINESS LICENSE:** Prior to receiving an award, the successful vendor shall either furnish the Delaware Department of Education with proof of a State of Delaware Business License or initiate the process of application where required. An application may be requested in writing to: Division of Revenue, Carvel State Building, P.O. Box 8750, 820 N. French St., Wilmington, DE 19899 or by telephone to one of the following numbers: (302) 577-8201 – Public Service, (302) 577-8205 – Licensing Department.

Information regarding the award of this contract will be given to the Division of Revenue. Failure to comply with the State of Delaware licensing requirements may subject your organization to applicable fines and/or interest penalties.

13. **HOLD HARMLESS:**
The successful bidder agrees that it shall indemnify and hold the State of Delaware and all its agencies harmless from and against any and all claims for injury, loss of life, or damage to or loss of property caused or alleged to be caused, by acts or omissions of the successful bidder, its employees, and invitees on or about the premises and which arise out of the successful bidder's performance, or failure to perform in the specified Agreement.
14. **FORCE MAJEURE:**
Neither the vendor nor the ordering agency shall be held liable for non-performance under the terms and conditions of this contract due, but not limited to, government restriction, strike, flood, fire, or unforeseen catastrophe beyond either party's control. Each party shall notify the other in writing of any situation that may prevent performance under the terms and conditions of this contract.
15. **EXCEPTIONS:**
Bidders may elect to take minor exceptions to the terms and conditions of this ITB . The Delaware Department of Education shall evaluate each exception according to the intent of the terms and conditions contained herein, but the Department of Education must reject exceptions that do not conform to State bid law and/or create inequality in the treatment of bidders. Exceptions shall be considered only if they are submitted with the bid or before the date and time of bid opening.
16. **BUSINESS REFERENCES:**
In order to have your bid considered, please supply three (3) business references consisting of current or previous customers with your reply. Please include name, address, telephone number, and a contact person.
17. **SCHEDULE FOR PERFORMANCE OF WORK:**
All work described in these specifications must be completed with reasonable promptness. As used in this Section, the State of Delaware shall be the sole judge of the

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term "reasonable". If the contractor does not begin the work in a reasonable amount of time, they will be notified that if they fail to initiate the work promptly, the contract may be terminated and the State will forth with proceed to collect for nonperformance of work.

18. TIME OF PERFORMANCE:

The services of the Contractor are to commence after receipt of the purchase order, and shall be undertaken and completed in such a sequence as to assure their expeditious completion in the light of the purposes of the contract, but in any event all of the services required hereunder shall be completed no later than the time periods set out in any schedule contained in the project Scope of Work. Any such schedule shall be maintained by the Contractor unless amended, in writing, by both sides.

19. CONTRACTOR RESPONSIBILITY:

The State shall enter into a contract with the successful contractor. The successful contractor shall be responsible for all products and services as required by this ITB.

20. BILLING:

The successful vendor is required to "Bill as Shipped" to the respective ordering agency(s). Ordering agencies shall provide contract number, ship to and bill to address, contact name and phone number.

21. PAYMENT:

The Department of Education will authorize and process for payment each invoice within thirty (30) days after the date of receipt of correct invoice.

22. CHANGES:

Both parties may, from time to time, require changes in the services to be provided by the Contractor under the scope of work. Such changes which are mutually agreed upon by and between the Agency and the Contractor shall be incorporated in written amendments to the Contract.

23. REMEDIES:

Except as otherwise provided in the contract, all claims, counterclaims, disputes, and other matters in question between the State and the Contractor arising out of, or relating to, this contract, or a breach of it will be decided by arbitration if the parties mutually agree, or in a court of competent jurisdiction within the State of Delaware.

24. BID/CONTRACT EXECUTION:

Both the non-collusion statement that is enclosed with this ITB and the contract form delivered to the successful bidder for signature **MUST** be executed by a representative who has the legal capacity to enter the organization into a formal contract with the State of Delaware, DEPARTMENT OF EDUCATION.

25. RFP DOCUMENTS:

The Request for Proposal, General Information, the Special Provisions and Specifications, Proposal Evaluations Procedures, No Bid Reply Form, Non-Collusion Statement, and Bid

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Quotations shall be a part of and constitute the entire agreement entered into by the State of Delaware and any bidder.

