

**ORLEANS PARISH SCHOOL BOARD
PURCHASING/ANCILLARY SERVICES DEPARTMENT
3520 GENERAL DE GAULLE DRIVE, 5th Floor, Room 5078
New Orleans, LA 70114
TELEPHONE (504)304-5645/FAX (504) 309-2879
LESLIE J. REY, DIRECTOR**

ORLEANS PARISH SCHOOL BOARD

SPECIFICATIONS

FOR

**DBE PROGRAM COMPLIANCE
CONSULTING SERVICES**

PROPOSAL DEADLINE: MONDAY, SEPTEMBER 15, 2014, AT 4:00 P.M.

NOTE: Proposal response to be provided as original and one (1) on CD or flash drive.

PROPOSER: _____

SIGNATURE: _____

NAME: _____

(Print or Type)

ADDRESS: _____

CITY, STATE, ZIP: _____

PHONE: _____

FAX NUMBER: _____

E-MAIL: _____

**ORLEANS PARISH SCHOOL BOARD
PURCHASING/ANCILLARY SERVICES DEPARTMENT
3520 General De Gaulle Drive, Fifth Floor, Room 5055
New Orleans, Louisiana 70114**

ADVERTISEMENT

REQUEST FOR PROPOSAL NO. 15-0013

DBE PROGRAM COMPLIANCE CONSULTING SERVICES

Sealed proposals relative to the above will be received in the Purchasing/Ancillary Services Department for the Orleans Parish School Board (OPSB), 3520 General De Gaulle Drive, Suite 5055, New Orleans, Louisiana 70114 until 4:00 P.M., on Monday, September 15, 2014.

Specifications and proposal documents may be obtained upon request from the OPSB Purchasing/Ancillary Services Department in writing, by email leslie_rey@opsb.us by calling (504) 304-5645, or by visiting the OPSB web site at www.opsb.us/solicitations.

The Orleans Parish School Board reserves the right to reject any or all bids whenever such rejection is in its best interest in accordance with law. The provisions and requirements of this advertisement shall not be waived.

ORLEANS PARISH SCHOOL BOARD

BY: Mr. Leslie J. Rey
Purchasing/Ancillary Services Director

FIRST INSERTION DATE: FRIDAY, AUGUST 29, 2014
SECOND INSERTION DATE: FRIDAY, SEPTEMBER 5, 2014

INSTRUCTIONS TO PROPOSERS

Sealed proposals will be received by the Orleans Parish School Board in the Purchasing/Ancillary Services Department, 3520 General De Gaulle Drive, 5th Floor, Room 5055, New Orleans, Louisiana 70114, until 4:00 P.M. on Monday, September 15, 2014, for REQUEST FOR PROPOSAL NO. 15-0013 DBE PROGRAM COMPLIANCE CONSULTING SERVICES with the following specifications, at which time and place the proposals will be reviewed by an evaluation committee.

A signed original and **one (1) on CD or flash drive (If a soft copy cannot be provided, submit one (1) paper copy.)** shall be submitted in a sealed envelope and clearly marked: **RESPONSE TO REQUEST FOR PROPOSAL NO. 15-0013, DBE PROGRAM COMPLIANCE CONSULTING SERVICES TO BE RECEIVED ON MONDAY, SEPTEMBER 15, AT 4:00 P.M.** and addressed to the Purchasing/Ancillary Services Department, Orleans Parish School Board, 3520 General De Gaulle Drive, 5th Floor, Room 5055, New Orleans, Louisiana 70114. The name and address of the company submitting the proposal must appear on the top left corner of the envelope containing the proposal document.

Hand-carried and express mail proposals may be delivered to the above address **ONLY** between the hours of 8:00 a.m. and 4:30 p.m. local time, Monday through Friday, excluding holidays observed by the OPSB.

The Orleans Parish School Board will not be responsible for the opening of, post-opening of, or failure to open a proposal not properly addressed or identified.

The Orleans Parish School Board will not assume the responsibility for any delay as a result of failure of the mail to deliver proposals on time.

No proposals will be accepted after 4:00 P.M. on Monday, September 15, 2014 under any conditions whatsoever. In order for your company to be provided proof of delivery time, proposals should be hand delivered, sent by registered mail, or private carrier only to the Purchasing Department, 3520 General De Gaulle Drive, 5th Floor, Room 5055, New Orleans, Louisiana 70114.

REQUEST FOR PROPOSAL DOCUMENTS: A complete set of Proposal Documents shall be used in preparing proposals; neither the Orleans Parish School Board nor its representatives assume any responsibility for errors or misinterpretations resulting from the use of incomplete sets of Proposal Documents.

The forms furnished as part of the specifications **MUST** be used for filing of proposal and must be signed by the proposer. **No proposals will be considered unless made on the forms provided and must not be detached from the proposal document of which it forms a part.** Failure to follow these instructions may result in your proposal being disqualified.

PROPOSER'S REPRESENTATION: Each Proposer, by signing and submitting a proposal to the Orleans Parish School Board Represents that:

- a. The Proposer has read and understands the Proposal Documents and that his proposal is made in accordance therewith.
- b. The Proposer is furnishing the Certificate of Insurance with the Proposal, in accordance with the insurance requirements.
- c. The Proposer has read the Certificate of Independent Price Determination and understands it as acknowledged by his signature on the statement, which is attached to and made part of his proposal.

PROPOSER GUARANTIES AND WARRANTIES:

- a. Proposer warrants that it is willing and able to comply with State of Louisiana laws with respect to foreign (non-state of Louisiana) corporations/entities.
- b. Proposer warrants that it will obtain an errors and omissions insurance policy providing a prudent amount of coverage for the willful or negligent acts, or omissions of any officers, employees or agents thereof.
- c. Proposer warrants that it will not delegate or subcontract its responsibilities under an agreement without the prior written permission of the OPSB.
- d. Proposer warrants that all information provided by it in connection with this proposal is true and accurate.
- e. The proposer certifies it can and will provide and make available, as a minimum, all services set forth in the specifications.

CONSIDERATION OF PROPOSAL:

The proposal shall include the legal name of the proposer and a statement whether the proposer is a sole proprietor, a partnership, a corporation or other legal entity, and shall be signed by the person or persons legally authorized to bind the proposer to a contract.

A contract may be awarded on the proposals as submitted, or the OPSB may elect to negotiate as to technical performance or price, or both, with proposers whose proposals fall in the competitive range.

If a proposal is categorized as "unacceptable", the proposer will not be allowed to submit supplemental information amending its proposal.

The Board reserves the right to select any part of the proposal or the whole proposal as well as to reject any and all proposals and to waive any informality (except submission deadline) in proposals received whenever such selection, rejection or waiver is in its interest in accordance with law.

All blanks within the Proposal Document shall be filled in by typewriter or manually in ink.

The Proposer's name, complete address, phone number and principals of the company must be furnished.

Proposers are cautioned to insure that all prices are correct as written/typed. A careless error in the proposal preparation or in quoting prices will not relieve the proposer's responsibility.

