



Town of Clayton REQUEST FOR PROPOSALS

RFP # 700-ENG-2024-09

Project Title: On-Call Plumbing Maintenance and Repair Services

Issue Date: October 16, 2023

Due Date: October 31, 2023, at 12:00 pm ET

Issuing Department: Engineering

Direct all inquiries concerning this RFP to:

Tim Robbins

Project Manager

111 East Second Street

Clayton, NC 27528

(919)553-5002 x6540

trobbins@townofclaytonnc.org

Table of Contents

1 INTRODUCTION	1
1.1 Purpose	1
1.2 Background	1
1.3 RFP Timeline	1
1.4 Questions	2
1.5 Submittal Requirements and Contact Information	2
1.6 Rights to Submitted Material	3
1.7 Communications	3
1.8 Lobbying	3
1.9 Gifts and Favors	3
1.10 Proposer Expenses	3
1.11 Proposer Acceptance	4
2 QUALIFICATIONS PACKAGE	5
2.1 Request for Qualifications Required Document Format	5
3 PROPOSAL EVALUATION	7
3.1 Evaluation Criteria	7
3.2 Selection Procedures	7
3.3 Notice to Proposers Regarding RFP Terms and Conditions	7
4 SCOPE OF SERVICES	8
5 COST PROPOSAL	10
6 APPENDIX I	11
7 MWBE INSTRUCTIONS	12
8 TOWN OF CLAYTON AFFIDAVIT A	14
9 TOWN OF CLAYTON AFFIDAVIT B	16
10 TOWN OF CLAYTON AFFIDAVIT C	17

1 INTRODUCTION

1.1 Purpose

The Town of Clayton is seeking one or more qualified firm(s) with which to contract for the following services: **On-Call Plumbing Maintenance and Repair Services.**

The purpose of this RFP is to award a contract to firm/firms that guarantee response time and rates for a period of one (1) year from the date of the executed agreement. Town of Clayton will reserve the right to renew all proposals for up to 2 subsequent years. Prior to renewal, contractors will be asked to submit revised rates to hold firm for the next year. All rate proposal increases associated with renewal shall not exceed 10% and are subject to negotiation prior to acceptance. Either party reserves the right to refuse renewal of the agreement.

The Town of Clayton (hereby referred to as “the Town” or “Clayton”) is seeking proposals from a NC Class-I Licensed Plumber (herby referred to as “contractor”) to provide on-call service for emergency and scheduled maintenance and repairs at various locations in town including, but not limited to town facilities, parks, and locations near public rights of ways on customer side of service delivery point. It is anticipated that work may be needed during regular business hours (Monday through Friday, 8am to 5pm) as well as emergencies during nights, weekends, and state holidays. This on call agreement will be for projects less than \$30,000.

A detailed scope of services is provided in Section 4 of this solicitation. Information related to this solicitation, including any addenda, will be posted to the North Carolina eVP Portal.

1.2 Background

The Town of Clayton, North Carolina (Town) is the fastest growing community in Johnston County, North Carolina and serves over 28,000 residents. The Town’s facilities consist of Town Hall, Police Station, Parks and Recreation Community Center, Library, Fire Station #1, Fire Station #2, and Operations Facility, as well as four Recreational Park Facilities.

1.3 RFP Timeline

Provided below is a list of the anticipated schedule of events related to this solicitation. The Town of Clayton reserves the right to modify and/or adjust this schedule to meet the needs of the project. All times shown are Eastern Time (ET):

RFP Process	Date and time
RFP Release Date	<i>October 16, 2023</i>
Deadline to submit questions	<i>October 24, 2023, 4:00PM</i>
Addendum with answers to questions posted	<i>October 26, 2023 4:00PM</i>
Deadline for submissions	<i>October 31, 2023, 12:00PM</i>

1.4 Questions

Requests for clarification and questions to this RFP must be received by the Town no later than the date shown above in Section 1.3, entitled “RFP Timeline”, for the submittal of written inquiries. The Town will not entertain any further questions after the due date. All questions related to this solicitation must be submitted in writing (via email) to the below individual:

Do not contact Town departments or other Town staff directly. Information provided by anyone other than the below contact may be invalid, and proposals that are submitted in accordance with such information may be declared non-responsive.

All questions related to this solicitation must be submitted in writing (via email) to the following individual:

Contact Name	Email Address
Tim Robbins	trobbins@townofclaytonnc.org

Indicate “**RFP #700-ENG-2024-09 – On-Call Plumbing Maintenance and Repair Services Questions**” in the subject of the email. Questions submitted via telephone will not be answered.

