DOVER
(302) 739-4263
(302) 739-6122 FAX
(302) 739-7428 TDD

18 THE GREEN
DOVER, DELAWARE 19901
TOLL FREE: (888) 363-8808

WILMINGTON
(302) 577-5001
(302) 577-5021 FAX

March 23, 2012

The Delaware State Housing Authority (DSHA) is issuing this request for proposals (RFP) for small construction services for all DSHA properties. Contracts will be awarded for the period July 1, 2012 through June 30, 2014.

The types of small construction services are:

General Contractor Service
Electrical Contractor Service
Plumbing Contractor Service
Masonry/Concrete Contractor Service
Heating Ventilation and Air Conditioning Contractor Service

The specifications contained in the RFP shall be considered as clear and complete unless written attention is called to any apparent discrepancy or omission thereof before opening of proposals.

The Contractor agrees that any estimates as stated in the RFP are only to provide a uniform basis for comparison of proposals and are not represented to be accurate. Such estimates shall not be considered a binding feature of any contract or in any other way to determine any liability against DSHA.

Contractor's submitting proposals are encouraged to consider subcontracting portions of the engagement to small disadvantaged businesses and businesses owned and controlled by minority, women, and veteran individuals. If this is to be done, that fact, and the name of the proposed subcontracting firms must be clearly identified in the proposal. Following an award of a contract, no additional subcontracting will be allowed without consent of DSHA.

To the extent any new hiring is needed for DSHA/ U.S. Dept. of Housing and Urban Development funded projects; Section 3 Employment and Contracting provisions will apply.

Attention is directed to the instructions and specifications which are made part of this invitation.

The proposer shall be responsible for all costs of preparing responses to this solicitation and to submit their proposal in accordance with the proposal instructions.

This RFP contains __25__ pages, inclusive of this letter and the proposal instructions.

Inquires concerning the RFP and the subject of the request can be made to:

John C Conley, Contract Procurement Officer
Delaware State Housing Authority
18 The Green
Dover, DE 19901
John@destatehousing.com
Telephone: (302) 739-4263
Fax: (302) 739-2086

Questions concerning proposal submissions shall be directed in writing. All questions and written responses will be posted in reply of and also at http://www.bids.delaware.gov and http://www.destatehousing.com.

Sincerely,

JOHN C. CONLEY
Contract Procurement Officer

DELAWARE STATE HOUSING AUTHORITY

REQUEST FOR PROPOSALS

SMALL CONSTRUCTION SERVICES:
*GENERAL CONTRACTOR
*ELECTRICAL CONTRACTOR
*PLUMBING CONTRACTOR
*MASONRY/CONCRETE CONTRACTOR
*HEATING VENTILATION & AIRCONDITIONING CONTRACTOR

Prepared by: John C. Conley
Delaware State Housing Authority
18 The Green
Dover, DE 19901
Phone: (302)-739-4263/Fax: (302)-739-2086

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Office of Minority and Women Business Enterprise Certification Application

Section I

PROPOSAL INSTRUCTIONS

Documents: Instructions for Small Constructions Services

Due Date: Proposals are due on Thursday, May, 3, 2012, at 2 p.m. local time. Submit proposal to the Delaware State Housing Authority, 18 The Green, Dover, DE 19901, attention John Conley. Proposals to be valid for ninety (90) days from due date.

Owner: The Delaware State Housing Authority (DSHA) is the owner and shall be referred to as DSHA.

Contractor: The contractor shall be a qualified General; Electrical; Plumbing; HVAC; or Masonry/ Concrete Contractor who is responsible for the completion of the work listed in the scope of services.

Contractor Representations: The contractor, by submitting his proposal, represents that:

1. He has read and understands the scope of services and specifications.
2. The proposal is based on the attached scope of services and specifications.
3. Submission of a proposal indicates acceptance by the firm of the conditions contained in this request for proposals, unless clearly and specifically noted in the proposal submitted and confirmed in the agreement between the Authority and the firm selected.
4. The proposer certifies by submission of a proposal that it is not a debarred, suspended, or an ineligible contractor by any Agency of Federal or State government. (No proposal received from a debarred, suspended, or ineligible contractor will qualify for award).

Proposal Procedures:

1. All proposals shall be submitted in triplicate in ink or typewritten on the Proposal Quotation form which is made part of the RFP. The proposal will include the legal name of the contractor and be signed by a person legally authorized to represent the company.
2. Once the proposal is submitted, it may not be modified, withdrawn or canceled for a period of ninety (90) days.
3. A listing of all subcontractors (if any) will be attached to the proposal.
4. Proposal documents shall be enclosed in a sealed opaque envelope clearly identifying the Proposer and labeled on the lower left hand corner Proposal for DSHA Small Construction Services - Not to be opened until 2:00 p.m. Thursday, May, 3, 2012.

Review of Proposals:

1. The proposals will be reviewed privately after 2 p.m. local time on Thursday, May, 3, 2012.

PROPOSALS WILL NOT BE ACCEPTED AFTER 2 P.M. LOCAL TIME.

2. The Delaware State Housing Authority reserves the right to reject any and all proposals, to accept or reject any part of any proposal, or to waive informalities and minor irregularities in the proposals. Proposals which contain erasures, alterations, conditional bids, omissions, or irregularities may be rejected.
3. Written notification and contract will be furnished to successful contractors within 30 days of proposal due date.
4. It is the responsibility of the contractor for the timely delivery of the proposal to DSHA. The proposal must identify the work to be accomplished.
5. The Authority reserves the right to retain all proposals submitted and to use any ideas in a proposal regardless of whether that proposal is selected.
6. There is no expressed or implied obligation for the Authority to reimburse responding firms for any expenses incurred in preparing proposals in response to this request.

Equal Opportunity and Affirmative Action:

DSHA encourages minority, women and veteran-owned business enterprises to submit proposals.

Responsibility of Contractor:

DSHA will award contract only to responsible prospective contractors who have the ability to perform successfully under the terms and conditions of the proposed agreement. Items considered in determining the responsibility of a contractor are:

1. Experience and reputation
2. Capacity to provide services needed
3. Demonstrated ability to provide services needed
4. Location (geographical)
5. Familiarity with Public Housing Authority Requirements
6. Price

Section II

Delaware State Housing Authority
(hereinafter referred to as DSHA)

Request for Proposal for Small Construction Services
Types: General Contractor Services; Electrical Contractor Services; Plumbing Contractor Services; Masonry/Concrete Contractor Services; Heating Ventilation & Air Conditioning Contractor Services

General Provisions:

1. Agreement Requirements:

Contracts will be awarded for SMALL CONSTRUCTION SERVICES that qualify as small purchases prescribed by DSHA Procurement Policy and 24 CFR Part 85, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. All DSHA properties as listed will be included.