Per Louisiana Revised Statutes Title 38:2221, "NO CONTRACT SHALL BE LET ON A COST-PLUS BASIS". Each proposal remains valid and binding up to and including one hundred twenty (120) days after the date set for receipt of any proposal. The OPSB may accept any proposal and award a contract within one hundred twenty (120) days of the day for the receipt of any proposal. If the OPSB does not make an award within one hundred twenty (120) days of the date set for the receipt of any proposal, all proposals will be considered rejected.

In the event of the failure of the Proposer to meet the requirements within the time specified elsewhere in these specifications, the Board reserves the right, without prior notice or putting in default but by mere lapse of time, to obtain the service from any other person or firm at such price as may be charged without competitive bids. The difference between the price paid and the contract price shall be deducted from the following or any subsequent payment to the contractor.

CONTRACT TERM AND PAYMENT: The proposer who is awarded the contract will be authorized to perform work in accordance with the terms of the contract. The contract awarded will consist of the base period of one (1) year, with the potential of three (3) one-year extensions. Based on satisfactory performance, availability of funds, and other factors, OPSB may issue Consultant individual task orders for additional work or extend the contract term if necessary.

The selected Consultant will be paid a fixed monthly fee equal to 1/12th of the annual contract. Tasks not included in the original Scope of Work will be negotiated and paid upon agreement by OPSB and the Consultant.

DISCOUNTS FOR PROMPT PAYMENT: Discounts/Terms for prompt payment will not be considered in the evaluation of proposals. However, any offered discount will form a part of the award and will be taken if payment is made within the discount period indicated in the proposal by the Proposer. As an alternative to offering a prompt payment discount in conjunction with the proposal, Proposers awarded contracts may include prompt payment discounts on individual invoices.

DELIVERY OF SERVICE: In the event of the failure of the Proposer to meet the above requirements or to provide services within the time specified elsewhere in these specifications, the Board reserves the right, without prior notice or putting in default but by mere lapse of time, to obtain the services from any other person or firm at such price as may be charged without competitive proposals. The difference between the price paid and the contract price shall be deducted from the following or any subsequent payment to the contractor.

CORRECTION OF MISTAKES: Do not erase, correct or write over any prices or figures necessary for the completion of the proposal. Corrections should be made by drawing a line through the unwanted text(s) or number(s) and rewriting the correct text(s) or number(s). If a correction is necessary, the proposer shall initial each correction. Failure to comply with the requirements may cause your proposal to be disqualified. No proposals shall be altered or amended after the specified time for opening.

OBJECTION TO THE AWARD: If any Proposer who submitted a Proposal has an objection to the award of the Contract to the Apparent Low Proposer, the objecting Proposer shall furnish that protest, in writing, to the Purchasing/Ancillary Services Director within two (2) Business Days of the date of the Proposal Opening. The protest shall describe in detail the basis for the protest, and shall request a determination under this section of the Instructions to Proposers.

If a protest is filed in a timely fashion, the Purchasing/Ancillary Services Director will review the basis for the protest and relevant facts under such terms and conditions, as the Purchasing/Ancillary Services Director considers proper. Upon completion of the review, the Purchasing/Ancillary Services Director shall submit its findings and recommendations to the Superintendent and/or OPSB who shall then review the matter under such terms and conditions, as deemed proper. Upon receipt of authority to act from the Superintendent or OPSB, the Purchasing/Ancillary Services Director will notify those Proposers involved of its decision. The decision shall be final and binding on the objecting Proposer.

WITHDRAWAL OF PROPOSAL: Any proposal may be withdrawn if clear and convincing sworn, written evidence of obvious mechanical, clerical or mathematical error is furnished by the proposer to the Purchasing/Ancillary Services Director within 48 hours of proposal opening.

SUPPLIER PERFORMANCE AND EVALUATION: The contractor, vendor, service provider and/or supplier performance process will involve evaluating the contractor, vendor, service provider and/or supplier's overall quality status, as well as evaluating the quality of each material or service the Orleans Parish School Board wishes to purchase from the said contractor, vendor service provider and/or supplier. Prior to the invoice submission, the contractor, vendor, service provider and/or supplier, shall meet with a Purchasing/Ancillary Services representative to discuss and review deliverables and timeline events for said services. Contract with automatic renewals will be based upon the Orleans Parish School Board evaluating and analyzing contractor, vendor, service provider and/or supplier performance.

DEBARMENT AND SUSPENSION

To ensure that the Orleans Parish School Board does not enter into a contract with a contract with a debarred or suspended company or individual, each responsive proposer must include a certification statement with each proposal on each contract. By signing the certification statement, the proposer certifies that neither it nor any of its principals (e.g., key employees) have been proposed for debarment, debarred or suspended by a Federal Agency. It is the responsibility of each proposer to sign the attached certification statement and submit it with the proposal. Failure to comply with this requirement will cause your proposal to be disqualified, declared non responsive.

CONTRACTS OVER \$100,000:

The Contractor must comply with the applicable standards, orders or requirements issued under Section 306 of the Clean Air Act [(42 USC 1837 (h))], Section 508 of the Clean Water Act (32 USC 1368), Executive Order 11738, and Environmental Protection Agency Regulations (40 CFR, Part 15), which prohibit the use under non-exempt federal contracts, grants or loans of facilities included in the EPA list of violating facilities. Contractor shall report any violations to the Orleans Parish School Board, the Department of Agriculture and to the Environmental Protection Agency Assistant Administrator for enforcement.

PROPOSAL INQUIRY

All inquiries must be addressed in writing to Leslie Rey, Lynn Dillon or Caroline Harvey, Purchasing/Ancillary Services Department at 3520 General DeGaulle Drive, New Orleans, Louisiana 70114 or fax to (504) 309-2879 or e-mail leslie_rey@opsb.us, lynn_dillon@opsb.us or caroline_harvey@opsb.us. No contact in any form or manner is to be made with any employee of the District except through Leslie Rey, Lynn Dillon or Caroline Harvey. Violation of this provision shall be considered grounds for disqualification of the violator employer's proposal.

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM:

The OPSB is seeking a minimum DBE goal of 35%. Proposers are encouraged to exceed the minimum goal. See DBE Packet which is hereby made a part of this RFP. Failure to include DBE participation or show good faith efforts in your proposal may cause it to be rejected as non-responsive.

AUTOMATIC CLEARING HOUSE (ACH) BANKING INFORMATION: Bidders who wish to have an ACH/Electronic Payment Processed must complete the attached banking information form.

