

PUBLIC NOTICE  
REQUEST FOR PROPOSALS

The City of Jackson (“City”) is seeking to complete a single spaced smart parking meter system complete with associated software, data, support, training, and maintenance. Meter solutions with the ability to be retrofitted to existing housings are preferred. The Vendor may offer any additional or related services that may complement the core Vendor Services that are the purpose of this procurement process.

Detailed information pertaining to submission of a response to this request for proposals may be obtained from the Department of Planning and Development, Suite 201, Warren Hood Building: 200 South President Street, Jackson, Mississippi 39201, or by contacting Jordan Rae Hillman, AICP at 601-960-2004 or e-mail: [jhillman@jacksonms.gov](mailto:jhillman@jacksonms.gov).

Responses will be received by the City of Jackson, Office of the City Clerk at 219 South President Street, Jackson, MS 39205 until 3:30 p.m., Central Standard Time on Tuesday, May 14, 2019. Each proposer must submit a signed original, six (6) printed copies and an electronic copy (thumb drive w/ pdf) of its proposal. Official proposal documents can be downloaded from Central Bidding at [www.centralbidding.com](http://www.centralbidding.com). Electronic responses can be submitted at [www.centralbidding.com](http://www.centralbidding.com). For any questions relating to the electronic response process, please call Central Bidding at 225-810-4814.

The City of Jackson is committed to the principle of non-discrimination in public contracting and professional services. It is the policy of the City of Jackson to promote full and equal business opportunity for all persons doing business with the City.

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Mukesh Kumar, PhD., Director  
Department of Planning and Development  
City of Jackson, Mississippi

Newspaper: Jackson Advocate

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**REQUEST FOR PROPOSALS (RFP) FOR PHASE I AND PHASE II PARKING  
METER PROJECT**

FOR  
THE CITY OF JACKSON

RFP RELEASE DATE: 4/4/2019  
PROPOSER INQUIRY DEADLINE: 4/30/2019  
INQUIRY ANSWER DEADLINE: 5/7/2019  
RESPONSES TO RFP DUE: 5/14/2019

SUBMIT ALL PROPOSALS TO:  
City Clerk's Office of Jackson—RFP  
219 South President Street 1st Floor  
Jackson MS 39201  
Print On Outside Envelope:  
Company Name with Return Address  
RFP: Parking Meter Project

CONTACT:  
Jordan Rae Hillman, Deputy Director, City Planning  
Department of Planning and Development  
Office of City Planning  
PO Box 17  
Jackson, MS 39205  
Telephone: (601) 960-2004  
Email: [jhillman@jacksonms.gov](mailto:jhillman@jacksonms.gov)  
[www.jacksonms.gov](http://www.jacksonms.gov)

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## 1 General Information

The City of Jackson (“City”) is seeking to complete a single spaced smart parking meter system complete with associated software, data, support, training, and maintenance. Meter solutions with the ability to be retrofitted to existing housings are preferred. The Vendor may offer any additional or related services that may complement the core Vendor Services that are the purpose of this procurement process.

The City currently operates a single head meter program with approximate 1,161 meter heads. The majority of the meters in operation are Duncan models from the early 1990’s. The City currently has a maintenance staff of two individuals who maintain the meters and empty the coin boxes. The current system does not utilize a data management system. The City currently utilizes two enforcement officers for its parking zone enforcement. The officers do not use a parking enforcement management software, however they are equipped with a Brazos Electronic Citation solution with mobile ticket printing capabilities.



The current meter program operates on a fixed rate price structure with time-limited occupancy of 15 Minute, 1-Hour, and 2-Hour increments. The City desires to utilize other pricing structures in the future, including demand-based, progressive, and special event pricing.

The City desires to purchase meters in multiple phases, beginning with an initial pilot project purchase. The pilot will include purchase of approximately 100-150 meters. Future phases will include purchase of the remaining meters until all meters have been replaced.

## 2 Proposal Submission Procedures

Proposers shall submit one (1) original signed, six (6) copies and one (1) electronic (thumb drive w/ pdf) copy of their response. For this RFP, all responses will be received by the Office of the City Clerk until 3:30 p.m., Central Time on **May 14, 2019**. Electronic responses can be submitted at [www.centralbidding.com](http://www.centralbidding.com). For any questions relating to the electronic submission process, please call Central Bidding at 225-810-4814. Prospective proposers should notify [jhillman@jacksonms.gov](mailto:jhillman@jacksonms.gov) to be added to the list to receive written addendum and inquiry responses.

Submissions shall be addressed to:

City Clerk's Office of Jackson—RFP  
219 South President Street 1st Floor  
Jackson MS 39201

Print On Outside Envelope:

Company Name with Return Address  
RFP: Parking Meter Project

### **3 Inquiries**

Any inquiries, requests for an interpretation or comments regarding the RFP must be submitted by email no later than 3:30 p.m., Central Standard Time, **April 30, 2019**. Questions and comments will not be responded to over the telephone. Responses to inquiries and comments will be emailed to all solicitors after receipt of said questions or request for an interpretation or comments by the City by **May 7, 2019**. Proposers shall rely only on written addenda provided by the City in submitting proposals.