HOUSING SITES/CONTACTS/UNITS AND SIZE INFORMATION:

16,18, 22, 24, 26 The Green, and 118 Bank Lane Dover, DE 19901 (302) 739-4263	Michael T. Miles Offices	Procurement & Facilities Coordinator
Burton Village 37511 Burton Village Avenue Rehoboth, DE 19971 (302) 227-6881	Karen Ressel Elton Frazier Units: 51 Bedrooms: 2-14, 3-28, 4-9	Housing Manager Bldg. Maint. Mech.
Clarks Corner 52 Clarks Corner Harrington, DE 19952 (302) 398-4110	Stacey Lurry David Dagg Units: 70 Bedrooms: 1-4, 2-18, 3-18, 4-8, 5-2	Housing Manager Bldg. Maint. Mech.
Hickory Tree 38083 Community Lane Selbyville, DE 19975 (302)436-2591	Donna Mitchell Jackie Burton Units: 55 Bedrooms: 2-26, 3-26, 4-3	Housing Manager Bldg Maint Mech.
Holly Square 400 N. Broad Street Middletown, DE 19709 (302) 653-5868	Carl Anderson Deane Willey Units: 24 Bedrooms: 1-24	Housing Manager Bldg. Maint. Mech.

Huling Cove 1142 Savannah Road Lewes, DE 19958 (302) 645-7630	Mary Louise Paul Joe Haney Units: 24 Bedrooms: 1-24	Housing Manager Bldg. Maint. Mech.
Huling Cove Annex (Same as Above)	Units: 42 Bedrooms: 1-42	
Laverty Lane 1 Laverty Lane Bridgeville, DE 19933 (302) 337-3266	Beverly J. R. Young Theodore (Ted) Robbins Units: 50 Bedrooms: 2-40, 3-10	Housing Manager Bldg. Maint. Mech.
Liberty Court 1289 Walker Road Dover, DE 19904 (302) 739-3659	Deborah L. Walker John P. Roth Units: 108 Bedrooms: 1-25, 2-71, 3-12	Housing Manager Bldg. Maint. Mech.
McLane Gardens 32 Monrovia Avenue Smyrna, DE 19977 (302) 653-5868	Carl Anderson Deane Willey Units: 29 Bedrooms: 1-12, 2-6, 3-6, 4-4, 5-1	Housing Manager Bldg. Maint. Mech.
McLane Gardens Annex (Same as above)	Units: 21 Bedrooms: 2-12, 3-6, 4-3	
Mifflin Meadows 100 Mifflin Meadows Lane Dover, DE 19901 (302) 697-3187	Katrice Obidike Fred Strauss Units: 54 Bedrooms: 1-6, 2-8, 3-24, 4-12, 5-4	Housing Manager Bldg. Maint. Mech.
Peach Circle 327 Paul Drive Smyrna, DE 19977 (302) 653-5868	Carl Anderson Deane Willey Units: 32 Bedrooms: 1-32	Housing Manager Bldg. Maint. Mech.

2. Contract Period:

Contracts shall be valid for a two (2) year period and shall commence on July 1, 2012 and terminate June 30, 2014. Contract may be renewed for three (3) additional one (1) year periods under the same terms and conditions. Agreement on optional renewal periods must be in writing from both the Contractor and DSHA and must be initiated no later than ninety (90) days prior to expiration of the current contract.

3. Price:

Prices will remain firm for the two (2) year term of the contracts. Any subsequent change in price shall be mutually agreed upon. The price quoted in the contractors proposal must

be firm and not subject to change by the contractor for ninety (90) days from the date of proposal opening. The Labor price shall represent the total cost to DSHA including direct, indirect, and out-of-pocket costs.

4. Funding Out:

The continuation of any contracts reached is contingent upon funding appropriated by the Delaware General Assembly and U.S. Department of Housing and Urban Development.

5. Basis of Award:

DSHA shall award contracts to the lowest responsible proposers who best meet the terms and conditions of the Request for Proposal requirements and the needs of DSHA. Awards will be made on the basis of experience and reputation; capacity to provide services needed; demonstrated ability to provide services needed, geographical location, and price.
Criteria for Selection:
Proposals will be rated based upon the following criteria:

Criteria	weight
1. Meets mandatory RFP provisions	pass/fail
2. Experience and reputation	20
3. Capacity to provide services needed	20
4. Demonstrated ability to provide services needed	20
5. Geographical location	20
6. Familiarity with Public Housing Authority Requirements	05
7. Price	15

DSHA reserves the right to reject any and all proposals in whole or in part; to make partial awards or lump sum total, whichever may be most advantageous to DSHA; at DSHA's sole discretion.

Service capability and history will be evaluated as reflected in the Contractor Services Questionnaire. Price will be evaluated on fixed labor rates per man hour.

The maximum allowable percentage of mark-up for profit and overhead on materials is ten percent (10%) above contractor's cost.

The Authority reserves the right to award contracts based solely on the proposals or to negotiate further with one or more contractors. The contractor(s) selected will be chosen on the basis of the greatest benefit to the Authority, not necessarily on the basis of the lowest price.

The contractor agrees, if successful, to enter a contract within 20 days after Notice of Award. No contract may be assigned, either in whole or in part, without prior approval of DSHA.
The Authority may request additional information or clarification from proposers during the evaluation process.

By submitting a response to this solicitation of the Authority, the proposing party acknowledges and agrees that its entire response shall be deemed a "public record" for the purposes of the Delaware Freedom of Information Act ("FOIA"), codified at 29 Del. C. 10001-10005. The proposing party further acknowledges and agrees that, after an award of contract, all proposal materials are subject to public examination and copying pursuant to FOIA and, in the discretion of the Authority, proposal materials may be publically posted in any manner, including without limitation on the Authority's or state web site.

6. Mandatory Requirements:

Proposals must include evidence of State of Delaware Business License or application thereof.