INDEMNITY AND INSURANCE:

- A. The Contractor shall indemnify and hold harmless the OPSB, its Board Members, Officers, Staff Directors, etc. for and against any and all losses, damages, and liabilities whatsoever for injury to or death of persons, or loss of or damage to property, including Government property of any kind or nature caused by or arising out of the performance of the work or services required hereunder by the contractor or the officers, employees, or agents of the Contractor.
- B. The Contractor shall, as a minimum, obtain and maintain during the entire period of performance of this contract insurance provided by insurers authorized to transact business in the State of Louisiana, has and maintains a minimum of a "A" rating or better financial size category as shown in the most current AM Best Company ratings the following coverage placements:
1. Workmen's Compensation and Employees Liability Insurance – Worker's Compensation insurance limits as required by the Labor Code of the State of Louisiana meeting minimum statutory requirements and Employer's Liability coverage with a minimum of \$500,000. The policy shall include a **waiver of subrogation** in favor of the District (OPSB).
 2. Comprehensive General Liability/ Professional Liability Insurance – **For Standard Contracts**, minimum limits of \$1,000,000 per occurrence. The policy shall include a **waiver of subrogation** in favor of the OPSB with an **additional insured** endorsement. **For Architectural & Engineering (A&E)** projects, the Contractor shall provide evidence of coverage for Professional Liability and or E&O Liability subject to limits of not less than \$1,000,000 with additional **insured and/or a waiver of subrogation** endorsement in favor of the District (OPSB). The liability insurance shall remain in effect until the end of the Correction Period and at all times after that when the Contractor may be correcting or removing and replacing, defective work.
 3. Motor Vehicle Liability Insurance - Minimum limits of \$250,000 per person and \$500,000 per occurrence for bodily injury liability and \$100,000 for property damage liability is required on each vehicle owned, non-owned or hired to be used in conjunction with the contract. The policy shall include a **waiver of subrogation** in favor of the District (OPSB).
 4. Property, Builder's Risk Insurance – The Contractor (for repair, construction, fabrication, etc. projects) shall purchase and maintain property insurance, including earth movement and flood, covering work at the site in the full amount of the respective contract and/or changes in contract values due to change orders. The property insurance shall be "All Risk Builder's Risk Completed Value Form Insurance or equivalent manuscript policy and shall include the interests of the OPSB, Contractor, Subcontractors and Suppliers, Architect and the Owners and Architect's consultants as their interest may appear, all of whom shall be named **as additional insured's**. The corresponding deductibles, shall be borne by the Contractor & the policy shall also be endorsed to comply with the **waiver of subrogation** rights in favor of or applicable to the OPSB.
 5. Bonding – The Contractor (other than A&E and Demolition projects) shall furnish a Performance Bond in the full amount of the contract price. The Labor and Material Payment Bond shall also be in the full amount of the contract price. The Performance Bond shall remain in effect until the end of the "correction period" and at all times after that when the contractor may be correcting or removing and replacing defective work. The Contractor shall also furnish any maintenance bonds and manufacturer performance bonds, each in the amount and for specified that are required in the Supplementary conditions or technical Specifications. Attorney-in-Fact who signs bonds shall

attach a certified copy of their Power of Attorney to sign bonds and conduct business in the respective State.

6. Excess Liability Insurance – The OPSB reserves the right to require this coverage subject to the value of the contract or scope of work required in the contract. If required, the excess liability insurance shall follow the same form and offer the same protections as employer’s liability, general liability and auto liability. It shall also be as broad as the underlying policies of liability. Limits of Excess Liability coverage will be established based on the size and scope of the contract project. **Additional insured and/or waiver of subrogation endorsements will be required.**
- C. The minimum insurance amounts specified in paragraph B shall not include a deductible. Notwithstanding, if there is a deductible incorporated into the terms of the insurance policy, then OPSB shall not be liable for the deductible, nor shall it be an allowable cost if paid by the CONTRACTOR. Insurance issued on a claims-made basis and completed operations insurance shall be maintained for 2 years after acceptance and evidence of coverage shall be furnished to the OPSB yearly.
- D. The insurer’s cost of providing the insured’s a defense and appeal, including attorney fees, shall be supplementary and shall not be included as part of the policy limits, but shall remain the insurer’s separate responsibility. If any of the Contractor’s sureties or insurers is declared bankrupt or placed into receivership, ceases to meet any of the requirements of the Contract Documents or its license to do business in the State of Louisiana is revoked or expires, the Contractor shall meet the requirements of the contract documents.
- E. Certificates of insurance evidencing that the requirements of paragraph B have been met shall be furnished to OPSB before work is commenced with respect to performance under this Contract. **In addition to the certificate of insurance, a copy of all required endorsements will be required as proof of the coverage placement.** The insurance required pursuant to the provisions of this clause shall be in such form and for such periods of time as OPSB may require or approve, and with insurers approved by OPSB. Provisions shall be made for 30 days advance written notice by mail to OPSB of change in or cancellation of such insurance.
- F. In the event the CONTRACTOR fails to furnish such certificates prior to the commencing of work or to continue to maintain such insurance during the performance of the Contract OPSB shall have the right to withhold any payments or partial payments required to be made under this Contract; and shall have the right to continue withholding any or all of said payments so long as the CONTRACTOR has not complied with the requirements of this clause.
- G. **ADDITIONAL INSURANCE REQUIREMENTS:** The Contractor shall provide a Certificate of Insurance evidencing Errors and Omissions liability insurance coverage subject to limits of liability of not less than \$1,000,000.00. Furthermore, it shall be mutually agreed that OPSB shall be solely responsible for the contents of any information or documentation, which OPSB may provide to the Contractor to rely upon in the process of this service agreement. Notwithstanding the aforementioned provision, the Contractor shall be responsible for any damages or liabilities to the extent that they result from the Contractor’s actual errors, omissions, or negligence pursuant to this Agreement. No changes, modifications, or limitations to these insurance requirements shall be permitted.

Mr. Leslie J. Rey, Director
Purchasing/Ancillary Services Department

APPENDIX A

A1: PRINCIPALS OF THE COMPANY

PRESIDENT: _____

VICE-PRESIDENT: _____

SECRETARY: _____

TREASURER: _____

PROPOSER: _____

SIGNATURE: _____

NAME: _____
(PRINT OR TYPE)

ADDRESS: _____

CITY, STATE, and ZIP: _____

AREA CODE & PHONE: _____

AREA CODE & FAX: _____

EMAIL: _____

LIST THE PROPOSER'S FEDERAL TAX IDENTIFICATION NUMBER _____

Proposer is (check one) _____Sole Proprietorship; _____Partnership; _____Corporation
(If corporation, in what state incorporated) _____; or
_____Joint venture. Identify parties:

APPENDIX A

A2: NON-COLLUSION STATEMENT

State of Louisiana
Parish of Orleans

_____,
States that he/she is _____ (a partner of the firm, officer of the corporation, or individual making the foregoing proposal or proposal); that said proposal is genuine and not collusive or sham; that said proposer has not colluded, conspired, connived or agreed, directly or indirectly, with any proposer or person to put in a sham proposal or to refrain from proposing, collusion, or communication or conference, with any person, to fix the proposal price or affiant or any other proposal, or to fix any overhead, profit or cost element, or that of any other proposer, or to secure any advantage against any person interested in the proposed contract, and that all statements contained in the said proposal or proposal are true.

(Signature)

**APPENDIX A:
A.3: PROPOSER'S OFFER**

TO: ORLEANS PARISH SCHOOL BOARD
Purchasing/Ancillary Services Department
3520 General De Gaulle Drive, Fifth Floor, Room 5055
New Orleans, Louisiana 70114

1. Having read the Request for Proposal and the Specifications for **DBE PROGRAM COMPLIANCE CONSULTING SERVICES**, I the undersigned, authorized to represent corporation, partnership, sole proprietorship (the Company) listed below, hereby submit to the OPSB this proposal for providing **DBE Program Compliance Consulting Services** as listed below.