Inquiries shall be directed to:

Jordan Rae Hillman, Deputy Director of City Planning  
Department of Planning and Development  
Telephone: (601) 960-2004  
Email: [jhillman@jacksonms.gov](mailto:jhillman@jacksonms.gov)

### **4 Proposal Costs**

Those submitting proposals do so entirely at their expense. There is no expressed or implied obligation by the City to reimburse any individual or firm for any costs incurred in preparing or submitting proposals, providing additional information when requested by the City, or for participating in any selection interviews.

### **5 Reservation of Rights**

The City's rights include, but are not limited to, the following:

- Issuing addendum to the RFP, including extending or revising the time line for submittals.
- Withdrawing, reissuing, or modifying the RFP.
- Requesting clarification and/or additional information from any PROPOSER at any point in the procurement process.
- Executing an Agreement with a PROPOSER on the basis of the original response and/or any other information submitted by the PROPOSER during the procurement process.
- Rejecting any or all Proposals, waiving irregularities in any Proposals, accepting or rejecting all or any part of any Proposals, waiving any

requirement of the RFP, as may be deemed to be in the best interest of the City.

- City reserves the right to audio and video record any and all live meetings, including conference and interviews, with potential and actual PROPOSERS and staff during any and all phases of this RFP process.

## **6 Errors in Proposals**

Respondents are expected to fully inform themselves as to the conditions, requirements, and specifications before submitting their response to this RFP. Failure to do so will be at the respondent's risk. In case of an error in extensions or pricing in the proposal, the unit price provided shall govern. It is the sole the responsibility of the respondent to insure that its response arrives at the proper place and time as required in the RFP. Late submissions will not be accepted. The City reserves the right to reject any incomplete or deficient proposals.

## **7 Scope of Work**

The Scope of Work includes, but is not limited to the purchase in Pilot Phase I of 100-150 Single Head Smart Meters, and in a later Phase II the purchase of 1,011-1,061 additional Single Head Smart Meters and associated data management software, data services, support, training, and maintenance.

The vendor is not expected to install smart meters. City staff will perform installation work. Vendor is expected to commission and implement data management system setup. Vendor is expected to provide staff training for installation and maintenance of meters.

Service, supplies, and equipment to be provided by the vendor include, but are not limited to the following:

- Materials and supplies
- Any propriety tools need to install meter system.
- Software installation
- System commissioning
- Credit Card Setup
- Training of City staff on operation and maintenance of the meters.
- Integration of financial software
- On-going customer service

### **7.1 Pilot Phase I**

Capitol Street is currently part of the existing downtown meter zone. It is expected that the majority of the meters on Capitol Street can be retrofitted with new heads to fit existing housing and poles. Those with failed housing and poles will need to be replaced entirely. There are approximately 150 meter heads in the Phase 1 area.



## 8 Additional Services

The Vendor may offer any additional or related services that may complement the core Scope of Work that is the purpose of this procurement process. The Vendor should specifically address smart token/cards, enforcement software, enforcement support accessories, and any other features and capabilities that the Vendor wishes to provide.

### 8.1 Future Phases

At the completion of a successful pilot phase that generates sufficient revenue, the remaining 1,011-1,061 meters in the system will be converted. The Vendor should offer a price for purchase of additional future phases based on a fixed rate, quantity break rate, or set commodity index.

## 9 Executive Summary

Describe your understanding of the project and a description of the process/approach to be used, including, but not limited to:

- Proposed equipment and software.
- Proposed project schedule
- Customer support
- Proposed warranty language
- Training programs
- Any additional information as may be pertinent to provide the City with adequate information as to the proposer's ability to furnish the materials and services provided herein.

## 10 Vendor Profile and References

Submit a brief history of the firm's qualifications and experience, including that of project team members. Identify all members of the proposer's project team that will be involved in the installation, maintenance, commissioning and training of the system.

Provide at least five (5) references of current clients of similar scope with the proposal. Include name, title, address, phone number and email of contact person.

## **11 Technical Requirements**

### **11.1 Hardware**

#### **11.1.1 Single Space Meter Solution Configuration**

- Technology for inventory, maintenance and remote auto-configuration purposes.
- Support for retrofits into existing single space meter housings is desirable, but not required. Existing meter stock is Duncan.
- Supports cellular network communications and wirelessly communicates in real-time to vendor-hosted back office software system using a cellular network.
- Easy to see and varied colored lights to provide a visual indication of parking paid status and fault status.
- Support pushing of mobile payments to the meter display within several seconds of purchase is desirable.
- Support for Occupancy Sensors integration.

#### **11.1.2 Graphic Display**

- Display shall be easily readable by users and allow for customized inputs.
- Display shall be securely protected under a traditional single-space meter housing dome or similar protection integrated into the design.
- Display shall feature a readable display capable of displaying lines of text in all lighting conditions.
- The displays must be remotely programmable via web-based meter management system, such that the staff is not required to be present at the meter for changes to be made.
- For increased visibility in low-light conditions, the display shall be backlit. The backlight will be enabled automatically via light sensitivity.
- Shall be able to operate without failure under weather conditions that are typical year-round to the region, including, but not limited to, humidity, snow, sleet, rain, road grime, street vibrations, and extreme temperature variations.
- Shall include a user-friendly keypad for operations.

