



Request for Proposals

Mosquito Abatement Services

March 2024

City of Jackson
Department of Public Works

Robert Lee, PE, City Engineer

Due Date: March 19, 2024
Due Time: 3:30PM CDT
Location: Office of the Municipal Clerk
219 South President Street
Jackson, Mississippi 39201

Advertisement
CITY OF JACKSON
REQUEST FOR PROPOSALS (RFP)
FOR MOSQUITO ABATEMENT SERVICES

The City of Jackson (City) is requesting proposals from qualified Service Providers to provide mosquito abatement services.

It is the City's intent to evaluate the proposals based on technical merit, experience, and price and to choose the Service Provider whose proposal provides the best value to the City. The City reserves the right to waive any irregularities, reject any and/or all proposals, in whole or in part, when, in the City's opinion, such rejection is in the best interests of the City.

Specifications are available for inspection at the Office of the Municipal Clerk, 219 South President Street, Jackson, Mississippi 39201. Specifications and are available for download through Central Bidding online at www.centralbidding.com and at the City of Jackson website, www.jacksonms.gov/bid-opportunities/.

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, each contractor, bidder or offeror shall submit a completed and signed Equal Business Opportunity (EBO) Plan, with the bid submission, in accordance with the provision of the City of Jackson's Equal Business Opportunity (EBO) Executive Order. Failure to comply with the City's EBO 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 Office of Economic Development at 601-960-1055. Copies of the Executive Order, EBO Plan Applications and a copy of the program are available at 200 South President Street, Room 223, Hood Building, Jackson, Mississippi.

The City of Jackson, Mississippi ("City of Jackson") is committed to cultivating and ensuring the quality of life of its citizens, through various programs, employment, initiatives, and assistance. The City encourages all persons, corporations, and/or entities doing business within the City, as well as those who seek to contract with the City on various projects and/or conduct business in the City to assist the City in achieving its goal by strongly considering City residents for employment opportunities.

The City of Jackson hereby notifies all bidders that in compliance with Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d to 2000d-4 that all bidders will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, sex, or disability in consideration for an award.

All documents shall be submitted in a sealed envelope or box marked "Mosquito Abatement Services." **The Cost Proposal shall be submitted in a separate sealed envelope that will be submitted in the same sealed envelope or box as the Technical**

Proposal. This sealed envelope shall be clearly labeled “Cost Proposal” and include the name of the proposer on the outside of the envelope.

Electronic proposals **MUST** be submitted at www.centralbidding.com. For any questions relating to the electronic bidding process, please call Central Bidding at 225-810-4814.

All proposals (both electronic and physical hard copies) must be received no later than 3:30 p.m. Central Daylight Time, on March 19, 2024. All physical hard copies shall be submitted to the attention of:

If by hand delivery:
City of Jackson
Office of the Municipal Clerk
219 South President Street
Jackson, Mississippi 39201

If by mail:
City of Jackson
Office of the Municipal Clerk
Post Office Box 17
Jackson, MS 39205-0017

The City of Jackson reserves the right to reject any and all proposals and to waive any informalities or irregularities therein.



Robert Lee, P.E., City Engineer
Department of Public Works

Publication Dates: February 22 and 29, 2024
Publication: Mississippi Link

Proposals Due: Tuesday, March 19, 2024

SECTION 1-INTRODUCTION

1.1 PURPOSE

The City of Jackson (hereafter referred to as "City") intends to contract for Mosquito Abatement Services. This Request for Proposals (RFP) will seek responses from proposers who have a proven record of providing Mosquito Abatement Services and who have provided this service successfully for other municipalities. Proposers must comply with the State of Mississippi Department of Environmental Quality Pesticide General Permit (PGP) for Point Source Discharges to State Waters of Mississippi from the Application of Pesticides. It is the intent of the City of Jackson to award two (2) contracts, one for the southern half of the City and one for the northern half of the City. Proposers should submit separate proposals for each contract. However, the City reserves the right to award one contract should one (1) contract for the entire City if it is in the best interest of the City.