2. This proposal is submitted on behalf of:

Company: _____

Address: _____

Street Number/P.O. Box

Street Name

City

State

Zip

3. I further certify that I/we have examined and fully comprehend the scope and conditions supplied for the consulting services and that the Company agrees to furnish to the OPSB said services for the payment amount listed on the attached Request for Proposal form.

4. In submitting this proposal, the Proposer agrees to the terms and conditions of the Request For Proposals, including the Specification and instructions to Proposers. If this proposal is signed by a partner, the person hereby states that he/she has the authority to bind the partnership; if signed by a corporate officer or employee, that person hereby states that he or she has the authority to bind the corporation. (Copy of corporate resolution attached).

Signature of Company Representative

Representative's Title

Date

Proposer's Cost DBE Program Compliance Consulting Services

\$ _____
(AMOUNT IN DOLLARS AND CENTS)

\$ _____
(AMOUNT IN WORDS)

Date: _____

**APPENDIX B:
B.1 ADDENDUM FORM**

This form is to be completed, signed and left attached to the Proposal Documents and delivered to the Orleans Parish School Board by the time and date advertised.

DATE: _____

Orleans Parish School Board
Purchasing/Ancillary Services Department
3520 General De Gaulle Drive
Fifth Floor, Room 5055
New Orleans, LA 70114

Re: Request for Proposal No. 15-0013–DBE Program Compliance Consulting Services

In compliance with the Proposal Documents, the undersigned agrees, if this offer is accepted and awarded within one hundred twenty (120) calendar days from the date for the receipt of the offer specified in the Advertisement for Proposals, to furnish any or all services awarded at the price offered during the time period specified. The contract awarded will consist of the base period of one (1) year, with the potential for three (3) one-year extensions.

Acknowledgment of Addenda:

Addendum No. _____, dated _____

Addendum No. _____, dated _____

Addendum No. _____, dated _____

The proposer acknowledges receipt of the above identified addenda which amended the Proposal Documents.

Signature of Company Representative

Representative's Title

Date

Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return)	
	Business name/disregarded entity name, if different from above	
	Check appropriate box for federal tax classification: <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ <input type="checkbox"/> Other (see instructions) ▶ _____	<input type="checkbox"/> Exempt payee
	Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	City, state, and ZIP code	
List account number(s) here (optional)		

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number									
				-			-		

Employer identification number									
				-					

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.

Sign Here	Signature of U.S. person ▶	Date ▶
------------------	----------------------------	--------

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,
- The U.S. grantor or other owner of a grantor trust and not the trust, and
- The U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person, do not use Form W-9. Instead, use the appropriate Form W-8 (see Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity not subject to backup withholding, give the requester the appropriate completed Form W-8.

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS a percentage of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the Part II instructions on page 3 for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the instructions below and the separate Instructions for the Requester of Form W-9.

Also see *Special rules for partnerships* on page 1.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account, for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Name

If you are an individual, you must generally enter the name shown on your income tax return. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first, and then circle, the name of the person or entity whose number you entered in Part I of the form.

Sole proprietor. Enter your individual name as shown on your income tax return on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name/disregarded entity name" line.

Partnership, C Corporation, or S Corporation. Enter the entity's name on the "Name" line and any business, trade, or "doing business as (DBA)" name on the "Business name/disregarded entity name" line.

Disregarded entity. Enter the owner's name on the "Name" line. The name of the entity entered on the "Name" line should never be a disregarded entity. The name on the "Name" line must be the name shown on the income tax return on which the income will be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a domestic owner, the domestic owner's name is required to be provided on the "Name" line. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on the "Business name/disregarded entity name" line. If the owner of the disregarded entity is a foreign person, you must complete an appropriate Form W-8.

Note. Check the appropriate box for the federal tax classification of the person whose name is entered on the "Name" line (Individual/sole proprietor, Partnership, C Corporation, S Corporation, Trust/estate).

Limited Liability Company (LLC). If the person identified on the "Name" line is an LLC, check the "Limited liability company" box only and enter the appropriate code for the tax classification in the space provided. If you are an LLC that is treated as a partnership for federal tax purposes, enter "P" for partnership. If you are an LLC that has filed a Form 8832 or a Form 2553 to be taxed as a corporation, enter "C" for C corporation or "S" for S corporation. If you are an LLC that is disregarded as an entity separate from its owner under Regulation section 301.7701-3 (except for employment and excise tax), do not check the LLC box unless the owner of the LLC (required to be identified on the "Name" line) is another LLC that is not disregarded for federal tax purposes. If the LLC is disregarded as an entity separate from its owner, enter the appropriate tax classification of the owner identified on the "Name" line.

Other entities. Enter your business name as shown on required federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name/disregarded entity name" line.

Exempt Payee

If you are exempt from backup withholding, enter your name as described above and check the appropriate box for your status, then check the "Exempt payee" box in the line following the "Business name/disregarded entity name," sign and date the form.

Generally, individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends.

Note. If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding.

The following payees are exempt from backup withholding:

1. An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2),
 2. The United States or any of its agencies or instrumentalities,
 3. A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities,
 4. A foreign government or any of its political subdivisions, agencies, or instrumentalities, or
 5. An international organization or any of its agencies or instrumentalities.
- Other payees that may be exempt from backup withholding include:
6. A corporation,
 7. A foreign central bank of issue,
 8. A dealer in securities or commodities required to register in the United States, the District of Columbia, or a possession of the United States,
 9. A futures commission merchant registered with the Commodity Futures Trading Commission,
 10. A real estate investment trust,
 11. An entity registered at all times during the tax year under the Investment Company Act of 1940,
 12. A common trust fund operated by a bank under section 584(a),
 13. A financial institution,
 14. A middleman known in the investment community as a nominee or custodian, or
 15. A trust exempt from tax under section 664 or described in section 4947.

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 15.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 9
Broker transactions	Exempt payees 1 through 5 and 7 through 13. Also, C corporations.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 5
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 7 ²

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney, and payments for services paid by a federal executive agency.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-member LLC that is disregarded as an entity separate from its owner (see *Limited Liability Company (LLC)* on page 2), enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note. See the chart on page 4 for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local Social Security Administration office or get this form online at www.ssa.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/businesses and clicking on Employer Identification Number (EIN) under Starting a Business. You can get Forms W-7 and SS-4 from the IRS by visiting IRS.gov or by calling 1-800-TAX-FORM (1-800-829-3676).

If you are asked to complete Form W-9 but do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note. Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded domestic entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, below, and items 4 and 5 on page 4 indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on the "Name" line must sign. Exempt payees, see *Exempt Payee* on page 3.