#### **11.1.3 Payment Options**

- Shall have the ability to accept coins, credit cards, debit cards, smart cards, and pay-by-mobile-phone payments.
- Support of NFC and EMV payment options are desirable
- Shall feature advanced coin track sensors for self-calibration and detection of nonmetallic items and other foreign objects.
- The coin chute shall be easily and quickly field serviceable
- The meter shall come with a “test card” for maintenance staff to determine if the card reader is functioning properly



#### **11.1.4 Card Reader**

- Credit card data transmission shall meet current Payment Card Industry Security Standards Council (PCI SSC) Data Security Standards and any other payment standards or criteria.
- The Vendor shall provide evidence of PCI SSC certifications and compliance.
- Card slot shall be functional in all weather, including rain, snow, freezing temperatures, and shall not be disabled by water or other liquids.
- Have the capability of accepting all credit and debit payment card options.
- Capability of supporting NFC and EMV payment options are desirable.
- Mechanism shall default to “Coin-Only” condition whenever card payments are unavailable and vice-versa, along with an alert/alarm.
- The time/amount the meter defaults to upon insertion and removal of a credit card shall be user-defined.
- User shall be able to increase/decrease the amount of parking time/amount being requested.
- The card reader shall be designed to be internal to the meter mechanism.

#### **11.1.5 Power System**

- Battery packs shall have a proven long-term life expectancy. Expected number of years of life for the battery packs as well as warranty length shall be included in the proposal submittals.
- Integrated solar power system is highly desirable.
- Rechargeable batteries, if used, must have a warranty. Vendor shall specify warranty length.
- All batteries shall be easily replaceable.
- Mechanism shall retain configuration data during battery removal and or exchange.

#### **11.1.6 Internal Time Keeping**

- Mechanism shall include a real-time clock.
- Mechanism shall be fully programmable for automatic daylight saving time change.
- Mechanism shall support automated linear and complex rate structures.

#### **11.1.7 Inventory of Parts**

- The Vendor must provide a detailed list of inventory supplies and cost of each part in the proposal, along with the estimated delivery time. The list should also include the recommended number of parts the City should have in its inventory, for each part, per meter.

### **11.2 Software – Back End**

The Vendor shall provide a comprehensive vendor hosted or cloud-based back office software system. Vendor will confirm their compliance and describe their proposed solution as it relates to the following back office software requirements:

- Back office software shall be fully hosted by the Vendor with secured user access.

- Back office software will provide one common backend platform to manage, control and report on all aspects of the meters, Mobile Pay solutions and other optional components. Describe the ability of the system to integrate with current on-street metered system.
- Software shall support reporting of cash box status and revenue collection reporting, alarm status and operation status listing.
- Software that supports exporting financial data to Tyler Munis Finance system or can be configured to produce reports that can be imported to Tyler Munis.
- Data shall be available 24 hours a day, 7 days a week, 365 days a year.
- Back office software shall provide for real-time alarm and status reporting for system monitoring and maintenance.
- Back office software shall provide for remote meter configuration, updates, and rate programming.
- Spatial data, such as that in a back-end mapping system shall be exportable into a shapefile, geodatabase or similarly, ESRI compatible format for allowed use in the City's GIS system is desirable.
- Reporting should include pre-defined reports as well as customizable and/or users defined reporting capability and have the ability to be scheduled.
- Back office system shall provide a variety of exportable reports to include financial, technical, and administrative functions via a single web-portal.
  - Credit card reconciliation (daily, weekly, monthly, annually)
  - Cash collection reports (by date, time, meter/space, and collector)
  - Revenue Summary reports (daily, weekly, monthly, annually, by zone, route, street/block-face or meter/space)
  - Coin box level (% full)
  - Individual transactions (cash or credit) by meter/space
  - GPS or x/y coordinate location of meters on a map in a projection that can be aligned with City data is desirable
  - Meter uptime (over time, by zone, street/block-face, and meter/space)
  - Meter paid occupancy reports
  - Accumulative totals of all cash and card transactions
  - Exception reports for units not performing as required (communications or payment faults)
- Access to help materials, videos and user manuals shall be available online

## 12 Project Management and Implementation Requirements

- The Vendor shall provide a structured approach, written plan and specific schedule for project implementation.
- The Vendor shall provide and support a comprehensive training program for all user levels including meter repairs and maintenance as well as complete hardware and all software system management, configurations and reporting.
- The Vendor shall provide the required staff, management, and supervision necessary to successfully fulfill the contract.
- The Vendor should identify any annual software system maintenance service contract costs along with the associated scope of services for that contract.

## 13 Ongoing Support Services Requirements

The Vendor shall describe its solution, including all fees, for the provision of ongoing system administration including, but not limited to:

- Backup and restart capabilities
- Configuration management (devices, management system, and related equipment)
- System and data security management
- Replacement devices
- Spare parts
- System upgrades and enhancements
- Customer service
- Staff training
- Product lifecycle
- Warranty
- Maintenance

## 14 Optional Products and Services

The Vendor may offer any additional or related services that may complement the core Vendor Services that are the purpose of this procurement process. The Vendor should specifically address:

- Mobile Payment Applications
  - Ability to use wireless connectivity to push mobile payments to the meter within several seconds of purchase. Proposal should provide the name of the mobile application vendor (if self or 3rd party), implementation and ongoing costs related to service, and any other pertinent information with regards to implementation.
- Smart Card/Token Options
  - With the ability to report into the back-office software.
- Enforcement Management or Enforcement Accessories
- Occupancy Sensors
- Other features and capabilities that the Vendor wishes to provide

## 15 Demonstration Unit

The vendor shall provide a meter demonstration unit. This unit will be test installed on existing housing to evaluate ease of installation. This unit will also undergo typical maintenance activities and be evaluated for ease of maintenance. The vendor should provide any documentation or videos required to guide staff through installation and typical maintenance activities. City staff will perform installation and first line maintenance on the new meters.