The Firm’s failure to request clarification and submit questions by the date in the RFP Timeline above shall be considered to constitute the Firm’s acceptance of all Town’s requirements. The Town shall issue addenda reflecting questions and answers to this RFP, if any, which shall be posted to the NC eVP website. No information, instruction or advice provided orally or informally by any Town personnel, whether made in response to a question or otherwise in connection with this RFP, shall be considered authoritative or binding. Respondents shall be entitled to rely *only* on written material contained in an Addendum to this RFP.

It is important that all Respondents submitting to this RFP periodically check the [NC eVP website](#) for any Addenda. It is the Respondent’s responsibility to ensure that all addenda have been reviewed and, if required, signed and returned.

1.5 Submittal Requirements and Contact Information

Proposals must follow the format as defined in Section 2 Qualifications Package and be addressed and submitted as follows:

DELIVERED BY US POSTAL SERVICE	DELIVERED BY ALL OTHER MEANS
Town of Clayton Attn: Tim Robbins PO Box 879 Clayton, NC 27528 RFP No. 700-ENG-2024-09 On-Call Plumbing Maintenance and Repair Services	Town of Clayton Attn: Tim Robbins 111 E. Main Street Clayton, NC 27520 RFP No. 700-ENG-2024-09 On-Call Plumbing Maintenance and Repair Services

Proposals must be enclosed in a sealed envelope or package and clearly marked with the name of the submitting company, the *RFP number* and the *RFP Title*. Proposers must submit one (1) signed original and one (1) electronic version of the proposal. The electronic version of the Proposal must be submitted as a viewable and printable Adobe Portable Document File (PDF) on a flash drive. Both hard copy and electronic versions must be received by the Town on or before the RFP date and time provided in

Section 1.3. Proposals received after the RFP deadline above will not be considered and will be returned unopened to the return address provided on the submission envelope.

The Town reserves the right to reject any or all proposals for any reason and to waive any informality it deems in its best interest. Any requirements in the RFP that cannot be met must be indicated in the proposal. Proposers must respond to the entire Request for Proposal (RFP). Any incomplete proposal may be eliminated from competition at the discretion of the Town.

Submittals that arrive after the due date and time will not be accepted or considered for any reason whatsoever. If the Firm elects to mail in its response, the Firm must allow sufficient time to ensure the Town's proper receipt of the package by the time specified in Section 1.3 RFP Timeline. Regardless of the delivery method, it is the responsibility of the Firm to ensure that their response arrives at the designated location specified in this Section by the due date and time specified in Section 1.3 RFP Timeline. The Town shall not be responsible for proposals delivered to a person or location other than those specified above.

All proposals shall remain firm for **60** days following the closing date of the receipt of the proposal.

1.6 Rights to Submitted Material

All proposals and supporting materials, as well as correspondence relating to this RFP, shall become the property of the Town. The content of all submittals will be held confidential until the selection of the firm is made. Proposals will be reviewed by the Evaluation Team, as well as other Town staff and members of the general public who submit public record requests. *Any proprietary data must be clearly marked.* In submitting a Proposal, each Prospective Proposer agrees that the Town may reveal any trade secret materials contained in such response to all Town staff and Town officials involved in the selection process and to any outside consultant or other third party who serves on the Evaluation Team or who is hired by the Town to assist in the selection process. Proposals marked entirely as "confidential", "proprietary", or "trade secret" will be considered non-responsive and will be removed from the evaluation process.

1.7 Communications

All communications of any nature regarding this RFP with any Town staff, elected Town officials, evaluation committee members are forbidden from the time the solicitation is publicly posted until the award. Questions must be submitted in writing to the individual designated in Section 1.5 prior to the deadline provided in Section 1.3.

Violation of this provision may result in the Firm's proposal being removed from consideration.

1.8 Lobbying

By responding to this solicitation, the Firm certifies that it has not and will not pay any person or firm to influence or attempt to influence an officer or employee of the Town or the State of North Carolina, or any elected official in connection with obtaining a contract as a result of this RFP.