Signature requirements. Complete the certification as indicated in items 1 through 3, below, and items 4 and 5 on page 4.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor ²
4. a. The usual revocable savings trust (grantor is also trustee) b. So-called trust account that is not a legal or valid trust under state law	The grantor-trustee ¹ The actual owner ¹
5. Sole proprietorship or disregarded entity owned by an individual	The owner ³
6. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulation section 1.671-4(b)(2)(i)(A))	The grantor*
For this type of account:	Give name and EIN of:
7. Disregarded entity not owned by an individual	The owner
8. A valid trust, estate, or pension trust	Legal entity ⁴
9. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
10. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
11. Partnership or multi-member LLC	The partnership
12. A broker or registered nominee	The broker or nominee
13. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
14. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulation section 1.671-4(b)(2)(i)(B))	The trust

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or "DBA" name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships* on page 1.

*Note. Grantor also must provide a Form W-9 to trustee of trust.

Note. If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records from Identity Theft

Identity theft occurs when someone uses your personal information such as your name, social security number (SSN), or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Publication 4535, Identity Theft Prevention and Victim Assistance.

Victims of identity theft who are experiencing economic harm or a system problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes.

Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at: spam@uce.gov or contact them at www.ftc.gov/idtheft or 1-877-IDTHEFT (1-877-438-4338).

Visit IRS.gov to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.



ORLEANS PARISH SCHOOL BOARD

Purchasing/Ancillary Services

VENDOR REGISTRATION FORM

DATE (MM/DD/YYYY): _____

COMPANY NAME: _____

CONTACT: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

REMIT TO ADDRESS: _____

CITY, STATE, ZIP: _____

PHONE: _____ FAX: _____

E-MAIL ADDRESS: _____

TAX ID NO: _____

DUNS NO. _____

EVER EMPLOYED BY THE OPSB? YES ☐ NO ☐ IF YES, LAST DATE OF EMPLOYMENT _____

☐ MANUFACTURER ☐ DISTRIBUTOR ☐ SALES OFFICE ☐ SERVICES ☐ STATE CONTRACT

NO. _____

PLEASE IDENTIFY COMMODITIES AND/OR SERVICES THAT YOUR COMPANY PROVIDES:

Company Representative

Title

**ORLEANS PARISH SCHOOL BOARD REQUEST
FOR BANKING INFORMATION**

Banking Institution: _____

Name on Bank Account: _____

Bank Account #: _____

ABA Routing #: _____

CERTIFICATION REGARDING LOBBYING

**CERTIFICATION FOR CONTRACTS, GRANTS, LOANS, AND COOPERATIVE AGREEMENTS
EXCEEDING \$100,000 IN FEDERAL FUNDS**

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards (exceeding \$100,000 in Federal funds) at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

NAME/ADDRESS OF VENDOR _____

TITLE/TITLE OF SUBMITTING OFFICIAL _____

SIGNATURE _____ DATE _____

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 7 CFR Part 3017, Section 3017.510, Participants' responsibilities. The regulations were published as Part IV of the January 30, 1989, Federal Register (pages 4722-4733). Copies of the regulations may be obtained by contacting the Department of Agriculture agency with which this transaction originated.

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS THAT FOLLOW)

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Organization Name _____

Name and Title of Authorized Representative _____

Signature _____ Date _____

Instructions for Completing Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions (Form AD-1048)

NOTE: A School Food Authority must require that each responsive bidder include this certification statement with each bid on each contract equaling or exceeding \$100,000, or any contract for audit services regardless of amount.

1. By signing and submitting this form, the prospective lower tier participant providing the certification set out on the above in accordance with these instructions.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms *covered transaction*, *debarred*, *suspended*, *ineligible*, *lower tier covered transaction*, *participant*, *person*, *primary covered transaction*, *principal*, *proposal*, and *voluntarily excluded*, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the U. S. Department of Agriculture regulations 7CFR 3017 implementing Executive Order 12 549. (Contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.)
5. The prospective lower tier participant agrees by submitting this form that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this form that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction" without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification that a prospective participant in a lower tier covered transaction has not been debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless the participant knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Non procurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under Paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

ORLEANS PARISH SCHOOL BOARD

REQUEST FOR PROPOSAL NO. 15-0013

DBE PROGRAM COMPLIANCE CONSULTING SERVICES

SECTION I: RFP INSTRUCTIONS

A. SUBMISSION OF PROPOSAL

Proposals shall be sealed in an envelope or box and will be received until the time specified in the Notice. It shall be the specific responsibility of the proposer to deliver his or her sealed proposal at the appointed place and prior to the announced time for receipt. Late delivery of a proposal for any reason, including late delivery by the United States Post Office, shall disqualify the proposal.

Oral, telephonic, facsimile, electronic or telegraphic proposals are invalid and will not receive consideration.

Proposers should allow sufficient time before deadlines for processing entry with the OPSB Reception Desk when delivering proposals.

B. CONSIDERATION OF PROPOSALS

Each proposal remains valid and binding up to and including one hundred twenty (120) days after the date set for receipt of any proposal. The OPSB may accept any proposal and award a contract within one hundred twenty (120) days of the day for the receipt of any proposal. If the OPSB does not make an award within one hundred twenty (120) days of the date set for the receipt of any proposal, all proposals will be considered rejected.

C. PROPOSAL PROCESS

OPSB is evaluating options for its need for DBE Compliance Consulting Services in support of the OPSB-DBE Program. If awarded the Contract for the Project, you shall be required to execute the Contract in the form attached hereto. Please complete and submit your Proposal in strict accordance with all instructions and requirements set forth in this Request for Technical Proposal.

The Scope of Services Package referenced throughout this Request for Proposal will form the basis for Contract award. Accordingly, it is important that Proposers understand and comply with its contents.

Exceptions to the requirements of the Scope of Services, if any, must be clearly stated herewith. **Exceptions that increase efficiency, schedule improvement, or cost effectiveness are encouraged and welcomed, but will only be considered if a Bid Price is submitted.** If you choose to submit an Exception, you shall also submit how your Bid Proposal Price will change should the Exception be accepted by the Owner.

You shall be required to develop and present your Proposal in summary format to the Review Committee. A half hour, face-to-face presentation will be scheduled

with your key staff at a location and time to be determined.

Proposers shall submit all documents required by the attached Instructions to Proposers, including but not limited to the Acknowledgement and Checklist Form.

Proposals, inclusive of all required attachments, shall be submitted to the Orleans Parish School Board no later than 4:00 PM CDT on September 15, 2014 in accordance with the Instructions to Proposers.

In an effort to compare the offerings available in the marketplace OPSB has generated the tables below to give vendors an opportunity to demonstrate the capabilities of the services they provide.

In posing the questions and requests for information in the tables below, OPSB does not imply that vendors should attempt to embed their responses into the table. Please use whatever format is most appropriate for your responses. However, do make certain that a reviewer using this table can easily locate your responses to each if the items in the table so as to evaluate your company's solution against others.

