



CHARLOTTE™

ECONOMIC DEVELOPMENT



**Franklin Water Treatment Plant Clearwell Improvements
Pre-Bid
May 17, 2023 @ 2:00PM**



What is Charlotte Business INClusion?

- In 2013 the Charlotte City Council adopted the Charlotte Business INClusion (CBI) Policy to promote diversity, inclusion, and local business opportunities for Minority, Women, and Small Business Enterprises (MWSBEs) headquartered in the Charlotte Combined Statistical Area.
- The CBI Policy replaces the Small Business Opportunity (SBO) Policy.
- The CBI Policy expands the geographic area for SBE certification eligibility. Firms with an office in any of the following Counties are now eligible for SBE certification and M/WBE registration:
 - ❖ **North Carolina:** Anson, Cabarrus, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Rowan, Stanly, and Union
 - ❖ **South Carolina:** Chester, Lancaster, and York

Please refer eligible M/W/SBEs that you use and/or know!



Subcontracting Goal for this Project

- The Subcontracting Goal for this project is a **6% MWSBE** goal.
- Per the Charlotte Business INClusion (CBI) Policy, Bidders must either:
 - ✓ Meet the **6% MWSBE** Goal or
 - ✓ Comply with the GFE and Good Faith Negotiation requirements and earn a **minimum** of **50** GFE points for the unmet goal.
- If the **6% MWSBE** subcontracting goal is **not met at time of bid**, the City will give Bidders credit toward meeting the goal for City of Charlotte MBEs, WBEs, and SBEs that are submitted within **24 hours of the Bid Opening**.
- Bidders will receive credit toward the **6% MWSBE** subcontracting goal for all currently certified **City of Charlotte MBEs, WBEs, and SBEs** that are listed on the CBI Form 3.
- CBI Form 3 **must** be submitted with your bid. Failure to submit CBI Form 3 will constitute grounds for rejection of your bid.



City Identified Subcontracting Opportunities

- The following table list potential MBE, WBE, and SBE subcontracting opportunities identified by the City. This is a potential listing, not all inclusive, Bidders may identify additional or different opportunities:

NIGP Code	Description
65800	Pipe, Tubing, Accessories, Not Fittings
65900	Pipe and Tubing Fittings
91223	Construction, General: Backfill Services, Digging, Ditching, Road Grading, Rock Stabilization, etc.
91240	Demolition Services
91347	Construction, Sidewalk and Driveway, Including Pedestrian and Handicap Ramps
91394	Paving and Resurfacing, Alley and Parking Lot
91430	Concrete
91438	Electrical
91450	Heating, Ventilating and Air Conditioning (HVAC)
91455	Masonry
91468	Plumbing
92037	Networking Services, Including Installation, Security, and Maintenance
96239	Hauling Services
98814	Erosion Control Services



On the CBI Form 3

- City will count **MBE, WBE, and SBE** commitments listed on CBI Form 3 for **all tier levels**.
- The City will give Bidders credit toward meeting the subcontracting goal for City of Charlotte MWSBEs submitted within **24 hours of the Bid Opening**.
- Expenditures for materials, supplies, and equipment will count for only 60% toward the MWSBE Goal. Bidders should only document this 60% on CBI Form 3.
- When listing MBE, WBE and SBE commitments note that hauling has been separated out from all other scopes to allow flexibility in how Primes identify MWSBE hauling commitments. When identifying M/W/SBE for hauling services:
 - ❖ Do not list individual commitments to MBE, SBE, and WBE but rather, identify each MBE, WBE, and SBE hauler and the total lump sum projected utilization for hauling as a total scope.
 - ❖ List **only** the fees or commissions charged by the MBE, WBE, and SBE.
 - ❖ The cost of materials and supplies **will not count** as part of the Hauler's fees or commissions.
 - ❖ Bidders are highly encouraged to identify multiple haulers on CBI Form 3 to avoid non-compliance with the CBI Policy.