1.9 Gifts and Favors

Contractor shall become aware of and comply with laws related to gifts and favors, conflicts of interest and the like, including N.C.G.S. §14-234, N.C.G.S. §133-1, and N.C.G.S. §133-32

1.10 Proposer Expenses

The Town of Clayton will not be responsible for any expenses incurred by any Firm in the development of a response to this Request for Qualifications or any other activities associated with this procurement

including but not limited to any onsite (or otherwise) interviews and/or presentations, and/or supplemental information provided, submitted, or given to Town of Clayton and/or its representatives. Further, the Town of Clayton shall reserve the right to cancel the work described herein prior to issuance and acceptance of any contractual agreement/purchase order by the recommended Firm even if the awarding authority for each entity has formally accepted a recommendation.

1.11 Proposer Acceptance

Submission of any proposal indicates a Proposer's acceptance of the conditions contained in this RFP unless clearly and specifically noted otherwise on Appendix V, "Exceptions to RFP," and submitted with proposal. The Town of Clayton has the sole discretion and reserves the right to cancel this RFP, and to reject any and all proposals, to waive any and all informalities and/or irregularities, if it is deemed to be in the Town's best interests to do so. The Town of Clayton reserves the right to accept or reject any or all of the items in the proposal, and to award the contract in whole or in part and/or negotiate any or all items with individual Firms if it is deemed in the Town of Clayton's best interest. Moreover, the Town of Clayton reserves the right to make no selection if proposals are deemed not in the best interest of the Town of Clayton.

1.12 Diversity and Inclusion. Equality has become a core value here in the Town of Clayton. The Town is committed to encouraging firms to have a diverse and inclusive project team involved in all aspects of this RFP solicitation.

1.13 Minority Women Business Enterprises (MWBE). The Town invites and encourages participation in this procurement process by minority women business enterprises (MWBE) in accordance with North Carolina General Statute 143-128.2. The Town has a current verifiable goal of ten percent, with an outreach plan applicable to the selection of the contractor or firm.

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2 QUALIFICATIONS PACKAGE

Responses must follow the format outlined below. The Town may reject as non-responsive at its sole discretion any submittal that does not provide complete and/or adequate responses or departs in any substantial way from the required format.

2.1 Request for Qualifications Required Document Format

Responses should be divided using tabs to separate each section, listed sequentially as follows:

Tab 1: Cover Letter

Provide an introduction letter summarizing the unique qualifications of your Firm to meet the needs of this project. This letter should be presented on the Firm's official letterhead and signed by an authorized representative who has the authority to enter a contract with the Town on behalf of the Firm. Include the name, title, address, telephone, and email address of the individual who serves as the point of contact for this solicitation.

The Town will use email to notify your firm of critical developments such as interview schedules, notification of selection/non selection, etc. Therefore, it is essential that you identify one or more contact persons who have frequent access to email. The Town will not be responsible for delivery failure of email due to firewalls, spam filters, or individuals' failure to retrieve email messages. The Town will not attempt to re-deliver any messages which fail due to no fault of the Town.

The Cover Letter must be signed by an officer empowered by the contractor of firm to sign such material and thereby commit the contractor or firm to obligations contained in the RFP response. Further, the signing and submission of a response shall indicate the intention of the proposer to adhere to the provisions described in this RFP and a commitment to enter a binding contract:

- Proposals submitted on behalf of a Partnership shall be signed in the firm name by a partner or the Attorney-In-Fact. If signed by the Attorney-In-Fact, there shall be attached to the proposal a Power-Of-Attorney evidencing authority to sign proposals, dated the same date as the proposal and executed by all partners of the firm.
- Proposals which are submitted on behalf of a Corporation shall have the correct corporate name thereon and the actual signature of the authorized officer of the corporation written (not typed) below the corporate name. The title of the office held by the person signing for the corporation shall appear below the signature of the officer.
- Proposals which are submitted by an Individual doing business under a firm name ("dba") shall be signed in the name of the individual doing business under the proper firm's name and style.

Tab 2: Corporate Background and Experience

Include background information on the Firm and provide detailed information regarding the Firm's experience. Provide copy of Plumber's License (NC Class I), number of service technicians with tools and trucks available to respond, and list of special equipment identified in this Request for Proposal that is in your firm's fleet and available to respond. Provide a summary of how your company typically receives calls and dispatches for emergency work requests, including your firm's policy for response in regards to elapsed time. Provide a list of

all similar contracts performed in the past 5 years, and at least 3 references, including contact persons, firm, telephone number and email address.

Failure to provide a list of information requested may result in the rejection of the Firm's proposal. The evaluation team reserves the right to contact any or all listed references, and to contact other public entities regarding past performance on similar projects.