EVALUATION CRITERIA

	OPSB DBE Program Compliance Consulting Services Request for Proposals	Total Possible Points
A.	Cost of services: Based on fees proposal and the selection committee's evaluation of their reasonableness.	10
B.	Qualifications and Experience: Strength and Experience of Key Personnel. Experience in the same or similar projects. Monitoring projects in excess of One Hundred Million Dollars (\$100,000,000)	30
C.	Expertise in DBE Compliance Monitoring: Experience relevant to managing DBE Programs. Consultant's background, history, and DBE Certifications. Develop or implement a best-practices-based DBE Compliance Process.	20
D.	Disadvantaged Business Enterprise: DBE Participation Minimum goal of 35%.	10
E.	Expertise in Preparing Monthly, Quarterly and As-Needed Reports: Monitoring of DBE Participation on all projects, including DBE Substitutions and Disputes. On a	10

	monthly and Quarterly basis the Consultant will provide a project-by- project compliance report. Conduct DBE workshops, training seminars, attend pre-bid and pre-construction meetings.		
F.	Expertise in Evaluating Good Faith Efforts: ability to evaluate the general contractor's good faith efforts and the detailing the contractor's commitment to DBE participation.		20
	Total Possible Score:		100

2. The evaluators may conduct interviews with “short-listed” Providers if needed to clarify information provided in the proposals.

SECTION II: PROPOSAL BINDING

Proposer agrees that this proposal shall be binding and may not be withdrawn for a period of one hundred twenty (120) calendar days after the scheduled closing date of this Request for Proposals. Payment terms are net 30.

The OPSB reserves the right, where it may serve in the OPSB's best interest, to request additional information or clarification from proposers. At the discretion of the OPSB, firms submitting proposals may be requested to make oral presentations.

The OPSB reserves the right to retain all proposals submitted and to use any ideas in a proposal regardless of whether that proposal is selected. Submission of a proposal indicates acceptance by the firm of the conditions contained in this request for proposals, unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the OPSB and the firm selected.

SECTION III: PROPOSAL REQUIREMENTS

A. GENERAL

The proposal should be concise, well organized and demonstrate the proposer's qualifications and experience in DBE program management. The proposal shall be limited to twenty-five (25) pages, (bound one-sided, 8.5 inches x 11 inches).

B. PROJECT MANAGEMENT PLAN

Proposer must describe how the project will be implemented and managed to meet the requirements of the RFP, including the proposer's technical and management approach to the project and how the proposer will plan for and accommodate each into the project effort.

C. STAFFING PLAN

Describe proposed project organization, including identification and responsibilities of key personnel. Indicate role and responsibility of prime Consultants and all sub-Consultants, including any DBE sub-Consultants. If applicable, indicate how local firms are being utilized to ensure a strong understanding of state and local laws, ordinances, regulations, policies, requirements, and permitting. Indicate the extent of the commitment of key personnel for the duration of the project and furnish a bio for the project leader. Provide an indication of the staffing level for the project.

D. COMPANY BACKGROUND AND EXPERIENCE

Describe the company's background, history, services, DBE certification(s) (if any) and experience relevant to managing DBE programs and implementing the proposal requirements. Provide any supporting documentation, for example, white papers and articles, produced by the company that supports the company's expertise.

**DBE Program Compliance Consulting Services
Request for Proposal No 15-0013**

SCOPE OF SERVICES

I. PROJECT SUMMARY

A. Brief Project Description

The purpose of the contract is to provide the Orleans Parish School Board (OPSB) with the services of an experienced firm, which will take an active part in aiding OPSB with monitoring and complying with OPSB's Disadvantaged Business Enterprise (DBE) program requirements. The firm will work closely with the OPSB's DBE Director to perform all work.

The services required for this project will require the firm to develop DBE compliance processes and procedures as well as provide ongoing monitoring of DBE compliance on OPSB's school construction and renovation projects. Additionally, the firm will report on DBE commitments and compliance to those commitments on all projects and the firm should be available for any additional DBE related services. For further detail, please see the Scope of Required Services stated in Section II.

II. SCOPE OF REQUIRED SERVICES

A. Project Description

The OPSB is seeking a Consultant perform DBE compliance, management, monitoring, analytical, technical and other duties in support of the efficient operation of OPSB's DBE Department. OPSB requires competent and high-quality work in all parts and it is expected that the Consultant will provide expert personnel who will perform comprehensive and timely services.

Tasks included in the Scope of Required Services include:

Task 1: Review of Current DBE Program Processes and Make Recommendations for Improvement

Consultant will review existing DBE program processes and procedures and make recommendations to the DBE Director and OPSB, on how to improve current process and procedures and work with the DBE Director to implement the new processes and procedures.

Task 2: Develop a Comprehensive DBE Compliance Process

Based on the approved recommendations in Task 1, Consultant is required to develop and/ or implement a best-practices-based DBE compliance process for gathering, analyzing and reporting DBE participation on OPSB projects.

Task 3: Provide Project-by-Project DBE Compliance Monitoring

Contractor must monitor DBE participation on all projects, including DBE substitutions and disputes between prime contractors and DBE's. In addition, Contractor is required to conduct job site visits as a component of the monitoring process.

Task 4: Provide Monthly and As-Needed Reports to the DBE Director and OPSB

On a monthly and quarterly basis, the Consultant must provide OPSB with project-by-project compliance reports detailing the prime contractor's commitment to DBE participation and attainment of DBE participation.



**Orleans Parish School Board
Disadvantaged Business Enterprise Program
Professional Services
Materials and Supplies**

Overview and Administrative Procedures

The Orleans Parish School Board (OPSB) would like to offer firms exciting business opportunities in Professional Services, Construction, and Goods and Services through its Disadvantaged Business Enterprise (DBE) Program. The DBE program's policy intent is to assist disadvantaged businesses to attain a competitive edge and grow by providing equal access to contracts and procurement opportunities in the OPSB system.

Certification

The OPSB is not conducting an independent certification process at this time. To be qualified as a DBE for OPSB contracts, a firm must be certified as a DBE by the Louisiana Unified Certification Program (LUCP) or any of the following five (5) agencies conducting DBE certification within the City of New Orleans. These five (5) are: The City of New Orleans, Sewage and Water Board of New Orleans, New Orleans Aviation Board, Housing Authority of New Orleans, New Orleans Regional Transit Authority (RTA)

Outreach

In recruiting potential Economically Disadvantaged Businesses part of our outreach efforts consist of reviewing the City of New Orleans SLDBE list which is updated periodically. Also by participating in trade shows/seminars pertinent to the services requested. During these seminars/trade shows we will distribute programmatic literature to hundreds of individuals and interact with them on a one-to-one basis. Additionally, our DBE program will attend all programs sponsored by government and private entities where opportunities to network are maximized.

