Department of Administration

200 South President Street
Post Office Box 17
Jackson, Mississippi 39205-0017

November 13, 2019

NOTICE TO DEALERS IN POLICE CAR ACCESSORIES:

DUE DATE & WHERE

Sealed, signed bids are invited and will be received by the City of Jackson, Mississippi, until 3:30 P.M. in the City Clerk's Office. **The bid must be stamped in by 3:30 P.M., Tuesday, December 10, 2019**, at which time said bids, will be publicly opened at the City Hall located at 219 S. President Street, Jackson, MS 39201 for the following:

Twenty-Four Month Supply of Barlights, Electronic Sirens, Switch Boxes, Speakers, Communication Organizers and Security Screens

Term: January 1, 2020 through December 31, 2022

See attached Specifications/Descriptions

SPECIFICATION QUESTIONS

For additional information regarding specifications contact: Detective Marcus Williams, Fleet Manager, City of Jackson Police Department, (601) 960-1337.

EBO REQUIRED

The City of Jackson is committed to the principle of non-discrimination in Public Purchasing. It is the policy of the City of Jackson to promote full and equal business opportunities for all persons doing business with the City. As a pre-condition to selection, each contractor, bidder or offer shall submit a completed and signed Equal Business Opportunity (EBO) Plan Application, with each bid submission in accordance with the provisions set forth by the authority of the City of Jackson's EBO Ordinance. Failure to comply with the City's EBO Ordinance shall disqualify a contractor, bidder or offer, from being awarded an eligible contract. For more information on the City EBO Program, please contact the Office of Economic Development at (601) 960-1638. Copies of the EBO Ordinance, EBO Plan Application and a copy of the EBO Program are available with the Office of Economic Development at 200 South President Street, Second Floor, Jackson, Mississippi.

BID PACKAGE REQUEST

Bid Package with specifications may be secured from the City of Jackson website at www.jacksonms.gov., or the Purchasing Division located in the Warren Hood Building, 200 South President Street, Room 604, Jackson, MS 39201, and Phone No. (601) 960-1025., Official bid document can be downloaded from Central Bidding at www.centralbidding.com,bids are also available at www.centralbidding.com or for assist call 225-810-4814.

SUBMITTING A BID AND NOTES

1. You are required to submit three (3) copies: one (1) original and two (2) copies to include: **(proposal form), (completed EBO application)** and any additional information you submit: e.g. (warranty, research data sheets, booklets, pamphlets, etc) or your bid will be considered non-responsive.

2. **Your completed and signed proposal pricing section must be returned along with all required/mandatory documents:** e.g. (bids with multiple sections, parts, pages and/or a check list).

3. Your bid price(s) must be submitted on the proposal form provided by the City unless otherwise instructed

4. Do not return the instruction and specification section with your proposal forms. Retain these documents for your files. (Only return, required warranty, detail check-off list and equipment documents.)

5. Proposal Forms must be legibly handwritten or typed; if not, they will be considered non-responsive. All errors or corrections must be crossed out and changes must be printed in ink or typewritten. All changes must be initialed in ink by the representative signing the bid.

6. The unit price will always govern in determining the extended price or the total. **Please, review your price(s) carefully before submitting your bid**. No bid shall be altered or amended after the specified time for bid opening or once delivered.

7. **The (manufacturer's name) and (model number) must be stated when required for each item.** Any item without this information may not be considered.

ALTERNATIVE BIDS AND NOTES

8. Alternate bids are not acceptable, unless submitted in a separate sealed envelope. Do not submit prices for more than one product or the same product per item. Only one product, size and price per bid item as specified in the bid package.

9. Alternate bids may be submitted but not necessarily accepted by the City. The City reserves the right to determine whether an alternative bid offered is equivalent to and meets the standards and/or specifications stated. **Alternative bids must be submitted on the bid proposal form furnished by the City of Jackson, (include any additional required copies).** Otherwise, the bids will not be considered.