- State of Delaware Business License. An application may be requested in writing to: Division of Revenue, Carvel State Office Building, 820 N. French Street, Wilmington, DE 19899, or by telephone at 302-577-8200;
  Division of Revenue, Thomas Collins Building, 540 Dupont Highway, Dover, DE 19901, or by telephone at 302-744-1085;
  Division of Revenue, 20653 Dupont Blvd., Suite 2, Georgetown, DE 19947, or by telephone at 302-856-5358.
  Or via internet at www.delaware.gov; search ONE STOP BUSINESS REGISTRATION & LICENSING.
- Where applicable, local licensing requirements shall also be met prior to commencement of work within local jurisdictions that require separate licensing.

Proposals must include evidence of liability insurance coverage as indicated herein.

As a part of contract requirements, the contractor must obtain at its own cost and expense and keep in force and effect during the term of the agreement, insurance specified below with a carrier satisfactory to DSHA.

- Workmen' Compensation Insurance under the laws of the State of Delaware and Employer's Liability Insurance with limits of not less than $500,000 each accident, covering all of the Contractor's employees engaged in any work hereunder.
- Comprehensive Liability - Up to one million dollars ($1,000,000) single limit per occurrence including:
- Bodily Injury Liability - All sums which the company shall become legally obligated to pay as damages because at any time resulting there from, sustained by any person other than its employees and caused by occurrence.
- Property Damage Liability - All sums which the company shall become legally obligated to pay as damages because of injury to or destruction of property, caused by occurrence.
- Contractual Liability, premises and operations, independent contractors and product liability.
- Automotive Liability Insurance covering all automotive units used in the work with limits of not less than $100,000 each person and $300,000 each accident as to bodily injury or death, and $100,000 as to property damage.

Forty-five (45) days written notice of cancellation or material change of any policies is required.

Prior to the commencement of work, the successful contractor shall have DSHA added as additional insured under the "products and completed operations" coverage section of the policy for the purpose and term of the agreement. A certificate of insurance shall be filed with DSHA.

Wage Rates: Contractors and subcontractors shall be required to pay employees engaged in the work no less than the Davis-Bacon minimum wage rates specified in Department of Labor General Decision Number: DE12001 01/06/2012 DE1; Residential Construction Projects (attached) and successive decisions. Upon award of a contract DSHA shall require certification of the minimum and maximum pay rates for the category of skilled and unskilled workers employed on DSHA work projects.

US Department of Housing & Urban Development (HUD) Section 3 requirements: To the extent that new hiring and/or sub-contracting is needed for completion of a DSHA/HUD funded project; Section 3 hiring provisions will apply to the greatest extent feasible. The Section 3 Employment and Contracting Requirements are identified in the attachment to this RFP.

7. Hold Harmless:

The successful proposer agrees that it shall indemnify and hold harmless the DSHA from and against any and all claims for injury, loss of life, or damage to or loss of use of property caused or alleged to be caused by acts or omissions of the successful proposer, its employees and invites on or about the premises and which arise out of the successful proposers' performance or failure to perform as specified in the contract.

8. Non-Performance:

In the event the proposer does not fulfill its obligations under the terms and conditions of the contract, DSHA may purchase equivalent services on the open market.

9. Force Majeure:

Neither the proposer nor DSHA shall be held liable for non-performance under the terms and conditions of the 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 of any situation that may prevent performance under the terms and conditions of the contract.

10. Exceptions:

Proposers may elect to take minor exception to the terms and conditions of this Request for Proposal. The Delaware State Housing Authority shall evaluate each exception according to the intent of the terms and conditions contained herein, but the Delaware State Housing Authority must reject exceptions that do not conform to State law and/or create inequality in the treatment of proposers. Exceptions shall be considered only if they are submitted with the proposal or before the date and time of the bid opening.

11. References:

In order to have your proposal 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.

12. Invoice, Statement, and Payment:

Invoices shall be submitted upon completion of each individual work project. Invoice detail shall include the facility; unit number or building number/name, work description, materials, labor hours and their costs.

Monthly statements shall identify invoices, their amounts, and the aggregate balance due for the statement period.

DSHA will authorize and process payment based upon the monthly statement for all projects completed and invoiced during the course of that month.

Progress payments for materials will be allowed on a pre-approved basis only. And, progress invoices and payments must be included within the monthly statement provided.

13. Bid/Agreement Execution:

Both the non-collusion statement that is enclosed with this Request for Proposal and the agreement form delivered to the successful proposer for signature MUST be executed by a representative who has the legal capacity to commit the organization to a formal agreement with the Delaware State Housing Authority.

14. Change Orders:

Delaware State Housing Authority reserves the right to increase or decrease agreements, if required, in regards to locations serviced, frequencies of service and types of service, with mutual consent of the contractor.

15. Exclusions:

Proposals submitted by parties listed as "Excluded from federal procurement or non-procurement programs by the U.S. General Services Administration Office of Acquisition Policy" will not be considered.

EEO:

DSHA is an Equal Opportunity Employer.

Section III

General Specifications:

1. Scope of Work:

Contractor is to provide Small Construction Services for DSHA facilities to include all labor, materials, equipment, and supplies for emergency and small purchase repairs, alterations, and rehabilitations of DSHA facilities.

2. Responsibility:

The Contractor shall be responsible to give all notices and render all services and to insure that all work and materials conform to industry standards, and applicable local, state, and federal codes and regulations. All equipment, materials, and articles furnished shall be new and of the most suitable grade for the purpose intended, unless otherwise specifically provided in statements of work.
The contractor shall be responsible for having all supplier accounts necessary for the completion of DSHA work within the time frames established as follows:

- Emergency repairs- Essential- "Emergency services for the restoration of essential services (including but not limited to, electric, plumbing, heating and air conditioning)- response time meaning on-site inspection within four (4) hours notification and completion of work as soon as possible within forty-eight (48) hours.
- Emergency repairs- Other services (including all other non-essential services related to electric, plumbing, heating and air conditioning)- response meaning an on-site inspection within twenty-four (24) hours and completion of work as soon as possible within seventy-two (72) hours.
- Non-Emergency repair work- response meaning on site inspection within three (3) days, and completion of work as soon as possible within seven (7) days.
- Rehabilitation work- response meaning submission of written proposal within five (5) days of contractor receipt of requisition with statement of work. Depending upon the extent of work required, all work under this part will be completed within fifteen (15) days of DSHA proposal approval.
- The designation of whether the repairs required pursuant this paragraph are for emergency repairs for essential services, emergency repairs for non-essential services, non emergency/repair/work, or rehabilitation work, shall be made by DSHA in its sole discretion and the contractor shall be notified.