Other outreach efforts include:

- Conducting monthly vendor assistance meetings for potential clients as necessary
- Conducting one-on-one vendor assistance meetings for potential clients as necessary

Good Faith Efforts

A Bidder's compliance with the requirement to make Good Faith Efforts to locate and engage the services of DBE businesses in connection with the Project shall be a matter of Bidder responsiveness. The Bidder can demonstrate that it has complied with the requirement by certifying to the DBE Executive Director or his/her designee in writing, that as of the date of the bid submittal:

- (i) the Bidder has selected and engaged the services of DBEs, in which case the certification shall include:
 - (a) the names and addresses of those enterprises engaged by the Bidder
 - (b) the value of the subcontract and
 - (c) a description of the work on the Project to be performed by such firm(s) and/or individuals, or
- (ii) if despite the Bidder's Good Faith Efforts, the Bidder was not able to select and engage the services of such enterprises, in which case the Bidder shall include in its written certification the following:
 - (a) affirmation that, prior to determining that it was unable to locate DBEs, the bidder consulted business registries including those identified by the School District;
 - (b) affirmation that the bidder attended any pre-bid meeting scheduled to inform DBEs of subcontracting opportunities;
 - (c) a copy of the written notifications sent to DBEs soliciting their interest in being a subcontractor or supplier on the Project;
 - (d) the names, addresses, and telephone numbers of DBEs contacted, the date of such contact and the date set for receipt of bids from those businesses;
 - (e) a copy of the information or a description of the information provided to DBEs regarding the plans and specifications for the work proposed to be subcontracted and how that information could be accessed;
 - (f) a statement from the Bidder explaining why any DBEs contacted by bidder were not engaged

Upon the Bidders application for waiver of the DBE goals, based on the above circumstances, the DBE Executive Director and Committee shall determine whether or not the bidder satisfied the good faith effort and shall make the appropriate recommendation.

Upon written request of the DBE Executive Director, the bidder will attend a meeting of the Orleans Parish School Board to discuss the specific measures the Bidder has utilized in undertaking the Bidder's Good Faith Efforts.

Calculations

1. DBE participation will be counted toward meeting the goals as follows:
 - a. The total dollar value of a direct contract or subcontract or indirect subcontract awarded to a certified DBE will be counted toward the applicable goal.

- b. In the case of a joint venture, the portion of the total dollar value of the contract equal to the percentage of the ownership and control of the DBE in the joint venture will be counted toward the applicable goal.
- c. Only DBEs that perform a commercially useful function in the work of a contract or subcontract or indirect subcontract will be counted toward the DBE goals. A DBE is considered to perform a commercially useful function when it is responsible for execution of a distinct element of work of a contract or subcontract and carries out its responsibilities by performing, managing, and supervising the work involved. If a DBE contractor subcontracts a significantly greater portion of the work of the contract than would be expected on the basis of normal industry practices, the DBE is presumed not to be performing a commercially useful function. The DBE may present evidence to rebut this presumption.
- d. The total dollar value of materials and supplies obtained from DBE suppliers and manufacturers will be counted toward DBE goals if the DBE assumes the actual and contractual responsibility for the provision of the materials and supplies.
- e. OPSB through the DBE Executive Director will review the contractor's DBE involvement efforts throughout contract performance. Such review will include but will not be limited to, the contractor's and the DBE's quarterly statements of income from the District which shall document the portion of said income paid to DBE. The Contractor agrees to supply copies of any documentation the District requires in order to complete such a review.

Procurement Management

As a result of our procurement management process, several activities are conducted on a monthly basis:

- Reviewing other DBE agency's certified listings, matching their capabilities to upcoming contracts and encouraging these DBE businesses to seek recertification to update their certification status in order to be eligible for the Orleans Parish School Board DBE participation.
- Advise certified DBE vendors about bidding opportunities by submittal of written correspondence to these businesses
- Providing program information on the Orleans Parish School Board's website and other compliance enforcement forms for the vendors.
- Attend and participate in the Staff Contract Review Committee meetings

DBE Committee

The DBE Committee is responsible for setting the DBE participation goal for each project. The specific goal will be set on a project by project basis. Upon receipt of all information relative to and closing of the bid process the DBE Committee consisting of the DBE Executive Director, the Purchasing/Ancillary Services Director and the Head of the Department seeking the Procurement and in the case of Capital Projects the Executive Director of Operations shall then make a recommendation to the Superintendent as to whether the lowest bidder/respondent has agreed to satisfy the DBE contract goal or if not has demonstrated satisfactory good faith efforts to satisfy the DBE contract goal. In determining the percentage of participation by certified DBEs the DBE Committee shall consider the following:

- The type or nature of the work required under the contract
- The estimated dollar amount of the contract
- The availability of subcontractors for the particular project
- Whether the items of work have been broken down to the smallest reasonable components to facilitate DBE participation goal up to 35% (Thirty Five Percent) pursuant to the Board's policy (the goal will be set on a project by project basis)

Involvement in Bid Process

The DBE Program is responsible for the following bid process:

- Consult with the departmental representative on each contract to ensure that every item of work has been broken down to the smallest reasonable components to facilitate DBE participation.
- Attend pre-bid conferences and offer instruction, and clarification on DBE bid specifications procurement policy, and procedures for sub-contracting.
- Answer questions posed by prime contractors at pre-bid conferences relative to DBE issues.

- Provide written responses to detailed questions posed by prime contractors on DBE issues.
- Consult with Legal Department before releasing responses, as they may have legal considerations
- Review participation summary sheets to determine if the percentage and DBE dollar amount of subcontract work reported is consistent with established goals.
- Review DBE vendor listing to determine if DBE firm listed on participation summary sheet is certified to perform required work.
- Verify DBEs submitted responses which indicate that they were not interested in pursuing work with prime contractors.
- Make presentations to appropriate committees and full Board on bid disputes and other DBE participation concerns.
- Provide signed affidavits to Legal Department in instances where litigation is required in bid disputes.
- Participate as witnesses in depositions and court cases involving bid disputes.

Monitoring

After contracts are awarded and work has begun the DBE Office through the Executive Director monitors actual utilization of DBEs. This process is carried out by utilizing the following:

- Review Board Reports for approved names of prime contractors, DBE subcontractors percentage of participation and areas of work to be performed
- Advise prime contractors in writing through the appropriate forms provided that the percentage and dollar amount of work to be performed on each contract, that any changes in DBE subcontractors will require prior DBE Office approval and that quarterly report forms on the status of contract expenditures will be submitted
- Advise DBE subcontractors in writing as to which prime contractor will be utilizing that firm, the dollar amount of participation, percentage of participation and notification that any changes in acceptances of the subcontract should be reported immediately to the DBE office
- Advise prime contractors of the need to complete quarterly compliance report two (2) weeks before due date
- Review quarterly compliance reports for instances of non-compliance
- Make follow-up phone calls to prime contractors to determine why participation is not in compliance

- Schedule meetings with both prime contractors and DBE subcontractors in instances of non-compliance or where problems are evident
- Send follow up correspondence detailing non-compliance and penalties for same
- Take required action in instances of fronting and non-compliance

Disadvantaged Business Enterprise Office

DBE FORM 1

DISADVANTAGE BUSINESS ENTERPRISE (DBE) RESPONSIVENESS FORM

RFP/RFQ/P.O./Bid/Solicitation/Other # _____ Bidder/Respondent _____

Project Description _____

FOR BIDS: THIS COMPLETED FORM SHOULD BE FURNISHED TO THE OFFICE OF PURCHASING BY THE LOWEST BIDDER WITHIN TEN (10) DAYS OF THE BID OPENING. FAILURE TO COMPLETE THIS FORM PROPERLY MAY CONSTITUTE THE BID/OFFER AS BEING NON-RESPONSIVE AND SUFFICIENT CAUSE FOR REJECTION.