This RFP is comprised of the base RFP document, any attachments, and any addenda released before Contract award. All attachments and addenda released for this RFP in advance of any Contract award are incorporated herein by reference.

Tab 3 – Cost Proposal See Section 5

Tab 4 – References – See Section 6

Tab 5 – MWBE Good Faith Effort – See Section 8

Tab 6 – MWBE Identification – See Section 9

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3 PROPOSAL EVALUATION

3.1 Evaluation Criteria

This is not a bid. There will not be a public opening. Proposals will be evaluated based solely on the following criteria:

Criteria	Maximum Points Possible
Corporate Background	30
Team Firm, Experience and Qualifications	30
References	15
Cost Proposal	20
MWBE Participation	5

3.2 Selection Procedures

1. Submittals will be reviewed for responsiveness, and responsive submittals will further be screened by a selection committee in accordance with the above criteria. The firm(s) submitting the highest rated proposal may be invited for interviews.
2. Interviews, if held, will be scored and ranked separately from the written proposals. However, the Town may use criteria similar to the above Evaluation Criteria to score and rank firms' responses to interview questions or instructions, in addition to other relevant information provided or requested.
3. The Town reserves the right to make an award without further discussion of the submission with the offeror. Therefore, the proposal should be submitted initially on the most favorable terms that the firm or individual might propose.
4. The Town reserves the right to award a contract to the firm(s) that presents the best qualifications and whose proposal best accomplishes the desired results.
5. The City reserves the right to reject any or all proposals, or to waive minor irregularities in said proposals, or to negotiate with the successful firm(s). In the case of differences between written words and figures in a proposal, the amount stated in written words shall govern. In the case of a difference in unit price versus the extended figure, the unit price shall govern.
6. The City will notify all proposers whether or not they are selected for the subject work. Email is the City's preferred method of communication for all stages of the RFP process.

3.3 Notice to Proposers Regarding RFP Terms and Conditions

It shall be the Proposer's responsibility to read the Instructions, the Town's terms and conditions, all relevant exhibits and attachments, and any other components made a part of this RFP, and to comply with all requirements and specifications provided herein. Proposers are responsible for obtaining and complying with all Addenda and other changes that may be issued in connection with this RFP.

4 SCOPE OF SERVICES

Awarded Contractor shall provide services, all as set forth in this RFP and more particularly described in this Section 4.

The Town seeks information regarding procurement of a qualified, licensed (NC Class-I), and full-time Plumber for on-call service for emergency and scheduled maintenance and repairs at various locations in town including, but not limited to town facilities, parks, and locations near public rights of ways on customer side of service delivery point. It is anticipated that work may be needed during regular business hours (Monday through Friday, 8am to 5pm) as well as emergencies during nights and weekends.

Services are anticipated to include, but not limited to, plumbing repairs, emergency response, and installation beyond the scope of Town of Clayton maintenance personnel.

It is anticipated that most work requests will be repair services. Each response shall be limited by a not to exceed amount of \$2500.00 unless approved by the individual requesting work or supervisor.

Contractor will be expected mobilize to the site within 12 hours of each request for response for any repair work that requires immediate attention. Planned maintenance or repair work that does not need immediate response can be scheduled with the Town. Priority scheduling is still required, but work times can be negotiated. Contractor shall work diligently toward completion on any work that is initiated. Cost estimates utilizing proposed rates may be requested for planned maintenance or repair work.

Delivery of Service

Contractors responding to this bid must be able to provide services at any time throughout the year for the duration of the agreement. It is expected that the Contractor give priority service (within 12hrs.) to any call for plumbing repairs.

Mobilization shall be paid as a single trip charge per response request. Port to port hourly rate billing for technician, helper, and/or equipment will not allowed. Hourly rate billing will be calculated on time that qualified personnel and/or equipment is on-site.

Regular On-Call Response will be paid for work performed during Town business hours (Monday-Friday, 8:00-5:00). Emergency On-Call Response will be paid for work performed outside of Town business hours as well as on official State holidays.

Technician should be equipped with standard plumbing tools and supplies during any response. The individual should be capable of assessing and performing work in accordance with North Carolina Plumbing Code. Helper should be made available if needed, and should provide service while on-site to qualify for hourly rate payment.

All work must be in compliance with state and local regulations. Technician or Technician+Helper will be paid per hour only when on-site providing service. If assigned work requires local building permit, contractor shall be responsible for obtaining permit. Fee will be reimbursable by the Town.