10. **Any bid received with limiting or conditional requirements will automatically be deemed non-responsive.**

    Example:
    1. **All or none**
    2. **All items must be ordered at the same time.**
    3. **Specified amount to be ordered.**
    4. **No notation or other packaging pricing below the submitted price.**

11. Bid openings will be conducted and open to the public. However, they will serve only for the opening and reading of the bid price and in no way considered as an award.

WHERE TO SEND BID AND NOTES

12. Please send three (3) signed copies: one (1) original and two (2) copies in a sealed envelope addressed to: City Clerk's Office of Jackson P. O. Box 17, Jackson, MS 39205 or hand delivered to the City Clerk's Office of Jackson, 219 South President Street, Jackson, MS 39201 until 3:30 P.M. per the above instructions.

13. **Only One (1) complete bid submission allowed per delivery envelope, if more than one bid proposal is submitted per a delivery envelope, it will not be accepted as an official bid.**

14. **As required, write on the outside of the delivery envelope the (entire bid number) and (return address.)**

15. Facsimile transmitted bids or other documents are not acceptable.

EMPLOYEE BIDDING

16. It is illegal for any City official, employee and/or immediate family member to serve as a vendor for the City of Jackson. Bidding by city employees is prohibited. It is hereby declared unlawful for any city official to: bid on, sell, or offer for sale any merchandise, services, equipment, material, or similar commodity, during the tenure of his or her employment, or for the period prescribed by law thereafter, or to have any interest in the selling of the same to the City of Jackson. (§ 25-4-105) (Miss Code 1972 as amended)

SUBMITTING A NO BID

17. Submit only one (1) proposal form indicate: **"No Bid"**, **(Company's Name/Address)** and **(Sign)**.

18. As required, on the outside of the deliver envelope indicate: **(No Bid) and (Entire Bid Number).** All "No Bids" should be submitted on the same scheduled opening date and time to be recorded with all other bids.

CITY OF JACKSON RIGHTS

19. The City reserves the right to waive any general, special conditions and/or minor specification deviation when considered to be in the best interest of the City of Jackson, providing such waiver is not given so as to deliberately favor any single vendor and would have the same effect on all vendors.
The City reserves the right to reject any and all bids. The City reserves the right to waive any and all informalities in respect to any bid submitted. **Bid awards will be made to the lowest and best bidder quoting the lowest net price in accordance with specifications. The award could be according to the lowest cost per item or to the lowest total cost for all items; or to accept all or part of any proposal.** Where it is known prior to advertising that the City's intention is to award according to the lowest total cost for all items, or in some variation thereof, this statement will be included on the proposal form. Absence of such statements means the City will make that determination during the bid tabulation. Delivery time may be considered when evaluating the bid proposal.

VENDOR BID AGREEMENT

20. **One-time bid awards:** must be valid for a minimum of 60 days from the bid opening date.

21. **Term bid awards**: must be valid for the duration of the terms defined in the proposal for each bid. Vendors may not withdraw a bid prior to the end of 60 days or the stated terms of said bid. Vendors who do not comply with this requirement shall be considered non-responsive.

By signing this bid proposal, the vendor agrees to hold the submitted bid price firm for the term of the bid stated. Only if it applies, the vendor understands the estimated quantity stated and amount to be ordered may be over or below the estimated usage stated in the bid. This is not in any way a guaranteed amount to be ordered. A purchase order will be issued by the Purchasing Division for the requested quantity to be ordered from the using department

The vendor should understand their failure to stand behind the agreement could cause a statement of failure to perform to be placed in the company's file and/or the company to be placed on hold with the City of Jackson or the agreement of award to be cancelled. By signing the bid, you understand and agree to all the terms of the bid.

DELIVERY & OTHER COST

This order is to be delivered F.O.B., prepaid and allowed, Jackson, Mississippi, within the number of days stated after the receipt of our purchase order. "Note, all cost must be Included in the bid price." No additional cost can be attached to a bid order. Completion of the vehicles must be indicated in your package, if all vehicles are available. _____.