Good Faith Efforts (GFEs)

- CBI Policy includes ten (10) GFE categories.
- **Minimum** GFE Points required is **50**.
- Review of GFEs is both qualitative and quantitative.
- The City no longer sets a minimum number of MBE, WBE, and SBE contacts Bidders must make to earn GFE Points for the GFE Contacts Category.
 - ❖ Bidders are responsible for documenting to the City's satisfaction that the Bidder contacted MBE, WBE, and SBE in a manner reasonably calculated to meet the MWSBE Goal established for the Contract.
 - ❖ Bidders are highly encouraged to cast a wide net for MBE, WBE, and SBE contacts across multiple subcontracting areas.



Good Faith Efforts (GFEs)

- Bidders are highly encouraged to actively and aggressively work towards meeting the MWSBE subcontracting goal.
- In an effort to help Bidders successfully meet the MWSBE goal, the City has identified ten (10) measures, referred to as GFEs, that Primes are encouraged to perform prior to bid opening.
- If after negotiating in good faith a bidder is not able to meet the established MWSBE subcontracting goal, Bidder's will be required to submit all GFE supporting documentation.
- Failure to meet the MWSBE Goal and the Good Faith Efforts will constitute grounds for rejection of your bid.

All actions necessary to earn GFEs must be performed prior to bid opening.



Most commonly claimed GFEs

Please read the GFE descriptions on how to meet each GFE carefully and note that all actions necessary to earn the GFE points must be done prior to the Bid Opening.

- To receive credit:
- **5.3.1: Contacts.** Perform A –G.
- ***5.3.2: Making Plans Available.** List in your solicitation, submitted to SBE and MBE at least 10 days prior to the Bid Opening, the availability of the plans and specs and the location or method of free accessibility.
- ***5.3.3: Breaking Down Work.** The scope of work to be broken down or combined to facilitate MBE, SBE, and WBE participation must be stated in your solicitation; simply listing scopes of work in your solicitation is not sufficient and will not be given credit.
- **5.3.4: Working with SBE and MBE Assistance Organizations.** The four CBI-approved organizations are listed in Section 3.3 in the CBI Section of the spec book.
- **5.3.7: Negotiating in Good Faith with SBE and MBEs.** Documentation showing back and forth dialogue will be requested.
- ***5.3.10: – Quick Pay Agreements on the Construction Contract Up For Award.** State in your solicitation sent to each MBE and SBE the following “Quick Pay Commitment”:
 - _____ (*your company name*) agrees to provide quick pay to the Minority, Women, and Small Business Enterprise (MBE, WBE, and SBE) contractors and suppliers in connection with the Contract to meet cash-flow demands for the project referenced herein. The term “quick pay” means a commitment to **pay all MBEs, WBEs, and SBEs participating in the Contract within twenty (20) days after confirmation that performance has been properly completed.**

***A bidder may receive credit for these GFEs only if it receives credit for GFE 5.3.1.**



Quick Pay Policy Sample

Quick Pay Policy For

- **Project Number:** _____
- **Project Name:** _____
- **Project Owner Name:** CHARLOTTE WATER

_____ (*your company name*) agrees to provide quick pay to the Minority, Women, and Small Business Enterprise (MBE, WBE, and SBE) contractors and suppliers in connection with the Contract to meet cash-flow demands for the project referenced herein. The term "quick pay" means a commitment to pay all MBEs, WBE's, and SBEs participating in the Contract within twenty (20) days after confirmation that performance has been properly completed.

This POLICY for QUICK PAY is hereby adopted by _____ (*your company name*) for the project referenced herein this _____ day of _____, 20_____.

CONTRACTOR NAME

STREET ADDRESS

CITY, STATE, ZIP

PHONE NUMBER

SIGNATURE

Subscribed and Sworn before me
this ____ day of _____, 20_____

Signature

My commission expires _____



Factors when awarding GFEs

When deciding to award points for GFE Categories the City will consider among other factors:

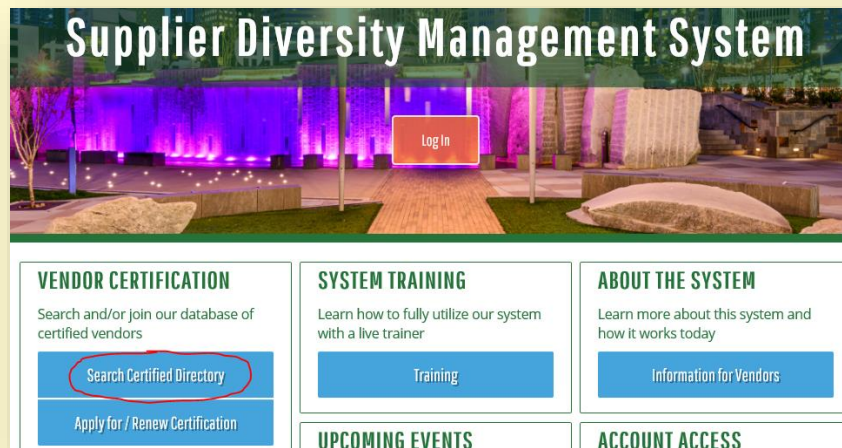
- Whether the bidder's efforts were those of someone who was actively and aggressively working to meet the MWSBE Goal.
- The Bidder's past performance in meeting subcontracting goals on previous City projects.
- The performance of other Bidders in meeting the subcontracting goal for the project up for award.

Where to find City of Charlotte MWSBEs?

- Search for **City of Charlotte MBEs, WBEs, and SBEs** in the City's Contract Compliance system, **B2GNow aka InclusionCLT Supplier Diversity Management System** at:

<https://charlotte.diversitycompliance.com>

Click on "Search Certified Directory"





CBI Form Requirements

Form	FYI	Submission Requirements
CBI Form 1: Intent to Perform Contract with Own Workforce	<ul style="list-style-type: none"> Bidders <u>must</u> document capacity to perform 100% of the work. 	Must be submitted at Bid Opening with all Supporting Documentation.
CBI Form 2: Solicitation Form	<ul style="list-style-type: none"> Bidder must document contacts no less than ten (10) days prior to Bid Opening. 	Submitted within 3 Business Days after requested by the City.
CBI Form 2A: Good Faith Negotiation Form	<ul style="list-style-type: none"> Bidder must document each scope of work bid by an MBE, WBE, and SBE but not selected by the Bidder to participate on the project. 	Submitted within 3 Business Days after requested by the City.
CBI Form 3: Subcontractor/ Supplier Utilization Commitment	<ul style="list-style-type: none"> City will count <u>all</u> tiers of MBE, WBE, and SBE participation identified on CBI Form 3 towards the established MWSBE Goal. MBE, WBE, and SBE hauling services commitments must be listed in the hauling services section as a cumulative total scope amount. 	Must be submitted at Bid Opening. The City will give Bidders credit toward meeting the Subcontracting Goals for those MWSBEs submitted within twenty-four (24) hours of the Bid Opening.



CBI Form Requirements

Form	FYI	Submission Requirements
CBI Form 3A: Subcontractor/ Supplier Utilization Commitment- Alternates	<ul style="list-style-type: none"> To be utilized in the event Alternates are selected by the City. The MBE, WBE, and SBE Goal will apply to the Total Contract Amount, including contingency and the selected Alternates. 	Submitted within 3 Business Days after requested by the City.
CBI Form 4: Letter of Intent	<ul style="list-style-type: none"> Signature line(s) for utilizing MBE, SBE, and WBE tiers has been added to form. 	Submitted within 3 Business Days after requested by the City.
CBI Form 5: Good Faith Effort (GFE) and Statement of GFE Compliance	<ul style="list-style-type: none"> Ten (10) GFE categories. No minimum number of MBE, WBE, and SBE contacts set by the City. Minimum GFE Points required is 50. 	Submitted within 3 Business Days after requested by the City.
CBI Form 6: Payment Affidavit - Subcontractor/ Supplier Utilization	<ul style="list-style-type: none"> Bidders must identify all subcontractors and suppliers for <u>all</u> tiers. 	Must be submitted to the City with each pay request for the duration of the Project. For Final Payment period, check the box indicating "Final Payment."



Resources

The CBI Policy is available at:
www.charlottebusinessinclusion.com

Please refer any questions about the
Charlotte Business INClusion requirements
for this project to:

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