1.2 BACKGROUND

The City has been providing Mosquito Abatement Services throughout the City for several years. These services target areas within the City boundaries. The services consist of mosquito control activities for a seven (7) month period (April through October) to insure the health and welfare of citizens and visitors of the City. These activities include, but are not limited to, adulticide and larvacide treatment which requires a service provider to establish routes to apply Mosquito Abatement treatment in response to citizen's service requests and requests from the Mississippi Department of Health.

Proposals are being sought from proposers who are in possession of and will maintain licenses and certificates required by the State of Mississippi Department of Environmental Quality and can demonstrate their knowledge and experience in planning and carrying out an effective Mosquito Abatement Services.

1.3 REQUIRED EXPERIENCE AND QUALIFICATIONS

A. QUALIFICATIONS OF PROPOSER

Proposals must contain a statement of qualification. The proposer should have a minimum of five (5) years of experience in providing the services as outlined in this RFP.

1.4 LOCAL PARTICIPATION

The City's preference is to maximize the engagement of qualified and experienced locally-based companies. The successful proposer will present a teaming strategy that demonstrates engagement of qualified and experienced local minority- and female-owned businesses with the requisite experience and capacity to provide the required scope of services

SECTION 2 -INSTRUCTIONS

2.1 GENERAL

One (1) bound original and five (5) bound copies of the proposal, labeled accordingly and including the required EBO Plan, as well as one unbound signed original EBO Plan, shall be submitted in a sealed envelope or box marked "REQUEST FOR PROPOSALS FOR 2024 MOSQUITO ABATEMENT SERVICES".

All proposals must be received IN THE OFFICE OF THE MUNICIPAL CLERK, 219 SOUTH PRESIDENT STREET, JACKSON, MISSISSIPPI 39201 no later than 3:30 p.m. Central Standard Time, on March 18, 2024, to the Office of the City Clerk. All documents should be to the attention of:

City of Jackson
Office of the Municipal Clerk
219 South President Street
Jackson, MS 39201

2.2 PRE-PROPOSAL CONFERENCE

A pre-proposal conference will be held on February 27, 2024, at 3:00 PM CST in the 5th Floor Conference Room of the Warren Hood Building, 200 South President Street, Jackson, Mississippi 39201.

2.3 PROPOSAL CONTENTS

- Transmittal Letter. Transmittal letter must clearly designate the primary proposer's point of contact, the primary proposer's authorized representative, location of primary proposer's place of business, and the name and location of all subconsultants/subcontractors. The transmittal letter must be followed by acknowledgement of any published addenda.
- Tab 1: Statement of the Scope. A brief narrative stating the proposer's understanding of the scope of services for the City's Mosquito Abatement Services requirements.
- Tab 2: Offeror History. Include a narrative history of the overall knowledge and capabilities of the proposing service providers including accomplishments of the company, its experience in providing services, and the depth of resources to provide the services solicited by this Request for Proposals.
- Tab 3: Qualifications and Experience. The qualifications and experience of proposed service providers as it relates to the required scope of services; recent project experience (minimum of five (5) years) to include project scope, location, services performed, costs, outcomes achieved, client contacts and references (minimum of three (3)).
- Tab 4: Proposed Work Plan. Describe in detail the proposer's proposed approach for project and task order management as well as a work plan for providing the professional services solicited by this Request for Proposal, including information that will indicate your team's ability to meet critical milestones, to respond quickly to task assignments, to handle multiple tasks concurrently, and to complete tasks on accelerated schedules. Describe experience and approach to accomplishing the required scope of services. Include in your plan a past report detailing activities of the scope of work for payout.
- Tab 5: EBO Plan including MBE/FBE utilization.