## 16 Cost Proposal

The City intends to award this Contract to the firm that it considers will provide the best overall value. The City reserves the right to accept Proposals other than the lowest

priced offer and to reject any Proposals that are not responsive to this request. The Cost Proposal Form is provided in Attachment A. Cost proposal should be formatted in the style of the Cost Proposal Form.

Proposers must quote firm, fixed, rate for all services identified in this request for proposal. No other costs will be accepted.

Pricing shall include:

All terms and conditions related to the purchase and delivery of:

- A minimum of 100 single space smart meters for pilot with option to purchase additional 1,061 units in future phases.
- Pricing for additional years shall be provided as fixed rate, quantity break price, or based on an identified commodity index.

All terms and conditions related to the purchase, setup, training, and implementation of:

- Data Management System
- Options Additional Services
- Data Fees

## 17 Evaluation of Proposals

At its discretion, the City may require any vendor to make an oral presentation of their proposal to provide a demonstration of the products present in their proposal, highlight significant information in their proposal, and respond to questions about their proposal. These presentations provide an opportunity for the vendor to clarify the proposal for the City. The City will schedule any such presentations or requests for information. The information presented by the proposer shall be limited to the products presented in their written proposal.

Once the proposals are opened, each will be evaluated in accordance with the criteria stipulated in this RFP. The City, sole judge in evaluation considerations, may make an award to the vendor(s) who submit the proposal judged by the City to be the best value. The City anticipates awarding one contract only. A recommendation will be presented to the City Council which conforms to all requirements herein and whose award will be in the best interest of the City. The City reserves the right to award on an all-or-none basis. The award will only be offered to responsible vendor(s) qualified by experience to perform the services specified herein. All proposals submitted shall be valid for a period of one hundred eighty (180) calendar days from the date of proposal opening.

## 18 Evaluation Criteria

Submissions will be evaluated based on the following criteria:

General Proposal Quality

- Executive Summary
- See Section 9

• Qualifications and References	See Section 10
• Proposal Format Requirements	See Section 19
Technical Requirements	See Section 9
Project Implementation Requirements	See Section 12
Ongoing Support Services Requirements	See Section 13
Demonstration Unit	See Section 15
Cost Proposal	See Section 16

## 19 Proposal Format

To simplify the evaluation process, the Vendor's proposal shall be submitted in the format outlined below:

1. **Letter of Transmittal:** The proposal letter shall be addressed to the Contact listed and shall include the complete name of the firm or person(s) submitting the proposal, the main office address, primary contact person's name, title, telephone number, email as well as a signature of representative legally authorized to bind the proposal.
2. **Executive Summary:** Describe your understanding of the project and a description of the process/approach to be used, including, but not limited to:
  - Proposed equipment and software.
  - Proposed project schedule
  - Customer support
  - Proposed warranty language
  - Training programs
  - Any additional information as may be pertinent to provide the City with adequate information as to the Bidder's ability to furnish the materials and services provided herein.
3. **Vendor Profile and Qualifications:** Submit a brief history of the firm's qualifications and experience, including that of project team members. Identify all members of the proposer's project team that will be involved in the installation, maintenance, commissioning and training of the system.
4. **References:** Provide at least five (5) references of current clients of similar scope with the proposal. Include name, title, address, phone number and email of contact person.
5. **Technical Requirements:** Provide response to each technical requirement listed in the Technical Requirements section.

- 6. Project Management and Implementation Requirements:** Provide a written plan documenting proposer approach to the project implementation as outlined in Project Management and Implementation Requirements.
- 7. Ongoing Support Services Requirements:** Provide a response to the listed Ongoing Support Services Requirements section.
- 8. Optional Products and Services:** Provide a response for any option products and services provided by the vendor according to the Optional Products and Services section.
- 9. Demonstration Unit:** Provide a demonstration unit for hands on evaluation and any documentation needed for maintenance staff to evaluate as outlined in the Demonstration Unit section.
- 10. Cost Proposal:** Please provide costs for products and services offered in the proposal according to Cost Proposal section guidance using the sample format in the Cost Proposal Form.
- 11. Example Contract:** Please provide example/boilerplate contract(s) that will be used to negotiate the proposed solution.
- 12. Additional Information:** Please provide any other information you feel is important for consideration in the City's evaluation of proposals.
- 13. Equal Business Opportunity (EBO) Plan Application/Waiver Request:** Vendors must complete and include the EBO Plan Application or a Waiver Request.