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Non-Collusion Statement

This is to certify that the undersigned bidder has neither directly nor indirectly, entered into any agreement, participated in any collusion or otherwise taken any action in restraint of free competitive bidding in connection with this proposal submitted this date to the Department of Education.

It is agreed by the undersigned bidder that the signed delivery of this bid/proposal represents the bidder's acceptance of the terms and conditions of this invitation to bid/offer a proposal including all specifications and special provisions.

Note: Signature of the authorized representative **MUST** be of an individual who legally may enter his/her organization into a formal contract with the State of Delaware, Department of Education.

Name of Bidder _____

Name of Authorized Representative _____
(Please type or print)

Signature _____

Title _____

Address of Bidder _____

Phone Number _____

If awarded the contract, Purchase Orders should be sent to:

Company Name _____

Address _____

Contact _____

Phone Number _____

Federal E.I. Number _____

State of Delaware License Number _____

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State of Delaware

**Office of Minority and Women Business Enterprise
Certification Application**



Complete application and mail, email or fax to:

Office of Minority and Women Business Enterprise (OMWBE)
100 Enterprise Place, Suite 4
Dover, DE 19904
Telephone: (302) 857-4554 Fax: (302) 677-7086
Email: deomwbe@state.de.us
Web site: <http://gss.omb.delaware.gov/omwbe/index.shtml>

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Important Information
Please Read!

Is my firm eligible?

A minority and/or women owned business (sole-proprietorship, partnership, corporation or joint venture) must meet the following criteria:

- a) Minority groups include: African Americans, Asian/Pacific Americans, Hispanic Americans, Native Americans, and Subcontinent Asian Americans.
 - b) At least 51 percent owned, controlled and actively managed by minority group members or by women.
 - c) Serving a for profit business with “useful business functions.”
- An out-of-state company must first **be certified in its home state** before it can be considered for certification in Delaware. This must be a state-level certification, if available.
 - There is no fee for processing your application. In addition, free assistance is available. If you have questions about the application or your company’s qualifications, call (302)857-4554.
 - If your business is certified by **Delaware Department of Transportation (DelDOT), City of Wilmington, Minority Supplier Development Council (MSDC), Women Business Enterprise National Council (WBENC) and located in Delaware**, there is a specialized application. You must also attach a copy of your certification and mail all documents to the OMWBE.
 - Also, please note that it is extremely important to provide other certifying agency documentation. This can expedite the certification process.

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Document Request checklist

- **Unless otherwise indicated, copies of documents are sufficient.**
- **Any deficiency may delay the certification process.**
- **Certification generally takes four to six weeks.**
- **An on-site visit.** *(The OMWBE office may schedule an on-site visit once the completed application and appropriate supporting documentation have been received).*

Documents to attach to your application	Sole Prop	Part/LLP	Corp/S-Corp	LLC	OMWBE Use
Notarized Minority and Women Business Enterprise Affidavit form	Yes	Yes	Yes	Yes	
Copy of any of the following state identification, license, birth certificate, permanent resident card, passport or tribal memberships	Yes	Yes	Yes	Yes	
Copy of MBE/WBE certification from home state, if company headquarters are not in Delaware. (must be a state level certification, if available)	Yes	Yes	Yes	Yes	
Copies of any relevant licenses, certificates of training and degrees held by the company or its owners/employees	Yes	Yes	Yes	Yes	
Partnership Agreement, including any amendments, buy-out rights as well as any profit sharing arrangements		Yes			
Articles of Incorporation with all amendments			Yes		
Minutes of the last annual shareholders meeting			Yes		
By-laws and By-law Amendments			Yes		
Copy of most recent Stock Ledger			Yes		
Copy of Certificate of Organization				Yes	
Copy of Operating Agreement				Yes	
Optional Information – Please read below for advantages of tax document submission*					
Last two years of your firm’s tax returns (gross receipts). If not available, last two years W2 and/or 1099 forms for all owners, directors, officers and senior management.	Yes	Yes	Yes	Yes	

* Submitting tax information provides OMWBE with documentation required to identify the business as a small business. If you would like to be identified as a small minority and women business enterprise please submit tax information. For additional information on small business criteria please visit <http://www.ccr.gov/SizeStandard.aspx> or <http://www.sba.gov/index.html> (most requested items). Please note the categorization of small business may provide additional opportunities.