TAXES

SALES TAX AND FEDERAL EXCISE TAX ARE NOT TO BE INCLUDED IN ANY BID PRICE. THE CITY OF JACKSON ASSUMES NO TAX LIABILITY.

CITY OF JACKSON, MISSISSIPPI

Destiney Williams, Purchasing Manager
Purchasing Division

DW/js
05554

CITY OF JACKSON, MISSISSIPPI
PROPOSAL FORM

PLEASE RETURN THIS SECTION IN ITS ENTIRETY

NOTICE TO BIDDERS:

FOR DELIVERY OR MAILING INSTRUCTIONS:

1. **Submit one (1) original and two (2) copies of your Bid Package.**
2. **MAILING ADDRESS:** **City Clerk's Office of Jackson**
   Post Office Box 17
   Jackson, MS 39205
3. **DELIVERY ADDRESS:** **City Clerk's Office of Jackson**
   219 South President Street
   Jackson, MS 39201
4. **Note the following on the outside of your bid envelope:**
   Bid No. 05554-121019; to be opened December 10, 2019

In accordance with your Notice of November 14 & 21, 2019, I bid as follows:

Twenty-Four Month Supply of Barlights, Electronic Sirens, Switch Boxes, Speakers, Communication Organizers and Security Screens
Term: January 1, 2020 through December 31, 2022

COMPANY LEGAL NAME_____				
Jackson Police Vehicle Equipment Term Bid **2020 Dodge Durango SSV and Dodge Charger Pursuit**				
ITEM	**DESCRIPTION**	**UNITS**	**UNIT PRICE**	**TOTAL PRICE**
1.	SIREN – per specification or equal, installed Mfg. Name/Model_____	1 ea.		
2.	100 WATT SPEAKER – per specifications or equal, installed Mfg. Name/Model_____	1 ea.		
3.	POWER CONTROL CENTER (Switch Pursuit Box) - per specifications or equal, installed Mfg. Name/Model_____	1 ea.		
4.	LED HIDE-A-WAYS - per specification or equal, installed Mfg. Name/Model_____	1 ea.		

5.	CHARGEGUARD - per specification or equal, installed Mfg. Name/Model_____	1 ea.		
COMPANY LEGAL NAME_____				
	Jackson Police Vehicle Equipment Term Bid **2020 Dodge Durango SSV Utility (SUV) Police Package**			
ITEM	**DESCRIPTION**	**UNITS**	**UNIT PRICE**	**TOTAL PRICE**
1.	LIGHTBAR - per specification or equal, installed Mfg. Name/Model_____	1 ea.		
2.	STOBES - per specification or equal, installed Mfg. Name/Model_____	1 ea.		
3.	CONSOLE- DURANGO JOTTO DESK - per specification or equal, installed Mfg. Name/Model_____	1 ea.		
4.	PARTITIONS -per specification or equal, installed Mfg. Name/Model_____	1 ea.		
5.	WINDOW BARS - per specification or equal, installed Mfg. Name/Model_____	1 ea.		
6.	DURRANGO CARGO BARRIER - per specification or equal, installed Mfg. Name/Model_____	1 ea.		
7.	SURFACE MOUNT (Grill lights) - per specification or equal, installed Mfg. Name/Model_____	1 ea.		
8.	VERTEX HIDE-A-WAY, D LIGHTS (TAIL LIGHTS) - per specification or equal, installed Mfg. Name/Model_____	1 ea.		

	Grand Total Price $_____			

Please make sure you have your company Current Liability Insurance.

The above will comply with the specifications included in the Notice to Dealers, with any and all exceptions noted in a separate document.

This bid must be valid for 60 days after bid opening. If this bid is good for longer than 60 days, then state how long this bid is good for _____.

The above will be delivered F.O.B., prepaid and allowed, Jackson, Mississippi, within _____ days after receipt of your purchase order.