3. Warranty of Title:

The Contractor shall warrant good title to all materials, supplies, and equipment incorporated in the work and agrees to indemnify and hold harmless DSHA from and against all claims by workers and materialmen.

4. **Warranty of Construction:**

In addition to any other warranties, the Contractor warrants that work performed conforms to the statement of work requirements and is free of any defect in equipment, material, or workmanship performed by the Contractor or any subcontractor or suppliers at any tier. Warranty shall continue for a period of one year (unless otherwise indicated) from the date of final acceptance of the work.

5. **Response Time:**

Emergency services for the restoration of essential services (electric, heating, plumbing) - Contractor is to respond and begin service restoration within four (4) hours of notification.

Minor repair work - contractor is to respond and begin repairs within 72 hours of notification.

Other alteration and rehabilitation services - Contractor is to respond to DSHA by providing a written proposal within five (5) working days of receipt of a Statement of Work or Scope of Services for services requested. The services will commence as soon as possible upon proposal approval and be completed within fifteen (15) days of approval, unless otherwise indicated.

6. **Work Approval:**

Emergency services may be requested verbally followed by a written Statement of Work/Scope of Services and are chargeable on a time and materials basis.

Minor repair services will be requested via a written Statement of Work/Scope of Services, and are chargeable on a time and materials basis.

All other services will be requested via written Statement of Work/Scope of Services and will commence upon approval of a fixed cost proposal for services.

7. **Definitions:**

Emergency services - Services required to correct or to restore service, or to correct an existing condition that seriously threatens the public health, welfare, or safety, or endangers property, or would otherwise cause serious injury to DSHA, its tenants, employees, and visitors.

Small Construction Services- Individual work projects for the repair and maintenance of DSHA facilities which fall within the small purchase threshold.

Small purchases – Work projects for the purpose of repairs and maintenance of DSHA facilities; where cost does not exceed $24,999.

Section IV

A. Proposal Quotation Form

To: Delaware State Housing Authority
18 The Green
Dover, DE 19901

Due Date: Thursday, May, 3, 2012, 2:00 pm.

Project: Small Construction Services of DSHA Facilities. (CIRCLE TRADE)

- General Contractor
- Electrical Contractor
- Plumbing Contractor
- Masonry/Concrete Contractor
- Heating Ventilation and Air Conditioning Contractor

The undersigned proposes to provide all labor and materials as required and called for to repair, maintain, alter, or rehabilitate DSHA facilities as requested.

Indicate with a check the facility/facilities you propose to service:.

___ 16, 18, 22, 24, & 26 The Green
___ 118 Bank Lane
___ Burton Village
___ Clarks Corner
___ Hickory Tree
___ Holly Square
___ Huling Cove & Annex
___ Laverty Lane
___ Liberty Court
___ Mclane Gardens & Annex
___ Mifflin Meadows
___ Peach Circle

Labor Costs per Hour:
Skilled Labor $_____ per man hour.
Unskilled Labor $_____ per man hour.

Standard work crew consists of _____ workmen at a labor rate of $_____ per hour.

Nights, weekends, and Holiday rates if applicable $_____ per man hour. (For emergency responses only)

Travel or service call charge if applicable $_____ per service call. (Allowable for emergency responses only)

The maximum allowable percentage of mark up for profit and overhead on materials is ten percent (10%) above contractors cost.

This proposal shall be valid for a period of ninety (90) days after the proposal due date.

Company name_____
Address_____
Signed_____
Title_____

Section IV

B. DSHA STANDARD CONTRACTOR SERVICES QUESTIONNAIRE

The information provided by you in this questionnaire is subject to the freedom of information act, unless otherwise deemed proprietary.

1. Firm Name/Business:_____

   Address:_____

Delaware Business License Number_____Expiration_____

3. Year Present Firm Established:_____

4. Date Prepared:_____

5. Specify structure of ownership:
   A. Corporation
   B. Partnership
   C. Sole Proprietorship
   D. _____

6. Describe type of business:
   A. Small Business
   B. Minority Business Enterprises
   C. Women Business Enterprise
   D. Veteran Business Enterprise

7. Name of Parent Company, if any:
   A. Former Parent Company Name(s), if any, and Year(s) Established:

8. Names of not more than Two Principals to Contact: Title/telephone

9. Present Offices: City/State/Telephone/Number of Personnel in each office
   A. Total Personnel

10 A. Number of Personnel by Discipline:
   ____Skilled Labor ____Unskilled Labor

   :

11. Summarize professional qualifications and describe experience serving multi-family housing communities:

_____
_____
_____
_____
_____

*Firms interested in work, but without such experience, check here: ( )

12. Indicate annual gross receipts for your last fiscal year contract services:

    1. Less than $100,000
    2. $100,000 to $250,000
    3. $250,000 to $500,000
    4. $500,000 to $1 million

13. List three (3) references and project examples of similar services:

_____

_____

_____

14. List at least three (3) major suppliers from whom you purchase trades equipment and materials including contact name phone number and credit line of each supplier :

_____

_____

_____

15. List financial institutions with whom you have established credit, inclusive of maximum credit line:

_____

_____

_____

To the best of my ability, I the undersigned, assure that the information listed above is true and correct. I further authorize the Delaware State Housing Authority to verify the information supplied.

The foregoing is certified to be a true statement of facts.

Signature:_____

Printed Name and Title:_____

Date:_____

In order for a submission to be considered it must include the following documentation:

- State of Delaware Business License or Application therefore
- Current Certificate Insurance- inclusive of commercial liability, commercial automobile liability, and (if applicable) workers compensation liability coverage.

Section IV

C.

DELAWARE STATE HOUSING AUTHORITY
18 The Green
Dover, Delaware 19901
Telephone: 302-739-4263

Contractor Financial Information

The information provided by you in the questionnaire is subject to The Freedom of Information Act, unless otherwise deemed proprietary.

Please furnish the information requested below:

Business Name:_____

Owner(s):_____

Authorized Agent(s):_____

Business Address:_____ Phone:_____

_____

_____

Describe trades and the types of construction experience your company has:

_____

_____

_____

Last year's gross sales dollar value: $_____

How many jobs have you completed as a general contractor in the last five years?