## **20 Equal Business Opportunity (EBO) Plan Application**

It is the City of Jackson's policy that all companies participating in the City's procurement process submit a completed Equal Business Opportunity (EBO) Plan Application. The EBO Plan Application/Waiver Request on your project team must be submitted with this proposal.

The City of Jackson is committed to the principle of non-discrimination in public contracting. It is the policy of the City of Jackson to promote full and equal business opportunity for all persons doing business with the City. The company selected for this project shall submit a completed and signed Equal Business Opportunity (EBO) Plan Application at the time of selection, in accordance with the provisions of the City of Jackson's Equal Business Opportunity (EBO) Ordinance. Failure to comply with the City's ordinance shall disqualify a contractor, bidder or offeror from being awarded an eligible contract.

For more information on the City of Jackson's Equal Business Opportunity Program, please contact the Office of Business Development at 601-960-1638. Copies of the EBO Ordinance, EBO Plan Application and M/FBE Directory are available at 200 South President Street, Second Floor, Jackson, Mississippi.

**Attachments**

- Attachment A: Cost Proposal Form Example
- Attachment B: EBO Plan Application

## Attachment A: Cost Proposal Form: Single Space Smart Meters

Cost to the City: Contractor must quote firm, fixed, rate for all services identified in this request for proposal. Please format cost proposal like the table below and provide responses to all items in the table. Additional and other items can be added under other.

Item	Est. Quantity	Unit Price/Ea	Total Price	Warranty Type
<b>Hardware</b>				
Single Space Smart Meter				
Keys				
Parking Meter Post				
Parking Meter Housing – Single Head				
Yoke for double mount meter				
Pole/Dome Mount Sensor				
Decorative Meter Post				
<b>Operational Cost</b>				
Wireless communication per meter/per month				
Software License per meter/per month				
Pay by Phone				
<b>Transaction Fees</b>				
Gateway fees (fixed fee, per transaction. Applies to single-space meter and off-street multi-space meter)				
Credit card processing, processor markup (per transaction) Please include pricing for all possible fee structures, such as fixed fee, percentage, or a combination.				
<b>Additional Parts</b>	Attach list of all maintenance and repair parts with prices.			
<b>Training</b>	Attach list of training costs.			
<b>Additive Option-- Parking Enforcement Management Solutions</b>	Attach list of enforcement solutions including software, hardware, and licensing, and set up. For all equipment, software, hardware, licensing that make up the additive option, include Estimated Quantity, Unit Price/Each, Total Price, and Warranty Type			
<b>Other</b>	Any additional pricing and options not previously mentioned.			



**CITY OF JACKSON, MISSISSIPPI**

**Chokwe A. Lumumba  
Mayor**

**EQUAL BUSINESS OPPORTUNITY (EBO)  
PLAN APPLICATION**

Department of Planning and Development  
Division of Equal Business Opportunity

200 South President Street  
Jackson, Mississippi 39205-0017  
(601) 960-1856

**CITY OF JACKSON, MISSISSIPPI**  
**EQUAL BUSINESS OPPORTUNITY EXECUTIVE ORDER**

***LEGAL NOTICE***

The City of Jackson is committed to the principle of non-discrimination in public contracting. It is the policy of the City of Jackson to promote full and equal business opportunity for all persons doing business with the City. As a pre-condition to selection, every contractor, bidder or offeror shall submit a *completed and signed* Equal Business Opportunity (EBO) Plan Application with the bid submission, in accordance with the provisions of the City of Jackson's Equal Business Opportunity (EBO) Executive Order. Failure to comply with the City's executive order shall disqualify a contractor, bidder or offeror from being awarded an eligible contract.

For more information on the City of Jackson's Equal Business Opportunity Program, please contact the Division of Equal Business Opportunity at 960-1856. Copies of the EBO Executive Order, EBO Plan Application, EBO Program, the MBE/FBE Directory and the MBE/FBE Certification Affidavit are available at 200 South President Street, Suite 223, Jackson, Mississippi.



(EBO FORM 6-1-00)

**EQUAL BUSINESS OPPORTUNITY  
SPECIAL NOTICE TO BIDDERS**

**POLICY**

The City of Jackson is committed to the principle of non-discrimination in public contracting. Therefore, the City of Jackson requests that prospective vendors and contractors carefully examine their method of selecting subcontractors and suppliers, to ensure that they are not either actively, or passively, discriminating against MBEs and FBEs. As a bidder seeking to do business with the City of Jackson, you are expected to adhere to a policy of non-discrimination, and to make the maximum practicable effort to ensure that historically underutilized firms are given an opportunity to participate in the performance of contracts financed in whole, or in part, with city funds.

**DEFINITIONS**

For purposes of this policy, the following definitions will apply:

- (1) **“African American Business Enterprise (AABE)”** shall mean a business that is an independent and continuing enterprise for profit, performing a commercially useful function and is owned and controlled by one or more African Americans, and certified as such by the Division of Business Development.
- (2) **“Asian American Business Enterprise (ABE)”** shall mean a business that is an independent and continuing enterprise for profit, performing a commercially useful function and is owned and controlled by one or more Asian Americans, and certified as such by the Division of Business Development.
- (3) **“Hispanic Business Enterprise (HBE)”** shall mean a business that is an independent and continuing enterprise for profit performing a commercially useful function and is owned and controlled by one or more Hispanics, as defined in section 127-4 (7), and certified as such by the Division of Business Development.
- (4) **“Minority Business Enterprise (MBE)”** shall mean a business which is an independent and continuing operation for profit, performing a commercially useful function, and is owned and controlled by one or more minority group members, as defined in Sections 1, 2 and 3, which group has been determined to have suffered discrimination requiring amelioration and is certified as such by the City.
- (5) **“Female Business Enterprise (FBE)”** shall mean a business that is an independent and continuing enterprise for profit, performing a commercially useful function and is owned and controlled by one or more females, and certified as such by the Division of Business Development.