2.4 RESERVATION OF CITY RIGHTS

- A. Award of a professional services contract is subject to the availability of funding.
- B. The City reserves the right to request clarification of information submitted and to request additional information of one (1) or more proposers.
- C. The City reserves the right to negotiate the agreement or contract for the project with the next most qualified finalist if the successful finalist does not agree to the terms of an agreement or contract within fifteen (15) days after submission of an agreement to such proposer. The City reserves the right to negotiate all elements of work that comprise the selected RFP.
- D. The City reserves the right, after opening the proposals, or at any other point during the selection process, to reject any or all proposals, modify or postpone the proposed project, evaluate any alternatives offered, or accept the proposal that, in the City's sole judgment, is in its best interest.
- E. The City reserves the right to terminate the agreement or contract if the Consultant/Contractor fails to begin to perform the work described herein within ten (10) days after the City gives the Consultant/Contractor a written notice to proceed.
- F. The City may make such investigation as it deems necessary to determine the ability of the proposer to perform the work, and the proposer shall furnish to the City all such information and data for this purpose as the City may request.
- G. The City reserves the right to reject any proposal if the evidence submitted by or investigation of such proposer fails to satisfy the City that such proposer is properly qualified to carry out the obligations of the Contract and to complete the work contemplated therein.

2.5 ADDITIONAL REQUESTS FOR INFORMATION

All questions concerning this RFP should be submitted in writing to Robert Lee, City Engineer at rlee@jacksonms.gov or 200 South President Street, Suite 424, Jackson, MS 39201 by the due date listed. Failure to adhere to this submittal process will not be accepted. Any questions related to this solicitation are to be submitted in writing by 4:00PM CST on February 28, 2024, to receive a response. Responses to all questions received will be issued in the form of an Addendum to this RFP. Addenda will only be provided to pre-proposal conference attendees and proposal requestors.

2.6 ADDENDA

From time to time, one or more addendum may be issued that provide clarifications or supplemental information about the RFP. Proposers are responsible for reviewing all addenda and acknowledging the receipt of all addenda as part of the proposal submittal. Failure to acknowledge receipt of addenda may result in rejection of the proposal.

2.7 TERMS AND CONDITIONS

The City intends to award two (2) contracts; one for the southern half of the City and one for the northern half of the City. However, the City reserves the right to award one (1) contract for the entire City if it is in the best interest of the City. The contract term will be for three (3) years with an option to renew for an additional one (1) year term, subject to approval by the City's governing authorities, not to exceed a total contract time of four (4) years.

SECTION 3 -REQUIRED SCOPE OF SERVICES

3.1 GENERAL INFORMATION

Proposers shall inform themselves and comply with all pertinent City regulations and ordinances, State and Federal laws, licenses and tax liabilities which may in any manner affect their proposals and the performance of the work.

3.2 REQUIRED SCOPE OF SERVICES

The successful proposer will demonstrate expertise and experience in the required scope of services which may include but is not limited to:

A. Adulticide Spraying

The base contract will be for seven (7) months (April 1 through October 31). The proposer will be responsible for establishing routes for covering the section of the City limits for which they propose as the City limits may exist during the period of the contract. Adulticide spraying shall be performed by truck mounted ULV sprayers. An adulticide spraying application will be required for each entire route once per month. With Fortification Street serving as the dividing boundary line, the successful proposer must complete monthly an adulticide spraying application for the northern half (approximately 600 miles of City streets) or for the southern half (approximately 500 miles of City streets) of the City depending upon the section for which the proposal is submitted. The proposer will be responsible for reports to the City Public Works Director or the designee on areas purposed to be covered and area actually covered on a daily basis. Spraying vehicles must be tracked using GPS technology and reports. The proposer will be responsible for supplying all chemicals meeting all local, state and federal regulations. The proposer will be responsible for following all requirements set forth by all local, state and federal laws concerning application and storage of chemicals being used.

B. Larvacide Treatments

The proposer will be responsible for larvacide treatments during the spraying season to ditches, drainage channels, and areas of standing water designated by the Director of Public Works or the designee. The proposer will be responsible for reporting proposed areas to be treated and areas actually treated on a daily basis. A minimum of 300,000 square feet will be treated, with Fortification Street, Bullard Street, and Clinton Boulevard serving as the boundary line for the northern half (150,000 square feet) and for the southern half (150,000 square feet). With Fortification Street, Bullard Street, and Clinton Boulevard serving as the dividing boundary line, the successful proposer must complete monthly a larvicidal spraying application for the northern half (150,000 square feet) or for the southern half (150,000 square feet), depending upon the section for which the proposal is submitted. The proposer will be responsible for supplying chemicals necessary for the treatments, which meet all local, state and federal guidelines. The proposer will be responsible for following all requirements set forth by all local, state and federal laws concerning application and storage of chemicals being used.