***Is your company registered to do business in Mississippi? Yes_____ No____, if no please register.**

SALES TAX AND FEDERAL EXCISE TAX ARE NOT TO BE INCLUDED IN ABOVE PRICE.

THE CITY OF JACKSON ASSUMES NO TAX LIABILITY

BID SUBMITTED BY:
PLEASE TYPE OR PRINT

Complete Legal Name of Bidder: _____

Mailing Address: _____

City: _____ **State:** _____ **Zip Code:** _____

Physical Address, Principal Place of Business: _____

City: _____ **State:** _____ **Zip Code:** _____

Name of Person Submitting Proposal: _____

Signature of Person Submitting Proposal: _____
(Required)

Date: _____, 2019 **E-Mail Address:** _____

Telephone No.: _____/_____ **Fax No.:**_____/_____

****The (EBO) Application form must be completed by all vendors and returned with ALL bids. The EBO staff is available at, (601) 960-1856 to assist you with any questions you may have in preparing the EBO Application.**

Jackson Police Vehicle Equipment Term Bid Specs

The following equipment is to be installed in/on new patrol emergency vehicles operated by the City of Jackson Police Department, using the correct color lens. The cars will be delivered to the City of Jackson Telecommunications Center located at 2320 Riverside Drive, Jackson, Mississippi. **You must have a mobile unit to provide your own power source or there will be a fee of $25.00 a day charge for power usage from the City payable in advance, or deducted from the invoice.**

No substitutions of items will be allowed in any case, therefore it is the bidder responsibility to make sure they have access to the products and equipment you are submitting the bid on. All item bid must be stock items otherwise it will not be considered. Should you bid an item anyway which is not a stocked item and your company is awarded the bid. **The charge for none stock item will be access a fee of $100.00 per day for each day past the required delivery time; payable to the City or deducted from the charges once received.**

Dealer bidding on items must have a "sales and service rep" living within 50 miles of the city for timely service calls.

The purposed vehicles for 2020 are the Dodge Durango SSV and Dodge Charger Pursuit all equipment must be compatible.

ITEM # 1

SIREN: Full function siren plus radio repeat and public address. Operates up to two 100 watt speakers. Includes Hands- Free (horn ring/tap two) operation (horn must not sound during this function) and 17 Scan-Lock TM siren tones. Must allow for user selectable siren tones via momentary recessed switch, located on the rear of the unit. Self-contained unit for under-dash or console mounting. Hard-wired microphone. Quick disconnect plug for ease of service or replacement. Bi-polarity horn/ring control activation. Two year warranty. Must be designed and manufactured in the USA.

ITEM # 2

100 Watt Speaker-All weather nylon composite black housing with front loaded, powder coated speaker driver. No more than 2-7/8" in depth. Must exceed California Title XIII, Class A and S.A.E. J1849 requirements with most 100 watt sirens (120-123dB @10'). Universal mounting bracket, plus vehicle specific brackets must be available. 2 Year Warranty. Must be designed and manufactured in the USA. Includes mounting bracket.

ITEM # 3

Power Control Center (Switch Pursuit Box)-This switch box shall consist of 9 single pole/single throw, 1-amp mini rocker switches mounted in a 2 piece case and 1 singles pole 5-amp mini-rocker switch. The dimensions shall be 2.25" high, 6" wide, and 6.75" deep. Each switch shall illuminate in the "ON" position. The power control center shall be designed with a "Pursuit" circuit feature that will activate all visual equipment required for an emergency response. The "Pursuit" circuit shall be relay controlled by the power control center in the number 1 position.

ITEM # 4

LED Hide-a-ways-self-contained, hemispheric LED light, 1" hole makes this LED module backwards compatible to HA238 and standard 1" Hide-A-Way style lamps 10 – 16 VDC Aluminum base and advanced thermal heat management system no separate lamp drivers, flashers, ballast or power supplies to install. ■□5 year warranty.