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Delaware Minority and/or Women Business Enterprise Certification

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Certification Application

The following is the application for Minority and/or Women Business Enterprise (MWBE) certification with the State of Delaware. All questions must be answered. Please type or print clearly.

Questions that do not apply to your firm should be marked N/A in the space provided.

The Affidavit on page 14 must be signed and notarized by a Notary Public. Faxed copies of the Affidavit will only be accepted if the notary seal has the stamped seal with the expiration date visible. Otherwise, mail the original Affidavit with the raised seal to our office.

Please return the completed application with signature and required notarization to the address below:

**Office of Minority and Women
Business Enterprise
100 Enterprise Place, Suite 4
Dover, DE 19904
Phone: (302) 857-4554
Fax: (302) 739-3779
Web site: www.omwbe.delaware.gov**

Definitions

Minority and/or Women Business Enterprise

A Minority and Women Business Enterprise is a business that is at least 51 percent owned, controlled and actively managed by minority and/or women group members who are United States citizens or persons lawfully admitted to the United States for permanent residence.

The business must be a for-profit business and currently be performing a useful function.

Minorities – United States citizens or permanent residents who are African Americans, Asian/Pacific Americans, Hispanic Americans, Native Americans, Subcontinent Asian Americans, or as defined herein:

African (Black) Americans. All persons having origins from any of the Black groups of Africa and all persons having origins in any of the original peoples of the Cape Verde Islands.

Asian/Pacific Americans. All persons having origins from any of the original peoples of the Far East, Asia, or the Pacific Islands, including China, Japan, Korea, Samoa, Philippine Islands, and Hawaii. Guam, the U.S. Trust Territories of the Pacific or the Northern Marianas.

Hispanic Americans. All persons having origins from Mexican, Puerto Rican, Cuban, Dominican, Central or South American, or others Spanish or Portuguese culture or origin, regardless of race.

Native Americans. All persons having origins from the original peoples of North America and who are recognized as Native Americans by a tribe or tribal organization.

Subcontinent Asian Americans. All persons whose ancestors originated in India, Pakistan or Bangladesh.

Certification - A determination by the OMWBE that a for-profit business entity is a Minority Business Enterprise (MBE) and/or Women Business Enterprise (WBE).

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State of Delaware Minority and/or Women Business Enterprise Application
All completed applications must be returned with the appropriate requested documents listed.

Please type or print clearly

OMWBE use only: Application Date:

Mail application to:
 Office of Women and Minority Business Enterprise
 100 Enterprise Place, Suite 4
 Dover, DE 19904

If you have any questions regarding the completion of this application, please contact us at (302) 857-4554

**Note – This section must be filled out in its entirety for the application to be processed.
 Incomplete applications will not be processed.**

1. Business Name(s), Contact Information, Federal Employee Identification Number or Social Security Number(FEIN/SSN)			
Legal Name of Firm:			
Doing Business As (If applicable):			
Federal E.IN or SSN:		E-Mail Address:	
Address line 1:			
Address line 2:			
City		State	Zip Code
Country			
Telephone Number:		Extension:	Fax Number:
Company Web Site Address:			
Corp <input type="checkbox"/>	LLC* <input type="checkbox"/>	S Corp <input type="checkbox"/>	Partnership <input type="checkbox"/>
LLP** <input type="checkbox"/>	Sole Proprietor <input type="checkbox"/>	Joint Venture <input type="checkbox"/>	
If you are a non profit please discontinue completing the application. You must be a for profit business.			
Date firm was established?			
Date firm began doing business (date of first contract or sale)			

* Limited Liability Corporation
 ** Limited Liability Partnership

2. Primary owner applicant information				
Name:			Title:	
Home Address:	City:	State:	Zip Code:	Country:

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Telephone Number:	Extension:	Fax Number:
E-Mail Address:		
Date owner acquired controlling interest?		
Sex: <input type="checkbox"/> M <input type="checkbox"/> F	Ethnic Group:	
U.S. Citizen or Permanent Resident: <input type="checkbox"/> No <input type="checkbox"/> Yes		