C. Customer Service Requests

The proposer will be required to operate a "Customer Service Request" telephone line for residents to report needed mosquito control activities. The proposer will be required to respond to requests within a 24-hour period. All requests and responses to request must be reported to the City on a weekly basis.

D. Additional Monthly Adulticide Spraying and Larvacide Treatment

Additional months may be added to the spraying season if designated by the Director of Public Works. All requirements of the adulticide and larvacide spraying season must be met within the additional months.

E. Additional Hourly Adulticide Spraying

Additional hourly adulticide spraying may be authorized to be added to the spraying season or additional monthly spraying if designated by the Director of Public Works. Additional hourly adulticide spraying will be paid on a per hour per spraying unit basis. Adulticide spraying shall be performed by truck-mounted ULV sprayers for additional street spraying or ATV-mounted ULV sprayers for off-road spraying. All requirements of the adulticide spraying season must be met within the additional hourly adulticide spraying. Additional larvacide treatment will not be included in the additional hourly adulticide spraying.

F. Additional Larvacide Treatment

Additional larvacide treatment may be authorized to be added to the spraying season or additional monthly spraying if designated by the Director of Public Works. Additional larvacide treatment will be paid on the basis of the square footage of water treated. All requirements of the spraying season larvacide treatment must be met.

G. Mosquito Surveillance

Proposals must provide surveillance using mosquito traps to document and verify mosquito populations and species for the section of the City for which they are proposing. Data produced from surveillance should be used to target mosquito control activities for a custom control program. Data is to be provided to the City on a weekly basis.

H. Public Education Program

Provide public education concerning mosquito control which may include, but is not limited to, pamphlets, community meetings, public service announcements, etc.

I. Responses to residential calls

Provide a Certified Technician to respond to residential calls for service to include services such as spraying yard with hand held fogger, performing barrier treatments, and applying larvacide treatment to residential standing water.

SECTION 4 -MATERIALS AND EQUIPMENT

Whenever materials or equipment are specified or described in the Contract Documents by using the name of a manufacturer, fabricator, supplier, or distributor, the naming of the item in this manner is intended to establish the type, function and quality required. Materials or equipment of other manufacturers, fabricators, suppliers, or distributors may be accepted by the City if sufficient information is submitted by the proposer to allow the City to determine that the material or equipment proposed is equivalent to that named in the Contract Documents.

SECTION 5 -EVALUATION

5.1 EVALUATION COMMITTEE

The City's Evaluation Committee will evaluate the proposals received. The selected proposers will be notified.

5.2 EVALUATION SCHEDULE

The targeted schedule for this solicitation is as follows:

RFP Released for Advertisement	February 22, 2024
Pre-Proposal Conference	March 12, 2024
Written questions/requests for information must be received by 4:00PM CST	March 13, 2024
Proposals Due	March 19, 2024

5.3 SELECTION CRITERIA

PROPOSAL EVALUATION CRITERIA -(listed in relative order of importance) Selections will be based on an evaluation of the following criteria:

Criteria	Available Points
A. Experience and Qualifications	25
B. Experience Providing Similar Services	20
C. Available Resources to Complete the Project	10
D. Price Proposal	35
E. EBO and MBE/FBE Utilization	10
TOTAL	100

REQUIREMENTS SPECIFIC TO EVALUATION CRITERIA: The narrative portion and the materials presented in response to this Request for Proposal shall be submitted in the same order as requested and must contain, at a minimum, the following:

A. EXPERIENCE AND QUALIFICATIONS - 25 POINTS

- Provide experience and qualifications of key individual(s) including any licenses, registrations, or certifications applicable to the proposed work.
- Describe in detail your approach to providing these services.
- Identify the internal policies and procedures that will be used to assure professional completion of the required services.