ITEM # 5

Chargeguard

- Chargeguard-select
- Self-contained unit provides circuit protection for a vehicle's power system
- Regulated by a programmable timer
- Prevents dead batteries
- LED indicates under and over voltage conditions
- Protects mobile Electronics from voltage anomalies
- Height 1: 1.3 in (3.2 cm), height 2: 3.8 in (9.7 cm), width 1: 3.7 in (9.3 cm)

The following equipment must be compatible to the 2020 Dodge Durango SSV Utility (SUV) Police Package.

ITEM # 1

Lightbar-must meet the following specs being equal to or greater than. Dual Color Super-LED® Module Lightbar, 44" Long, 12" wide, 2.25" high. Four Corner Linear-LEDs®, 12 Linear Inboard LEDs, LR11 Super-LED Flashing Take-Downs, LR11 Super-LED Flashing Alley44" Lightbar. With Traffic Advisor Function (2-wire. No special controller required). Five year HDP® Heavy-Duty Professional warranty on LEDs.

Dealer bidding on this must be an authorized factory warranty service and repair center with representatives located in Mississippi. A letter stating this must be accompanied with the bid.

ITEM # 2

Stobes- Headlight and Taillight Flashers plug must interface with the PEI module and the Police Accessories Plug.

ITEM # 3

Console- Durango Jotto Desk- 425-6636- 15" of equipment mounting space, top down installation, 25" length overall, 10" depth, 11" wide, built-in dual cup-holders, relocation of 2 12v factory outlets and 1-USB port, pre-drilled faceplate screw holes, w/armrest pad.

ITEM # 4

Partitions- (Front and Rear) with Lower Extension Panel- Passenger LEXAN ½ Sliding Window

- Smooth, charcoal grey powder coated steel panels is easy to clean, resist corrosion
- Padded, 1-⅝" roll bar
- 14 gauge thickness withstands violent assaults
- Airbag Compatible, Filler Panels that flex under the force of airbag deployment

ITEM # 5

Window Bars- Window Bars for 2020 Dodge Durango w/OEM door panels

ITEM # 6

Durango Cargo Barrier- Smooth, charcoal grey powder coated steel panels easy to clean, and resist corrosion.

ITEM # 7

Surface Mount (Grill Lights)

ITEM # 8

Vertex Hide-a-way, D-Lights (Tail Lights)

CITY OF JACKSON, MISSISSIPPI

Chokwe Antar Lumumba

Mayor

EQUAL BUSINESS OPPORTUNITY (EBO) PLAN APPLICATION

Department of Planning and Development

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 7-1-2013)

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, 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:

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

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.

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*s 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, 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 $1,000,000.00. Even if the prime itself is a MBE, joint venture between prime contractors and MBEs shall be required on all projects exceeding one million dollars ($1,000,000.00).**

(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. 2014 – 3, each contractor, bidder or offeror shall submit a completed and signed Equal Business Opportunity Plan with bid submission. Such plan should be titled "Equal 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. Company Name: _____

Address: _____

City: _____ **State:** _____ **ZIP Code:** _____

Telephone: (_____) _____

E-mail: _____

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(C)(I) 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 FBEs, 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 <u>not</u> qualified, include a written statement of the reasons for the bidder's or offeror's conclusion.**

6. **Written quotes 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) 9601055.*

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

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

PROCUREMENT CATEGORY	Asian (ABE)	AfricanAmerican (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. 2014-3

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

_____ **Female (FBE)**

City, State, ZIP: _____ _____ **African-American (AABE)**

_____ **Asian (ABE)**

Contact Person: _____ _____ **Hispanic (HBE)**

_____ **Native American (NABE)**

Telephone Number: _____

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

_____ **Female (FBE)**

City, State, ZIP: _____ _____ **African-American (AABE)**

_____ **Asian (ABE)**

Contact Person: _____ _____ **Hispanic (HBE)**

_____ **Native American (NABE)**

Telephone Number: _____

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**

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: _____

Type Minority Business (MBE/FBE):

_____ **Female (FBE)**

City, State, ZIP: _____

Contact Person: _____

Telephone Number: _____

_____ **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: _____%