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3. Firm is applying as: Please select either MBE or WBE based on the primary owner			
Minority Business Enterprise		Women Business Enterprise	
<input type="checkbox"/> African American	<input type="checkbox"/> Asian American	<input type="checkbox"/> African American	<input type="checkbox"/> Asian American
<input type="checkbox"/> Hispanic American	<input type="checkbox"/> Native American	<input type="checkbox"/> Hispanic American	<input type="checkbox"/> Native American
<input type="checkbox"/> Subcontinent Asian	<input type="checkbox"/> Other	<input type="checkbox"/> Subcontinent Asian	<input type="checkbox"/> White American
		<input type="checkbox"/> Other	

4. Describe, in detail, what product(s) and/or services your business provides. Attach additional pages and/or the company's catalog or inventory list, if needed. Please note the below capabilities narrative will be posted on the OMWBE web site.

5. Six digit North American Industry Classification System (NAICS) Code(s): (To assist you in determining your NAICS Code(s) go to http://www.census.gov/eos/www/naics) This must be completed if you need additional assistance please call OMWBE					
1.	2.	3.	4.	5.	6.
Four digit United Nations Standard Products and Services Code® (UNSPSC®) (To assist you in determining your UNSPSC Code(s) go to http://www.unspsc.org)					
1.	2.	3.	4.	5.	6.

6. Type of Business		
<input type="checkbox"/> Building trade	<input type="checkbox"/> Manufacturer	<input type="checkbox"/> Other
<input type="checkbox"/> Consultant	<input type="checkbox"/> Supplier	
<input type="checkbox"/> Generalized service	<input type="checkbox"/> Highway Construction	
<input type="checkbox"/> Licensed professional services		

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8. Is any owner or board member of the business, an owner or former owner of another firm engaged in the same or similar type of enterprise?

No Yes (If yes, identity below)

7. Provide the following information for: 1) all business owners, 2) corporate directors (if incorporated), 3) officers, and 4) senior management. If more space is needed, attach additional pages.

Name	Title	Date Appointed	Gender	Ethnicity
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Officers of the Company

Board of Directors

9. Are there any written, oral, or implied agreements between persons associated in any manner with the firm concerning its ownership and/or operation? (check one) No Yes

10. Please list the gross receipts of last two years

(A) Year Ending:	Gross Receipts:
(B) Year Ending:	Gross Receipts:

11. Number of employees	Full time:
	Part time:
	Seasonal (approximate):

12. List names and titles of persons who perform the following functions. If more than one, indicate what percent each person handles.

	Name	Ethnicity	Gender
Financial Decisions			
Estimating & Bidding			
Negotiating & Contract Execution			
Personnel Management			
Field/Production Operations Supervisor			

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Office Management			
Marketing/Sales			
Purchasing of Major Equipment			
Authorized to Sign Company Checks (for any purpose)			

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13. Identify persons or firms who provide Legal, Accounting, and Banking services:		
Attorney:		Contact:
Phone:	Fax:	Email:
Address:		
Accountant:		Contact:
Phone:	Fax:	Email:
Address:		
Bank:		Contact:
Phone:	Fax:	
Address:		

14. If the business is a corporation or LLC, please list the following information:
a. Total shares authorized:
b. Total shares issued to date:
c. Are there any restrictions that limit the voting rights of ethnic minority group members, who are shareholders, within the By-laws or Articles of Incorporation, or any other documents? <input type="checkbox"/> No <input type="checkbox"/> Yes <i>(If yes, please explain below)</i>

15. List the three largest contracts or sales completed by the firm during the last three years. List each customer's name and company or organization, the dollar amount of each contract or sale, and the date completed. If any are subcontracts, provide the name of the firm to which you subcontracted.		
1. Company or Individual:		
Address, City, State:		
Phone:	Fax:	Email:
Description & Amount:		
2. Company or Individual:		
Address, City, State:		
Phone:	Fax:	Email:
Description & Amount:		
3. Company or Individual:		
Address, City, State:		
Phone:	Fax:	Email:
Description & Amount:		

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16. Has this firm or other firm(s) owned by any of its current owners or officers ever been denied certification by the OMWBE or any other certifying entity (check one)? No; Yes *(If yes, provide the name of the certifying organization and the reason(s) given for denial, below. Attach copies of any relevant documents (letters, appeal documents, etc.).*

17. Debarment: Is this company, or any other company owned in full or part by any of this company's owners and/or officers, currently prohibited from doing business with the State of Delaware (i.e., license revocation or denial)? No; Yes.