B. EXPERIENCE PROVIDING SIMILAR SERVICES - 20 POINTS

- Provide applicable experience with providing similar services.
- Identify scope and location of similar services.
- List specific references that will be contacted and evaluated.
- Show how this past experience relates to the scope outlined herein.

C. AVAILABLE RESOURCES TO COMPLETE SERVICES - 10 POINTS

- Describe the analytical tools, resources or methodologies you will use.
- Indicate the availability of the resources.
- Describe internal measures that will be used to ensure professional completion.
- Describe how you will track and report on the fogging route, volume of pesticide used and the speed at which the pesticide is applied (vehicle speed).

D. PRICE PROPOSAL - 35 POINTS

- The Price Proposal shall be submitted in a single copy and shall contain the proposed price for performing the work specified in the solicitation.
- Numbers shall be stated both in writing and in figures.
- The Price Proposal shall be without interlineations, alterations, or erasures.
- The prices are to include the furnishing of all materials, equipment, supplies, and all other facilities, and the performance of all labor and services necessary or proper for the completion of the services.
- In case of a discrepancy between written words and figures in the Price Proposal, the amount stated in written words shall govern. All of the above factors will be considered as elements of a responsible bid at the sole discretion of the City. The City's decision shall be final and not subject to recourse by any person, company, or corporation.

E. EBO AND MBE/FBE UTILIZATION - 10 POINTS

- Maximum points will be awarded to the proposal maximizing the use of the MBE/FBE in meaningful work under the contract

5.4 SELECTION OF FINALIST(S)

After review of the proposals by the City's Evaluation Committee, the City may, at its sole option, elect to reject all proposals or elect to pursue the services further. In the event the City decides to pursue the services further, the City will select the highest ranked proposer for each section of the City with whom to negotiate an Agreement or Contract. In the event, the City is unable to reach an agreement with the

selected proposer(s), the City reserves the right, in its sole judgment, to negotiate with proposers as ranked from highest to lowest, and to proceed so forth, in its sole judgment, until it reaches an agreement that is in the best interest of the City. Once the City has reached an impasse with a proposer with whom it is negotiating and ends negotiations with that proposer, the City will no longer negotiate with that proposer under this RFP.

SECTION 6 -EQUAL BUSINESS OPPORTUNITY

6.1 MINORITY/FEMALE BUSINESS OUTREACH EFFORTS

The City expects proposers to engage locally-based, minority-owned and female owned businesses in a way which builds capacity.

MBE/FBE companies that are interested in providing these services are encouraged to submit their company's name and contact details (name of point of contact, address, telephone and email address) to the EBO Officer Yika Hoover (601) 960-1638 during the pre-proposal conference. The list of interested companies will be distributed by Addendum.

6.2 EQUAL BUSINESS OPPORTUNITY (EBO)

In accordance with Section IV of the City's Equal Opportunity Executive Order of April 29, 2015, each contractor, bidder or proposer shall submit a completed and signed Equal Business Opportunity Plan with bid submission.

The City is committed to the principle of non-discrimination in public contracting. It is the policy of the City 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 proposer shall submit a completed and signed Equal Business Opportunity (EBO) Plan Application with the bid submission, in accordance with the provisions of the City's Equal Business Opportunity (EBO)

Ordinance. Failure to comply with the City's ordinance shall disqualify a contractor, bidder or proposer from being awarded an eligible contract.

Please see Attachment A for the EBO Plan Application and more information about the EBO Program.

Attachment A



CITY OF JACKSON, MISSISSIPPI

Chokwe Antar Lumumba, Mayor

EQUAL BUSINESS OPPORTUNITY (EBO) PLAN APPLICATION

**Department of Planning and Development
Office of Economic Development**

EBO PLAN APPLICATION CHECKLIST

To ensure that your Equal Business Opportunity (EBO) Plan Application is complete, please check each of the items below:

Waiver Requests

- _____ If you cannot meet the EBO Participation Goals, you have checked that you are requesting a waiver.
- _____ Your Waiver Statement is on your business letterhead and includes a clear and valid explanation of why the waiver is requested.
- _____ If you have attempted to contact but have not reached minority contractors for your proposed project, you have identified the "good faith efforts" outlined in the EBO Plan Application.