## **OBLIGATION**

*The Contractor and any Subcontractor shall take all necessary and reasonable steps to ensure that MBEs and FBEs have a maximum opportunity to compete for and participate in the performance of any portion of the work included in this contract and shall not discriminate on the basis of race, color, national origin or sex. If it is determined that there is a significant underutilization of MBEs and FBEs, the Equal Business Opportunity Officer is empowered, pursuant to section 127-8 of the Equal Business Opportunity Executive Order, to conduct an investigation to determine the reasons for the underutilization.*

## **GOALS**

The goals for participation by MBEs and FBEs are established by the Equal Business Opportunity Executive Order of the City of Jackson. The Contractor shall exercise all necessary and reasonable steps to ensure that participation meets or exceeds the contract goals. The goals may be attained by subcontracting to, procuring materials from, and renting equipment from MBEs and FBEs. (See Subcontractor/Supplier Participation guidelines below.)

***The Equal Business Opportunity participation goals are as follows:***

<b>PROCUREMENT CATEGORY</b>	<b>Asian (ABE)</b>	<b>African- American (AABE)</b>	<b>Hispanic (HBE)</b>	<b>Native American (NABE)</b>	<b>Female (FBE)</b>
<b>A/E &amp; Professional Services</b>	<b>0.16</b>	<b>8.67</b>	<b>0.00</b>	<b>0.00</b>	<b>1.96</b>
<b>Construction</b>	<b>0.00</b>	<b>12.41</b>	<b>0.37</b>	<b>0.00</b>	<b>4.89</b>
<b>Goods &amp; Non-Professional Services</b>	<b>0.04</b>	<b>6.78</b>	<b>0.02</b>	<b>0.00</b>	<b>3.03</b>

Those portions of the contract that are proposed for MBEs and FBEs in the response to this bid shall be listed on the attached Equal Business Opportunity Plan Application.

For specific information about the Equal Business Opportunity Plan, please contact the Office of Economic Development at (601) 960-1856.

\*Non-white female firms cannot be utilized twice on the EBO plan even though those firms can be certified as either ABE, AABE, HBE, NABE, FBE or both. The firm can only be utilized in one category to fulfill the minority participation goals on the EBO Plan.

Contractors may employ AABEs, HBES, ABEs or FBEs to meet the applicable project goals through various methods, as follows:

**A. Subcontractor Participation**

**(i) Where a prime contractor utilizes one or more subcontractors to satisfy its equal business opportunity commitment, the prime contractor may count toward its EBO Plan only expenditures to MBE (AABE, HBE, or ABE) or FBE contractors that perform a commercially useful function in the work of the contract.**

(ii) An MBE or FBE subcontractor is considered to perform a commercially useful function when it is responsible for execution of a distinct element of the work of a contract and carries out its responsibilities by actually performing, managing and supervising the work involved. In determining whether an MBE or FBE subcontractor, is performing a commercially useful function, factors, including but not limited to the following, will be considered:

(a) the amount of work subcontracted;

(b) the type of prime contract;

**(c) whether the business has the skill and expertise to perform work for which it is being/has been certified;**

**(d) whether the business actually performs, manages and supervises the work for which it is being/has been certified; and**

**(e) whether the business purchases goods and/or services from a non-minority/women business enterprise and simply resells goods to the city, city contractor, or other person doing business with the city for the purpose of allowing those goods to be counted towards fulfillment of minority/women\*s business enterprise utilization goals.**

(f) standard industry practices.

(iii) Consistent with standard industry practices, an MBE or FBE subcontractor may enter into second tier subcontracts. If an MBE or FBE subcontractor subcontracts a significantly greater portion of the work of its subcontract to a non-minority, non-female owned firm than would be expected on the basis of standard industry practices, it shall be presumed that the MBE or FBE subcontractor is not performing a commercially useful function.

**B. Suppliers Participation**

Where a prime contractor utilizes one or more suppliers to satisfy its EBO commitment, in whole or in part, the MBE or FBE supplier participation may be credited towards the applicable goal as follows:

**(i) 100 percent of the contract amount for MBE or FBE suppliers who manufacture the goods supplied.**

(ii) 100 percent of the contract amount for MBE and FBE suppliers who are wholesalers warehousing the goods supplied or who are manufacturers' representatives, provided that only 25 percent of the applicable MBE or FBE goal may be attained by non-manufacturing supplier contracts to MBEs or FBEs.

(iii) For those contracts where an extraordinarily large proportion of the contract price is for equipment or supplies, a lower project goal may be set than otherwise would be required, or the 25 percent limit for suppliers may be increased, or a combination of these two methods may be utilized.