Sewer Jetter service must be available if needed. Machine must have its own water supply, at least 100ft of hose, and must have a minimum operating capacity of 12GPM and 3000psi. This item will be paid per hour if needed for the response.

Excavation equipment must be available if needed. Machine can be classified as a backhoe, mini-excavator, or trencher with digging attachment. Machine must be capable of digging up to 4 ft deep in typical soils. This item will be paid per hour if needed for the response.

Pipe Camera must be available if needed. Camera must be capable of viewing up to 125 linear feet with locatable head. Must be able to record for the purpose of providing all video viewed during the operation. Sketch drawing of pipe locations must be provided upon request. This item will be paid per hour if needed for the response.

Price for materials will be paid in the amount of vendor invoice price plus proposed percentage increase. Stock items shall be billed at replacement cost plus proposed percentage increase. All vendor invoices must be provided for parts and/or materials used in a response upon request.

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5 COST PROPOSAL

Instructions

Use this form to provide a cost for the project knowing that many basic assumptions need to be made, that the cost estimate is not a binding fee but will only be used for general information purposes and that the exact scope of work and fees will be negotiated during the contract process with the selected Contractor.

ALL COST PROPOSALS SHALL BE SIGNED AND DATED SHALL BE SUBMITTED WITH THE SUBMITTED PROPOSAL.

<u>DESCRIPTION</u>	<u>PROPOSAL</u>
Mobilization Trip charge per response	
Regular On-Call Response Per hour rate for one (1) plumbing technician	
Regular On-Call Response Per hour rate for one (1) helper	
Emergency On-Call Response Per hour rate for one (1) plumbing technician	
Emergency On-Call Response Per hour rate for one (1) helper	
Sewer Jetter Per hour rate for sewer jetting equipment	
Excavation Equipment Per hour rate for machine	
Pipe Camera Per hour rate for camera with locate capability	
Price for Materials Percent increase for vendor invoice	

6 APPENDIX I

References

Offeror **must** supply at least (3) three Governmental Agency or Private Company references for which plumbing services have been performed during the past (5) five years. Offerors are cautioned to provide accurate reference information. References will be checked during evaluation period.

OFFEROR: _____

CITY, STATE, ZIP: _____

Reference #1

Agency or Firm Name: _____

Business Address _____

City: _____ State: _____ Zip Code: _____

Phone Number: (____) _____ Fax Number: (____) _____

Email Address: _____

Reference #2

Agency or Firm Name: _____

Business Address _____

City: _____ State: _____ Zip Code: _____

Phone Number: (____) _____ Fax Number: (____) _____

Email Address: _____

Reference #3

Agency or Firm Name: _____

Business Address _____

City: _____ State: _____ Zip Code: _____

Phone Number: (____) _____ Fax Number: (____) _____

Email Address: _____

7 MWBE INSTRUCTIONS



Town of Clayton, North Carolina

SPECIAL INSTRUCTIONS TO BIDDERS REGARDING UTILIZATION OF MINORITY BUSINESSES IN ALL TOWN CONTRACTS

The North Carolina General Statutes require that bids be awarded to the lowest responsible, responsive bidder “without regard to race, religion, color, creed, national origin, sex, age, or handicapping condition.” Also, contractors are not required to make purchases of materials or equipment or award subcontracts to minority businesses that do not submit the lowest responsible bid(s).

NCGS 143.128.2 requires each city, county, or other local public entity to adopt a verifiable percentage goal for participation by minority businesses in the total value of work for building projects. The Town of Clayton has adopted a goal of ten percent (10%). Public entities shall require contractors to make good faith efforts in the recruitment and selection of minority businesses for participation in building construction projects.

The term “minority business” means a business:

- a. In which at least fifty-one percent (51%) is owned by one or more minority persons or socially and economically disadvantaged individuals, or in the case of a corporation, in which at least fifty-one percent (51%) of the stock is owned by one or more minority persons or socially and economically disadvantaged individuals; and
- b. Of which the management and daily business operations are controlled by one or more of the minority persons or socially and economically disadvantaged individuals who own it.