_____

Largest dollar amount: $_____

How long has your company been in business? _____

Has the company been in business under the same name?

Yes_____ No_____

If the company name has changed, what was the original name(s)?

Company name Address

1._____

2._____

3._____

How many employees does your company have?

_____

State of Delaware business License Number:_____

What is your company's current banking maximum credit line?

Maximum credit line: $_____

Working capital: $_____

REFERENCES

Work in Progress:

List the names and phone completed and dollar value for three most recent jobs completed or in progress:

Name	Phone No.	Value

Past Work:
List the name, phone number and dollar value and completion date of at least three contracts which were completed more than one year ago.

Name	Phone No.	Value	Completion Date

Suppliers:

List two (2) major suppliers and two (2) sub-contractors from whom you purchase painting materials or worked with.

List name and phone number(s) and credit line of each:

Name	Phone No.	Credit Line

List financial institutions with whom you have established credit, include maximum credit line:

Institution	Maximum Credit Line
1.	
2.	
3.	

Please attach a copy of the following:

1. Current State of Delaware Business License/or application thereof
2. Current liability insurance certificate.
3. Current workmen's compensation certificate.

To the best of my ability, I, the undersigned, assure that the information listed above is true and correct. I further authorize the Delaware State Housing Authority to verify the information supplied.

_____ _____

Signature of Owner Date

Social Security No._____ and/or

Federal E.I. No._____

Section IV

D. NON-COLLUSION CERTIFICATION

Proposer's Name:_____

Address:_____

Project:_____

Project No.:_____

This is to certify that neither the above named proposer nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, has in anyway colluded, conspired, connived or agreed, directly or indirectly, with any other proposer, firm or person to submit a collusive or sham proposal in connection with the Contract for which the attached proposal has been submitted or to refrain from proposing in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any proposer, firm or person to fix the price or prices in the attached proposal or of any other proposer, or to fix any overhead, profit or cost element of the proposal price of any other proposer, or to secure through any collusion, conspiracy, connivance of unlawful agreement any advantage against the Owner or any person interested in the proposed Contract; and the price or prices quoted in the attached proposal are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the proposer or any of its agents, representatives, owners, employees, or parties in interest.

(Signed) _____

_____
Title

_____
Date

SEAL - If Proposer is a Corporation

ATTEST: _____
Secretary

Section IV

E. DELAWARE STATE HOUSING AUTHORITY

PROPOSER WARRANTIES

The proposer certifies that it will provide all services as set forth in this Request for Proposal, and that it will not delegate or subcontract its responsibilities without the prior written permission of the Delaware State Housing Authority.

The proposer warrants that it is licensed to do business in the State of Delaware.

The proposer warrants that all information provided by it in connection with this proposal is true and accurate.

Signature of Official:_____

Name (typed):_____

Title:_____

Firm:_____

Address:_____

_____

Date:_____

ATTACHMENT A

SECTION 3" COMPLIANCE IN THE PROVISION OF TRAINING, EMPLOYMENT AND BUSINESS OPPORTUNITIES

A. This Contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, (12 USC 1701u) as amended, the HUD regulations issued pursuant thereto at 25 CFR Part 135, and any applicable rules and orders of HUD issued thereunder prior to the execution of this Contract. The Section 3 clause, set forth in 24 CFR, 135.20 (b) provides.

a.) The work to be performed under this Contract is on a project assisted under a program providing direct Federal financial assistance from the Department of Housing and Urban Development and is subject to the requirements of Section 3 of the Housing and Development Act of 1968, as amended, 12 USC 1701u. Section 3 requires that to the greatest extent feasible, opportunities for training and employment be given lower income residents of the project area and contracts for work in connection with the projects to be awarded to business concerns which are located in, or owned in substantial part by persons residing in the area of the project.

b.) The parties of the Contract will comply with the provisions of said Section 3 and the regulations issued pursuant thereto by the Secretary of Housing and Urban Development set forth in 24 CFR 135, and all applicable rules and orders of the Department issued thereunder prior to the execution of this Contract. The parties to the Contract certify and agree that they are under no contractual or other disability which that they are under no contractual or other disability which would prevent them from complying with these requirements.

c.) The CONTRACTOR will send to each labor organization or representative of workers with which he has a collective bargaining agreement or other contract or understanding, if any, a notice advising the said labor organization of workers representative of his commitments under this Section 3 clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment or training.

d.) The CONTRACTOR will include this Section 3 clause in every subcontract for work in connection with the project and will, at the direction of the applicant or recipient of Federal financial assistance, take appropriate action pursuant to the subcontract upon a finding that the subcontractor is in violation of regulations issued by the Secretary of Housing and Urban Development, 24 CFR 135. The CONTRACTOR will not subcontract with any subcontractor where it has notice or knowledge that the latter has been found in violation of regulations under 24 CFR 135 and will not let any subcontract unless the subcontractor has first provided it with a preliminary statement of ability to comply with the requirements of these regulations.

e.) Compliance with the provisions of Section 3, the regulations set forth in 24 CFR 135, and all applicable rules and orders of the Department issued thereunder prior to the execution of the Contract, shall be a condition of the Federal financial assistance provided to the project, binding upon the applicant or recipient for such assistance, its successors and assigns. Failure to fulfill these requirements shall

subject the applicant or recipient, its contractors and subcontractors, its successors and assigns to those sanctions specified by the grant or loan agreement or contract through which Federal assistance is provided, and to such sanctions as are specified by 24 CFR 135.135.

f.) Business concerns located within Section 3 covered project area means those business concerns located within the relevant Section 3 covered project area as determined pursuant to par. 135.15 and which qualify as socially or economically disadvantaged small business concerns. Business concerns which are at least 51% owned by a person(s) residing within the relevant Section 3 covered project areas as determined pursuant to par 135.15. Socially or economically disadvantaged small business means a business concern which qualified as small under the small business size standards of the SBA and whose principal owners participation in the free enterprise system has been hampered because of such factors as low income, unfavorable location as in areas impacted with low income housing or depressed rural area and areas of high unemployment or under employment; limited education, physical or other special handicap; inability to compete effectively in the market place because of prevailing or past restrictive practices. Such principal owners may include, but are not limited to, Black, Hispanic, Asian or Pacific Islander, American Indian or Alaskan Native and Women.