C. Joint Ventures and Mentor-Protégé Programs

(i) The Division of Equal Business Opportunity shall encourage, where economically feasible, the establishment of joint ventures and mentor protégé programs to ensure prime contracting opportunities for African American, Hispanic, Asian American, Native American and Female Business Enterprises on all eligible projects over \$3,000,000.00. Even if the prime itself is a MBE, joint venture between prime contractors and MBEs shall be required on all projects exceeding three million dollars (\$3,000,000.00).

(ii) Where a contractor engages in a joint venture to satisfy its Equal Business Opportunity Commitment, the Equal Business Opportunity Officer shall review and approve all contractual agreements regarding:

- (a) The initial capital investment of each venture partner;
- (b) The proportional allocation of profits and losses to each venture partner;
- (c) The sharing of the right to control the ownership and management of the joint venture;
- (d) Actual participation of the venture partners in the performance of the contract;
- (e) The method of and responsibility for accounting;
- (f) The methods by which disputes are resolved; and
- (g) Other pertinent factors of the joint venture.

On the basis of these factors, the Equal Business Opportunity Officer shall determine the degree of AABE, HBE, ABE, or FBE participation resulting from the joint venture that may be credited towards the applicable EBO goals of the project.

**The bidder or offeror shall provide the Equal Business Opportunity Officer access to review all records pertaining to joint venture agreements before and after the award of a contract reasonably necessary to assess compliance with this policy.**

The Equal Business Opportunity Program also encourages Mentor-Protégé programs to assist African American, Hispanic, Asian American, and Female business enterprises in financing, bonding, construction management and technical assistance. Mentor-Protégé agreements will be reviewed by the Equal Business Opportunity Officer for final approval of the following terms of each agreement:

- (a) type of technical assistance to be provided by mentor;
- (b) rights and responsibilities of each mentor and protégé contracting activity;
- (c) the specific duration of the agreement;
- (d) the amount of participation by the protégé that may be credited toward the applicable EBO goal.

## **EQUAL BUSINESS OPPORTUNITY PLAN**

In accordance with Section IV of the City of Jackson's Equal Opportunity Executive Order No. 2015-3, each contractor, bidder or offeror shall submit a completed and signed Equal Business Opportunity Plan with bid submission. Such plan should be titled **AEqual Business Opportunity Plan (EBO Plan)@** and should include the following:

- A. Names, addresses and contact persons of each African American Business Enterprise, Asian Business Enterprise, Hispanic Business Enterprise, and Female Business Enterprise to be used in the contract.
- B. The type of work or service each African American Business Enterprise, Asian Business Enterprise, Hispanic Business Enterprise, and Female Business Enterprise will perform.
- C. The dollar value of the work or service to be performed by each African American Business Enterprise, Asian Business Enterprise, Hispanic Business Enterprise, and Female Business Enterprise.
- D. Scope of the work to be performed by each African American Business Enterprise, Asian Business Enterprise, Hispanic Business Enterprise, and Female Business Enterprise.

### **Waiver**

If the EBO Plan does not meet the project goals, the bidder or offeror must seek a partial or total waiver of the project goals. The application for waiver of all or part of the project goals must include full documentary evidence of the bidder\*s or offeror\*s good faith efforts (*see EBO Plan Application*) to meet the project goals and why the request for waiver should be granted. The application shall be in writing and submitted as a part of the bid or offer. It should include a narrative, affidavits and/or exhibits which verify the actions taken by the bidder or offeror to meet the goals.

### Replacement

**If a MBE/FBE Subcontractor cannot perform satisfactorily, the Contractor shall take all necessary reasonable steps to replace the Subcontractor with another MBE/FBE Contractor. All MBE/FBE replacements must be approved by the EBO Review Committee and the Department. (See *EBO Plan Application*)**

To demonstrate necessary reasonable efforts to replace any Subcontractor that is unable to perform successfully, the Contractor must document steps taken to subcontract with another MBE/FBE Contractor.



**CITY OF JACKSON, MISSISSIPPI**  
**EQUAL BUSINESS OPPORTUNITY PLAN**  
**APPLICATION**

I. CompanyName: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

Telephone: ( \_\_\_\_\_ ) \_\_\_\_\_

E-mail: \_\_\_\_\_

Company Name: \_\_\_\_\_

II. Bid Name and Number: \_\_\_\_\_

III. PROPOSED MINORITY AND/OR FEMALE SUBCONTRACTORS: (*SEE ATTACHMENTS*)

*If a prime contractor utilizes one or more suppliers to satisfy its EBO commitment, all MBE or FBE supplier participation will be credited in accordance to Section VI of the EBO Executive Order No. 2014-3.*

IV. Total Bid Amount: \$ \_\_\_\_\_

V. WAIVER REQUESTED *(If you fail to meet either or all of the EBO Participation Goals, check this box and follow the directions below to provide the required \*WAIVER STATEMENT\*. The "Waiver Statement" should be submitted on company letterhead to the EBO Officer.)*

\* The bidder/offeror shall provide the following as evidence of its good faith efforts and will be evaluated on the same:

(a) Copies of written notification to MBEs and FBEs soliciting their participation as a subcontractor.