A “Minority” is a person who is a citizen or lawful permanent resident of the United States and who is:

- a. Black, that is, a person having origins in any of the black racial groups in Africa;
- b. Hispanic, that is, a person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race;
- c. Asian American, that is, a person having origins in any of the original peoples of the Far East, Southeast Asia and Asia, the Indian subcontinent, or the Pacific Islands;
- d. American Indian, that is, a person having origins in any of the original Indian peoples of North America; or
- e. Female

637. “m “socially and economically disadvantaged individual” means the same as defined in 15 U.S.C. 637. “Socially disadvantaged individuals are those who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities.” “Economically disadvantaged individuals are those socially disadvantaged individuals whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same business area who are not socially disadvantaged.”

Each bidder shall identify on its bid the minority businesses that it will use on the project (“Identification of Minority Business Participation”), the total value of the bid that will be performed by the minority businesses, and an affidavit “Affidavit A” listing the good faith efforts it has made. A contractor that performs all of the work under a contract with its own workforce may submit an Affidavit B in lieu of Affidavit A. If not self-performing ONLY submit Affidavit A, C, D and Minority Women Business Indemnification. If these forms aren’t returned with proposal your proposal could be deemed non responsive/responsible and disqualified.

No subcontractor listed in this documentation may be replaced with a different subcontractor except:

- a. if the subcontractor’s bid is later determined to be nonresponsible or nonresponsive, or if the subcontractor refuses to enter into a contract for the work, or
- b. With the approval of the Town of Clayton for good cause.
The prime contractor shall make a good faith effort to replace a minority business subcontractor with another minority business subcontractor.

If during the project, additional subcontracting opportunities become available, the prime contractor shall make a good faith effort to solicit subcontract bids from minority businesses.

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8 TOWN OF CLAYTON AFFIDAVIT A

AFFIDAVIT A

Town of Clayton

Listing of the Good Faith Effort

County of Johnston

Affidavit of: _____
(Name of Bidder)

I have made a good faith effort to comply under the following areas checked:

(A minimum of 50 points must be earned from the following list in order to have achieved a “good faith effort”)

Please include Affidavit D with all supporting documentation.

- ☐ **1 - (10 pts)** Contacted minority businesses that reasonably could have been expected to submit a quote and that were known to the contractor, or available on State or local government-maintained (HUB) lists, at least 10 days before the bid or proposal date and notified them of the nature and scope of the work to be performed.
- ☐ **2 - (10 pts)** Made available for review by prospective minority businesses or provided these documents to them at least 10 days before the bid or proposals are due.
- ☐ **3 - (15 pts)** Broken down or combined elements of work into economically feasible units to facilitate minority participation.
- ☐ **4 - (10 pts)** Worked with minority trade, community, or contractor organizations identified by the Office of Historically Underutilized Businesses and included in the bid documents that provide assistance in recruitment of minority businesses.
- ☐ **5 - (10 pts)** Attended pre-proposal meetings scheduled by the public owner.
- ☐ **6 - (20 pts)** Provided assistance in getting required bonding or insurance or provided alternatives to bonding or insurance for subcontractors.
- ☐ **7 - (15 pts)** Negotiated in good faith with interested minority businesses and did not reject them as unqualified without sound reasons based on their capabilities. Any rejection of a minority business based on lack of qualification should have the reasons documented in writing.
- ☐ **8 - (25 pts)** Provided assistance to an otherwise qualified minority business in need of loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letters of credit, including waiving credit that is ordinarily required. Assisted minority businesses in obtaining the same unit pricing with the bidder's suppliers in order to help minority businesses establish credit.
- ☐ **9 - (20 pts)** Negotiated joint venture and partnership arrangements with minority businesses in order to increase opportunities for minority business participation on a public construction or repair project when possible.
- ☐ **10 - (20 pts)** Provided quick payment options to enable minority contractors and suppliers to meet cash-flow demands.

The undersigned, if awarded a contract, will enter into a formal agreement with the firms listed in the Identification of Minority Business Participation schedule conditional upon scope of contract to be executed with the Town. Substitution of contractors must be in accordance with GS 143-128.2(d). Failure to abide by this statutory provision will constitute a breach of the contract.

The undersigned hereby certifies that he or she has read the terms of the minority business commitment and is authorized to bind the bidder to the commitment herein set forth.

Date: _____

Name of Authorized Officer: _____

Signature: _____

Title: _____

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do hereby certify that on this project, we will use the following minority business enterprise (HUB) vendors as suppliers or providers of services.

*Minority categories: Black, African American (**B**), Hispanic (**H**), Asian American (**A**), American Indian (**I**), Female (**F**), Socially and Economically Disadvantaged (**D**)