B. Prior to the signing of the Contract, the CONTRACTOR shall provide a preliminary statement of work force needs (skilled, semi-skilled, unskilled labor and trainees category) where known; where not known, such information shall be applied to the signing of any contract between the CONTRACTOR and subcontractor.

a.) Trainees

1.) Utilizing the maximum number of persons in the various training categories in all phases of such work to be performed under the Section 3 covered project, and

2.) Filling all vacant training positions with lower income project area residents except for those training positions which remain unfilled after a good faith effort has been made.

3.) "Manpower Utilization Table" - See Appendix No. 1.

b.) Residents as Employees

Each CONTRACTOR and subcontractor shall fulfill his obligation to utilize lower income project area residents as employees to the greatest extent feasible by:

1.) Identifying the number of positions in the various occupational categories included skilled, semi-skilled, and unskilled labor needed to perform each phase of the Section 3 covered project.

2.) Identifying the number of positions currently occupied by regular, permanent employees.

3.) Establishing the positions not currently occupied by regular, permanent employees.

4.) Establishing the positions identified in paragraph (3) of this Part, a goal which is consistent with this subpart within each occupational category of the number of positions to be filled by lower income residents of the Section 3 covered project area.

5.) "Work Force Needs Table" - See Appendix No. 1.

c.) Utilization of Businesses

Each CONTRACTOR and subcontractor undertaking work on a Section 3 covered project shall assure that to the greatest extent feasible, contracts for work to be performed in connection with the project are awarded to business concerns located within the Section 3 covered project area or business concerns owned in substantial part by persons residing in the Section 3 covered area.

1.) "Business Utilization Table" - See Appendix No. 2.

C. GOOD FAITH EFFORT

Each CONTRACTOR and subcontractor seeking to establish that a good faith effort, as required by Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 USC 1701u, has been made to fill all training positions with lower income area residents; and fill all employment positions identified in Section B, paragraph b, subparagraphs (3) and (4) shall:

a.) Attempt to recruit from the appropriate areas the necessary number of lower income residents through local advertising media, signs placed at the proposed site and community organizations and public and private institutions operating within or serving the project area, such as State Employment Office and Opportunities Industrialization Center (OIC).

b.) Maintain a list of all lower-income area residents who have applied either on their own or on referral from any source, and employ such persons if otherwise eligible and/or qualified and if a vacancy exists. If no vacancies exist, the eligibility and/or qualifications of the applicant shall be considered and listed for the first available opening.

c.) Any CONTRACTOR or subcontractor which fills vacant apprentice and trainee positions and/or employment positions, identified in subparagraph b above, but more specifically identified in Section 3 of the Housing and Urban Development Act of 1968, 12 USC 1701u, Section 135.40 and Section 135.55, in this organization immediately prior to undertaking work pursuant to a Section 3 covered contract shall set forth evidence acceptable to the Secretary that its action were not an attempt to circumvent these regulations.

D. AFFIRMATIVE ACTION

a.) An Affirmative Action Plan pursuant to a Section 3 covered contract shall:

1.) Set forth the appropriate number and estimated dollar value of contracts to be awarded to eligible businesses and entrepreneurs within each category over the duration of this contract.

2.) Ensure that the appropriate business concerns are notified of pending contractual opportunities either personally or through locally utilized media.

b.) Each CONTRACTOR and subcontractor seeking to establish that a good faith effort has been made shall, as a minimum, attempt to recruit from the appropriate areas the necessary eligible business concerns through:

1.) Local advertising

2.) Signs placed at the site

3.) Community organizations, public and private institutions operating or serving within the project area such as P.A.C., OIC and State Employment Offices.

E. CERTIFICATES OF COMPLIANCE

The CONTRACTOR shall execute the Certificate of Compliance (Appendix No. 3) and cause all subcontractors undertaking work in connection with this contract to furnish the same.

APPENDIX NO. 1

MANPOWER UTILIZATION TABLE

OCCUPATION	TOTAL WORK FORCE	SKILLED	TRAINEES	NO. OF PROJECT AREA RESIDENTS TO BE UTILIZED	
(write list)				Skilled	Trainee
TOTAL					

EMPLOYMENT CERTIFICATION

A. The Company hereby certifies that the above table represents the appropriate number of employee positions required in the execution of Contract No. _____ and also represents the number of lower income project area residents that the company proposes to employ.

B. The Company certifies that it will make a good faith effort to employ the number of lower income employees stated above utilizing such community based organizations and service agencies as _____, Opportunities Industrialization Center (OIC); and on the site company employment posters.

C. The Company certifies that the employee goals listed in the above table approximate the ratio of lower income residents to the total population of the project area.

_____
Company

By: _____
Authorized Signature

Title: _____

Date: _____

APPENDIX NO. 2

UTILIZATION OF SECTION 3 PROJECT BUSINESSES

The Company shall utilize business concerns located in , Project No. _____, in contracting for work to be performed in connection with the completion of the contract. To this end, the Company shall require the services of companies in the project area engaged in the business of

_____

_____

SUBCONTRACTS (write list)	TOTAL SUBCONTRACT DOLLAR AMOUNT	PROPOSED SECTION 3 BUSINESSES AVAILABLE FOR USE	TOTAL SUBCONTRACTOR SECTION 3 BUSINESS DOLLAR AMOUNT

_____
Company

By: _____
Authorized Signature

Title: _____

Date: _____

APPENDIX NO. 3

SECTION 3 CERTIFICATION

TRAINING, EMPLOYMENT AND CONTRACTING OPPORTUNITIES
FOR BUSINESS AND LOWER INCOME PERSONS

A. The project assisted under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 USC of 1701u. Section 3 requires that to the greatest extent feasible, opportunities for training and employment be given lower income residents of the project area and contracts for work in connection with the project be awarded to business concerns which are located in or owned in substantial part by persons residing in the area of the project.

B. Notwithstanding any other provision of this contract, the Contractor shall carry out the provisions of said Section 3 and the regulations issued pursuant thereto by the Secretary set forth in 24 CFR Part 135 (published in 38 Federal Register 29220, October 23, 1973) and all applicable rules and orders of the Secretary issued thereunder prior to the execution of this contract. The requirements of said regulations include but are not limited to development and implementation of an affirmative action plan for utilizing business concerns located within or owned in substantial part by persons residing in the area of the project; the making of a good faith effort, as defined by the regulations, to provide training, employment, and business opportunities required by Section 3; and incorporation of the "Section 3 Clause" specified by Section 135.20 (b) of the regulations in all contracts for work in connection with the project. The Contractor contracts for work in connection with the project. The Contractor certifies and agrees that it is under no contractual or other disability which would prevent it from complying with these regulations.