18. Is the Business certified as a M/W/BE with any other certifying agency? If yes, provide the name(s) of the certifying organization(s), below, and attach letters or other documents verifying such certification.

No Yes

Name	Date Certified	Expiration Date
a.		
b.		
c.		
d.		
e.		
f.		

19a. Is the business classified as a small business as identified by The regulations specifying size standards and governing their use are set forth in Title 13, Code of Federal Regulations, part 121 (13 CFR part121), Small Business Size Regulations. For more information please visit

<http://www.ccr.gov/SizeStandard.aspx>

No Yes

19b. Is the business registered with the Central Contractor Registration www.ccr.gov (Please provide proof of registration)

No Yes

20. How did you hear about the Office of Minority and Women Business Enterprise:

- | | |
|--|---|
| <input type="checkbox"/> OMWBE staff speak at an event sponsored by another organization | <input type="checkbox"/> OMWBE staff at a trade show or expo |
| <input type="checkbox"/> OMWBE's web site | <input type="checkbox"/> Materials published by OMWBE |
| <input type="checkbox"/> Referred by another organization | <input type="checkbox"/> Referred by the owner of an MBE or WBE |
| <input type="checkbox"/> Delaware state employee | <input type="checkbox"/> Other, please explain briefly: |

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Optional Questions

You are not required to answer the following questions and the answers will not affect your company's eligibility for certification. However, the answers will help OMWBE to identify business opportunities that may be suited to your company. Answers may be estimated; exact figures aren't necessary.

For all companies
How many years has your company been conducting business with you as owner?
How many contracts, subcontracts, and/or sales has your company completed during the last 12 months?
What is the largest contract, subcontract, or sale your company completed in the past 24 months?
Has your company done any business with government? <input type="checkbox"/> No; <input type="checkbox"/> Yes
If yes, what level of government (check all that apply): <input type="checkbox"/> Federal; <input type="checkbox"/> State; <input type="checkbox"/> Local
Has your company done any business with government in the State of Delaware? <input type="checkbox"/> No; <input type="checkbox"/> Yes
Number of government contracts, subcontracts, or sales completed (estimate):
For Construction-Related Companies Only (not including suppliers of construction materials)
What is your company's bonding capacity? \$ _____ (indicate "unknown" if you do not know)
What % of your business is direct contracting?
What % of your business is subcontracting?

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Updated 2/10

State of Delaware Minority and/or Women Business Enterprise Affidavit

Hereafter, "the Business" refers to

Business Name

I understand the illegal nature of receiving public or private funds or other property as a consequence of false representation as to the minority and/or woman status of the business and do herein certify under penalty imposed by Delaware statutes that the information provided is correct and said information herein may be used for the purposes of certifying the business as a Minority and/or Women Business Enterprise. Any false representation will be grounds for denying certification or initiating decertification in the future.

I agree to make available for inspection to the MWBE office any such materials that may be required to substantiate the degree of minority and women ownership and control of the business. I agree to arrange for on-site inspections of the business' facilities in order to verify information provided in this document.

I agree to provide written information relative to any future change in ownership and/or management of the business to the MWBE office within two weeks of the occurrence of the change. I acknowledge that failure to timely submit required change of status documentation might result in the decertification of the business.

I understand that the certification expiration is three years following the initial date of certification. I further understand that the business must apply for recertification prior to the expiration.

Type or Print Name of Owner

Signature of Owner

Date

Title

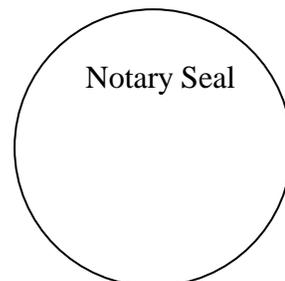
Subscribed and sworn to before me this _____ day of _____ a.d.

Month, Year

Signed _____

NOTARY PUBLIC IN AND FOR THE

County of _____



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State _____

My Commission Expires _____
Date