Proposed Minority Contractors

- _____ If you are a minority primary contractor, your business is not also listed as one of the subcontractors for the project.
- _____ The minority contractor(s) that you list is/are currently certified with the City of Jackson and in accordance with the executive order. (Contact the Business Development Division at (601) 960-1055 to check the status of your proposed minority contractors.)
- _____ Under each proposed MBE/FBE firm, only one minority business type is checked (for example, you have chosen FBE or AABE, but not both).

MBE/FBE Project Participation

- _____ Your listed MBE/FBE will perform a commercially useful function (a distinct element of work that will be performed, managed, and supervised).
- _____ You have provided details for both the type and scope of work the minority contractor will perform.
- _____ Your MBE/FBE dollar value of the work to be performed is accurate.
- _____ Your total percentages for MBE/FBE participation are included and accurate.

For more information contact the City of Jackson EBO Division at 601-960-1055

**CITY OF JACKSON, MISSISSIPPI
EQUAL BUSINESS OPPORTUNITY ORDINANCE**

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) 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 Economic Development at 960-1055. Copies of the EBO Ordinance, EBO Plan Application, EBO Program, the MBE/FBE Directory and the MBE/FBE Certification Affidavit are available at 218 South President Street, Second Floor, Jackson, Mississippi.



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 Ordinance, 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 Ordinance 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)	African American (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 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) 960-1638.

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 the 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 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 manufacturer's 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 \$10,000,000.00. Even if the prime itself is an MBE, a joint venture between prime contractors and MBEs shall be required on all projects exceeding ten million dollars (\$10,000,000.00).
- (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 127-13(1) of the City of Jackson's Equal Opportunity Ordinance, 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 bidders or offerors 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.

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.



EQUAL BUSINESS OPPORTUNITY PLAN APPLICATION FORM EBO-1

I. _____
Company Name

Address

City, State Zip

Telephone E-mail

II. Bid Name and Number: _____

III. **PROPOSED MINORITY AND/OR FEMALE SUBCONTRACTORS: (SEE FORM EBO-2)**
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 127-13-1(B) of the EBO Ordinance.

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

1. Copies of written notification to MBEs and FBEs soliciting their participation as a subcontractor.
2. Evidence of efforts made to divide the work into economically feasible units in order to increase the likelihood of meeting the EBO participation goals.
3. Evidence of efforts made to negotiate with MBEs and/or FBEs, including, at a minimum:
 - a. The names, addresses, and telephone numbers of the MBE and FBEs who were contacted.

- b. A description of the information provided to MBEs and FBEs regarding the plans and specifications for portions of the work to be performed.
- c. A statement of reasons why additional agreements with MBEs and FBEs, if needed to meet the stated goals, were not reached.
- d. 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.
- e. 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.
- f. Written quotes solicited from all MBEs and FBEs seeking subcontract work with Prime Contractors at the time of the bidding.
- g. 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.

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

VII. 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.

Authorized Signature and Title

Title

Print Authorized Name

Date



EQUAL BUSINESS OPPORTUNITY PLAN APPLICATION
FORM EBO-2
Proposed Minority/Female Business Enterprise Firms

Company Name

Address

City,

State

Zip

Contact Person

Telephone

E-mail

Type Minority Business (MBE/FBE):

☐ Female (FBE)

☐ African American (AABE)

☐ Asian (ABE)

☐ Hispanic (HBE)

☐ Native American (NABE)

Type Minority Business Involvement

☐ Subcontractor

☐ Joint Venture

☐ Supplier

☐ 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:

_____ %



EQUAL BUSINESS OPPORTUNITY PLAN APPLICATION
FORM EBO-2
Proposed Minority/Female Business Enterprise Firms

Company Name

Address

City,

State

Zip

Contact Person

Telephone

E-mail

Type Minority Business (MBE/FBE):

☐ Female (FBE)

☐ African American (AABE)

☐ Asian (ABE)

☐ Hispanic (HBE)

☐ Native American (NABE)

Type Minority Business Involvement

☐ Subcontractor

☐ Joint Venture

☐ Supplier

☐ 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:

_____ %