C. Compliance with the provisions of Section 3, the regulations set forth in 24 CFR Part 135, and all applicable rules and orders of the Secretary issued thereunder prior to approval by the Government of the application for this contract shall be a condition of the Federal financial assistance provided to the project, binding upon the Contractor, its contractors and subcontractors, its successors, and assigns to the sanctions specified by this Contract and to such sanctions as are specified by 24 CFR Section 135.135.

_____
Company

By: _____
Authorized Signature

Title: _____

Date: _____

General Decision Number: DE120001 01/06/2012 DE1

Superseded General Decision Number: DE20100001

State: Delaware

Construction Type: Residential

Counties: Delaware Statewide.

RESIDENTIAL CONSTRUCTION PROJECTS (consisting of single family homes and apartments up to and including 4 stories)

Modification Number	Publication Date
0	01/06/2012

* SUDE1990-001 04/01/1990

	Rates	Fringes
BRICKLAYER		
KENT AND SUSSEX COUNTIES	$ 12.50	.63
CARPENTER (Excluding Drywall Hangers)		
NEW CASTLE COUNTY	$ 10.59	2.05
CARPENTER		
KENT AND SUSSEX COUNTIES	$ 9.75	.65
Concrete Finisher		
KENT AND SUSSEX COUNTIES	$ 9.69	
DRYWALL HANGER		
NEW CASTLE COUNTY	$ 10.79	
ELECTRICIAN		
KENT AND SUSSEX COUNTIES	$ 10.00	
NEW CASTLE COUNTY	$ 9.12	
Laborers:		
Landscape		
KENT AND SUSSEX COUNTIES	$ 7.25	
Mason Tenders (Brick)		
KENT AND SUSSEX COUNTIES	$ 7.25	.63
Unskilled		
KENT AND SUSSEX COUNTIES	$ 7.25	
UNSKILLED		
NEW CASTLE COUNTY	$ 7.25	

PAINTER
NEW CASTLE COUNTY.....$ 9.00

PLUMBER
KENT AND SUSSEX COUNTIES...$ 8.92
NEW CASTLE COUNTY.....$ 9.80

Power equipment operators:
Backhoe
KENT AND SUSSEX COUNTIES...$ 10.15

ROOFER, Including Built Up,
Composition and Single Ply
Roofs
NEW CASTLE COUNTY.....$ 9.79

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

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Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (ii)).

The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the cited type(s) of construction in the area covered by the wage determination. The classifications are listed in alphabetical order of "identifiers" that indicate whether the particular rate is union or non-union.

Union Identifiers

An identifier enclosed in dotted lines beginning with characters other than "SU" denotes that the union classification and rate have found to be prevailing for that classification. Example: PLUM0198-005 07/01/2011. The first four letters , PLUM, indicate the international union and the four-digit number, 0198, that follows indicates the local union number or district council number where applicable , i.e., Plumbers Local 0198. The next number, 005 in the

example, is an internal number used in processing the wage determination. The date, 07/01/2011, following these characters is the effective date of the most current negotiated rate/collective bargaining agreement which would be July 1, 2011 in the above example.

Union prevailing wage rates will be updated to reflect any changes in the collective bargaining agreements governing the rate.

Non-Union Identifiers

Classifications listed under an "SU" identifier were derived from survey data by computing average rates and are not union rates; however, the data used in computing these rates may include both union and non-union data. Example: SULA2004-007 5/13/2010. SU indicates the rates are not union rates, LA indicates the State of Louisiana; 2004 is the year of the survey; and 007 is an internal number used in producing the wage determination. A 1993 or later date, 5/13/2010, indicates the classifications and rates under that identifier were issued as a General Wage Determination on that date.

Survey wage rates will remain in effect and will not change until a new survey is conducted.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

* an existing published wage determination
* a survey underlying a wage determination
* a Wage and Hour Division letter setting forth a position on a wage determination matter
* a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the

Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

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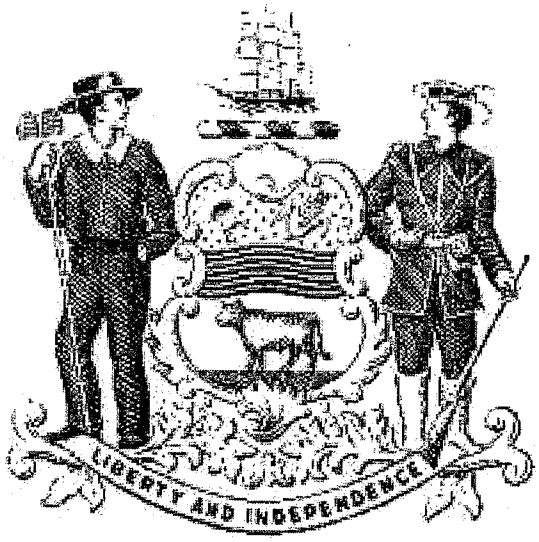
END OF GENERAL DECISION

IV
F.

State of Delaware

Office of Minority and Women Business Enterprise Certification Application



Complete application and mail to:

Office of Minority and Women Business Enterprise (OMWBE)
100 Enterprise Place, Suite 4
Dover, DE 19904
Telephone: (302) 857-4554 Fax: (302) 739-3779
Email: deomwbe@state.de.us
Web site: www.omwbe.delaware.gov

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.

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.

Delaware Minority and/or Women Business Enterprise Certification

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 Marinas.

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).

Definitions

Ownership
The minority or woman ownership interest in the firm must be real, substantial and continuing and shall go beyond the pro forma ownership of the business as reflected in its ownership documents. The minority and women owners shall enjoy the customary incidents of ownership and shall share in the risks and profits commensurate with their ownership interest as demonstrated both by an examination of the substance and form of arrangements.

Control
Control will be exemplified by possession of the requisite knowledge and expertise to run the particular business. Control includes the authority to determine the direction of a business, including but not limited to capital investments and all other financial transactions; property acquisitions; day-to-day decisions; contract negotiations; legal matters; selection and hiring of officers, directors, and employees; operating responsibility; cost-control; income and dividend matters; and the rights of other shareholders or partners.