(b) **Evidence of efforts made to divide the work into economically feasible units in order to increase the likelihood of meeting the EBO participation goals.**

(c) **Evidence of efforts made to negotiate with MBEs and/or FBE, including, at a minimum:**

1. The names, addresses, and telephone numbers of the MBE and FBEs who were contacted.
2. A description of the information provided to MBEs and FBEs regarding the plans and specifications for portions of the work to be performed.
3. A statement of reasons why additional agreements with MBEs and FBEs, if needed to meet the stated goals, were not reached.
4. Evidence of efforts made to assist the MBEs and FBEs contacted who need assistance in obtaining bonding and insurance which the bidder or offeror requires.
5. For each MBE and FBE contacted which the bidder or offeror considered to be not qualified, include a written statement of the reasons for the bidder's or offeror's conclusion.
6. Written proposals solicited from all MBEs and FBEs seeking subcontract work with Prime Contractors at the time of the bidding.
7. A statement with supporting documentation and affidavits indicating whether the offeror has used MBEs and/or FBEs as joint venture partners or subcontractors in past or present private sector contracts in Jackson.

*\*If you are unable to locate an MBE/FBE, please contact the Business Development Division at (601) 960-1856.*

VI. Minority and Female Business Enterprise Actual Participation for this Bid/Offer/Quote:

*(\* Please list your MBE and FBE Project Participation percentages (%) in the Table below.)*

PROCUREMENT CATEGORY	Asian (ABE)	African- American (AABE)	Hispanic (HBE)	Native American (NABE)	Female (FBE)
A/E & Professional Services					
Construction					
Goods & Non-Professional Services					

VII. REPLACEMENT OF MBE/FBE

If an MBE or FBE is not performing satisfactorily, it is the responsibility of the Prime Contractor to notify the EBO Office immediately both in writing and by phone. All MBE/FBE replacements must be approved by the Equal Business Opportunity Review Committee (EBORC). If these steps are not taken this will result in penalties as outlined in Section XI of the EBO Executive Order No. 2015-3

VIII. CERTIFICATION

**I certify, under penalties of perjury, that the information contained in this Equal Business Opportunity Plan Application is true and accurate to the best of my knowledge, and that my company fully intends to utilize all MBEs and FBEs listed if awarded the proposed project and/or service and abide by all EBO guidelines.**

\_\_\_\_\_  
*Authorized Signature and Title*

\_\_\_\_\_  
*Date*

PRINT "AUTHORIZED" NAME HERE: \_\_\_\_\_

**EQUAL BUSINESS OPPORTUNITY PLAN APPLICATION -- ATTACHMENT**  
**Proposed Minority/Female Business Enterprise Firms**

Company Name: \_\_\_\_\_ Type Trade/Business: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

*Type Minority Business (MBE/FBE):*

- \_\_\_\_\_ Female (FBE)
- \_\_\_\_\_ African-American (AABE)
- \_\_\_\_\_ Asian (ABE)
- \_\_\_\_\_ Hispanic (HBE)
- \_\_\_\_\_ Native American (NABE)

*Type Minority Business (MBE/FBE) Involvement:*

\_\_\_\_\_ Subcontractor                      \_\_\_\_\_ Supplier  
\_\_\_\_\_ Joint Venture                      \_\_\_\_\_ Mentor-Protégé

Type Work or Service to be Performed: \_\_\_\_\_

Scope of Work to be Performed: \_\_\_\_\_

Dollar Value of the Work to Be Performed by the Minority Business (MBE and/or FBE): \$ \_\_\_\_\_

Percentage of MBE and/or FBE Participation: \_\_\_\_\_ %

Company Name: \_\_\_\_\_ Type Trade/Business: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

*Type Minority Business (MBE/FBE):*

- \_\_\_\_\_ Female (FBE)
- \_\_\_\_\_ African-American (AABE)
- \_\_\_\_\_ Asian (ABE)
- \_\_\_\_\_ Hispanic (HBE)
- \_\_\_\_\_ Native American (NABE)

*Type Minority Business (MBE/FBE) Involvement:*

\_\_\_\_\_ Subcontractor                      \_\_\_\_\_ Supplier  
\_\_\_\_\_ Joint Venture                      \_\_\_\_\_ Mentor-Protégé

Scope of Work to be Performed: \_\_\_\_\_

Dollar Value of the Work to Be Performed by the Minority Business (MBE and/or FBE): \$ \_\_\_\_\_

Percentage of MBE and/or FBE Participation: \_\_\_\_\_%

Company Name: \_\_\_\_\_ Type Trade/Business: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

**Type Minority Business (MBE/FBE):**

- \_\_\_\_\_ Female (FBE)
- \_\_\_\_\_ African-American (AABE)
- \_\_\_\_\_ Asian (ABE)
- \_\_\_\_\_ Hispanic (HBE)
- \_\_\_\_\_ Native American (NABE)

**Type Minority Business (MBE/FBE) Involvement:**

_____ Subcontractor	_____ Supplier
_____ Joint Venture	_____ Mentor-Protégé

Type Work or Service to be Performed: \_\_\_\_\_

Scope of Work to be Performed: \_\_\_\_\_

Dollar Value of the Work to Be Performed by the Minority Business (MBE and/or FBE): \$ \_\_\_\_\_

Percentage of MBE and/or FBE Participation: \_\_\_\_\_%