The minority and/or women owners must hold the highest officer position in their companies, example chief executive officer or president.

The minority and/or women must demonstrate that they possess the experience, expertise and knowledge to operate their particular types of business.

Expertise limited to office management, administration, or bookkeeping functions unrelated to the principal business activities of the company is insufficient to demonstrate control. Women and/or minority owners must also verify that they hold any licenses or certification required by the type of business in which they are engaged.

Definitions

Minority Business Enterprise (MBE) - A for profit business in which at least 51% of the beneficial ownership interest and control are held by a minority or minorities. In the case of a corporation, minorities must hold at least 51% of voting interest.

Minority & Women Business Enterprise (MWBE) - A for-profit business in which at least 51% of beneficial interest and control is held by minority women or by an equal combination of minorities and women. In the case of a corporation, women and minorities must also hold at least 51% of voting interest.

Women Business Enterprise (WBE) - A for-profit business in which at least 51% of beneficial interest and control is held by women. In the case of a corporation, women must also hold at least 51% of the voting interest.

Useful Business Function
A useful business function is one, which results in the provision of materials, supplies, equipment or services to consumers in the State. A business acting as a conduit to transfer funds to a non-minority business does not constitute a useful business function unless doing so is a normal industry practice.

Benefits of Certification
Current certified minority and/or women owned firms are eligible to be listed in the State of Delaware Directory of Minority and Women Owned Businesses which is circulated to all state and local government agencies.

Recertification
At the ends of three years from original cerification date, firms must submit the recertification affidavit to remain actively visible in the State of Delaware's Minority and/or Women Business Enterprise database.

Eligibility

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

a) Belong to a minority group: African Americans, Asian/Pacific Americans, Hispanic Americans, Native Americans, and Subcontinent Asian Americans. *(Please reference above definitions)*

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." *(Please reference above definitions)*

Reasons for denial *(please note the below may include but not be limited to)*

a) A business located in a state other than Delaware must first obtain state-level certification in its home state.

b) All securities, which constitute ownership and/or control of a corporation for the purpose of establishing it as a MWBE, must be held directly by minorities or women. No securities held in trust, or by a guardian for a minor, shall be considered as held by a minority or women in determining the ownership or control of a corporation.

c) If the business operations do not reflect the ownership shown on paper.

d) Firm is not a for-profit business

e) Firm has provided false or misleading information

f) Control will not be deemed to exist in cases of simple majority or absentee ownership, or when a non-minority/non-female owner or employee of the firm is disproportionately responsible for its operation.

g) The firm shall not be subject to any formal or informal restrictions through, for example through, by-laws provisions, partnership agreements, or charter requirements for cumulative voting rights or otherwise that prevents the minority and women owners, without the cooperation or vote of any owner who is not a minority or women for making a business decision of the firm.

h) If the owners of the firm who are not minorities or women are disproportionately responsible for the operation of the firm, then the firm is not controlled by minorities and shall not be considered as MWBE within the meaning of the definition. Where the actual management of the firm is contracted out to individuals other than the owner, those person who have the ultimate power to hire and fire the managers, can, for the purpose of this

i) The certification application was submitted incomplete.

How to Apply

- Applications and additional information are available by calling the Office of Minority and Women Business Enterprise at (302) 857-4554 or visiting the web site www.omwbe.delaware.gov

- Complete an application for certification and provide required documentation (ethnic status of minority owner(s), financial records, on-going business activity, etc.)

- Provide access to its business facilities and key personnel for state certification on-site visit.

WHERE TO APPLY:

Submit completed applications to:
Office of Minority and Women Business Enterprise
100 Enterprise Place, Suite 4
Dover, DE 19904

Frequently Asked Questions

Q: Does certification cost money?

A: No

Q: Are there any set asides for MWBEs?

A: No

Q: Does my certification expire?

A: At the end of three years from original certification date.

Q: Will I be notified of all procurement opportunities?

A: No, however, the OMWBE will continue to research bid opportunities and assist in your effort. We are consistently working on ways to improve communication but strongly encourage you to visit the respective resources.

Q: What is the best way to communicate with the OMWBE?

A: Email. Please check your email daily for procurement opportunities.

Q; Do I have to register with any other agency?

A: Yes. There are multiple agencies that have their own bidders list. Please check OMWBE's web site for each respective agency. For example, Government Support Services and the Department of Technology and Information have vendor registration processes.

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 ☐	LLC* ☐	S Corp ☐	Partnership ☐	LLP** ☐	Sole Proprietor ☐	Joint Venture ☐
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:
Telephone Number:	Extension:	Fax Number:		
E-Mail Address:				
Date owner acquired controlling interest?				
Sex: ☐M ☐F	Ethnic Group:			
U.S. Citizen or Permanent Resident: ☐ No ☐ Yes				

3. Firm is applying as: Please select either MBE or WBE based on the primary owner			
Minority Business Enterprise		**Women Business Enterprise**	
☐ African American	☐ Asian American	☐ African American	☐ Asian American
☐ Hispanic American	☐ Native American	☐ Hispanic American	☐ Native American
☐ Subcontinent Asian	☐ Other	☐ Subcontinent Asian	☐ White American
		☐ 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 www.census.gov/naics)
This must be completed if you need additional assistance please call OMWBE

1.	2.	3.	4.	5.	6.

6. Type of Business		
☐ Building trade	☐ Manufacturer	☐ Other
☐ Consultant	☐ Supplier	
☐ Generalized service	☐ Highway Construction	
☐ Licensed professional services		

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
Officers of the Company				
Board of Directors				

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)*

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

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? ☐ No ☐ Yes *(If yes, please explain below)*

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:		

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:

☐ OMWBE staff speak at an event sponsored by another organization	☐ OMWBE staff at a trade show or expo
☐ OMWBE's web site	☐ Materials published by OMWBE
☐ Referred by another organization	☐ Referred by the owner of an MBE or WBE
☐ Delaware state employee	☐ Other, please explain briefly:

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? ☐ No; ☐ Yes
If yes, what level of government (check all that apply): ☐Federal; ☐State; ☐Local
Has your company done any business with government in the State of Delaware? ☐ No; ☐ 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?

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

Notary Seal

County of _____

State _____

My Commission Expires _____

Date