FOR RFPS/RFQS: THIS COMPLETED FORM SHOULD BE FURNISHED TO THE OPSB-DBE OFFICE THROUGH THE OFFICE OF PURCHASING WITH YOUR PROPOSAL. FAILURE TO COMPLETE THIS FORM PROPERLY MAY CONSTITUTE THE BID/OFFER AS BEING NON-RESPONSIVE AND SUFFICIENT CAUSE FOR REJECTION.

The undersigned bidder/respondent has satisfied the requirements of the bid specifications for the above-referenced Orleans Parish School Board project in the following manner.

Please check the appropriate space:

- ☐ The bidder/respondent is **committed to achieving** a minimum of _____% DBE utilization on this contract.
- ☐ The bidder/respondent is **unable to meet** the DBE goal, but is committing to a minimum of _____% DBE utilization on this project and is submitting evidence of good faith efforts to achieve DBE participation on DBE Form-2 and DBE Form 2(A).

Name of Bidder/Respondent Firm: _____

Telephone: _____ Fax: _____ E-Mail: _____

By: _____, _____ / _____ / _____
(Signature of bidder's/respondent's authorized representative) (Title) (Date)

THE BIDDER/RESPONDENT IS COMMITTED TO UTILIZING DBE PARTICIPATION ON THE PROJECT IN THE FOLLOWING MANNER

COMPLETED BY BIDDER:

The bidder/respondent is committed to utilizing the **DBE FIRM NAMED BELOW** for the *Scope of Work* as described below. The estimated dollar value of the scope of work is \$ _____ or _____% of the total dollar value of the contract.

Use **DBE Form-1(A) DBE Responsiveness- Additional DBEs** if you are utilizing more than one (1) DBE firm to achieve the DBE participation percentage on the project.

Name of DBE Firm: _____

DBE Firm Owner or Contact: _____

Telephone: _____ Fax: _____ E-Mail: _____

DBE TYPE: ☐ SLDBE CERTIFIED; ☐ LAUCP DBE CERTIFIED

☐ *SCOPE OF WORK ATTACHED or describe the work to be performed by the DBE firm.*

COMPLETED BY DBE FIRM:

DBE AFFIRMATION. The above-named DBE firm affirms that it will perform the SCOPE OF WORK on of the contract for the estimated dollar value or contract percentage as stated above.

By: _____, _____ / _____ / _____
(Signature of DBE firm's owner/authorized representative) (Title) (Date)

If the bidder/respondent does not receive award of the prime contract, any and all representations in this form shall be null and void.



Disadvantaged Business Enterprise Office

DBE FORM 1(A)

DISADVANTAGE BUSINESS ENTERPRISE (DBE) RESPONSIVENESS ADDITIONAL DBE(S) FORM

RFP/RFQ/P.O./Bid/Solicitation/Other # _____ Bidder/Respondent _____

Project Description _____

FOR BIDS: THIS COMPLETED FORM SHOULD BE FURNISHED TO THE OFFICE OF PURCHASING BY THE LOWEST BIDDER WITHIN TEN (10) DAYS OF THE BID OPENING. FAILURE TO COMPLETE THIS FORM PROPERLY MAY CONSTITUTE THE BID/OFFER AS BEING NON-RESPONSIVE AND SUFFICIENT CAUSE FOR REJECTION.

FOR RFPS/RFQS: THIS COMPLETED FORM SHOULD BE FURNISHED TO THE OPSB-DBE OFFICE THROUGH THE OFFICE OF PURCHASING WITH YOUR PROPOSAL. FAILURE TO COMPLETE THIS FORM PROPERLY MAY CONSTITUTE THE BID/OFFER AS BEING NON-RESPONSIVE AND SUFFICIENT CAUSE FOR REJECTION.

THE BIDDER/RESPONDENT IS COMMITTED TO UTILIZING DBE PARTICIPATION ON THE PROJECT IN THE FOLLOWING MANNER

The bidder/respondent is committed to utilizing the **DBE FIRM NAMED BELOW** for the *Scope of Work* as described below. The estimated dollar value of the scope of work is \$ _____ or _____ % of the total dollar value of the contract.

Name of DBE Firm: _____

DBE Firm Owner or Contact: _____

Telephone: _____ Fax: _____ E-Mail: _____

DBE TYPE: ☐ SLDBE CERTIFIED; ☐ LAUCP DBE CERTIFIED

☐ *SCOPE OF WORK ATTACHED or describe the work to be performed by the DBE firm.*

COMPLETED BY DBE FIRM-1:

DBE AFFIRMATION: The above-named DBE firm affirms that it will perform the SCOPE OF WORK of the contract for the estimated dollar value or contract percentage as stated above.

By: _____, _____, _____
(Signature of DBE firm's owner/authorized representative) (Title) (Date)

The bidder/respondent is committed to utilizing the **DBE FIRM NAMED BELOW** for the *Scope of Work* as described below. The estimated dollar value of the scope of work is \$ _____ or _____ % of the total dollar value of the contract.

Name of DBE Firm: _____

DBE Firm Owner or Contact: _____

Telephone: _____ Fax: _____ E-Mail: _____

DBE TYPE: ☐ SLDBE CERTIFIED; ☐ LAUCP DBE CERTIFIED

☐ *SCOPE OF WORK ATTACHED or describe the work to be performed by the DBE firm.*

COMPLETED BY DBE FIRM-2:

DBE AFFIRMATION. The above-named DBE firm affirms that it will perform the SCOPE OF WORK on of the contract for the estimated dollar value or contract percentage as stated above.

By: _____, _____, _____
(Signature of DBE firm's owner/authorized representative) (Title) (Date)



**DISADVANTAGED BUSINESS ENTERPRISE (DBE)
EVIDENCE OF GOOD FAITH EFFORTS
OPSB-DBE FORM-2**

THIS COMPLETED FORM SHOULD BE RETURNED TO THE OPSB-PURCHASING OFFICE BY THE LOWEST APPARENT BIDDER WITHIN TEN (10) DAYS OF THE BID OPENING.

RFP/Rfq/P.O./Bid/Solicitation/Other # _____ Current Date ____/____/____

Project Description _____

BIDDER/ OFFERER (FIRM): _____

Contact Person: _____ Telephone: _____

Address: _____ City: _____

State _____ Zip _____ E-Mail: _____

To determine whether a bidder has demonstrated good faith efforts to reach the DBE utilization goal(s) on the above-referenced Orleans Parish School Board (OPSB) project, the DBE Office will consider, at a minimum, EVIDENCE OF GOOD FAITH EFFORTS as described in the table below.

YES (✓)	NO (✓)	EVIDENCE OF GOOD FAITH EFFORTS
		PRE-BID MEETING(S): The bidder attended all pre-bid meetings scheduled by the OPSB to inform DBEs of contracting and subcontracting opportunities.
		SLDBE/DBE LIST(S): The bidder utilized the OPSB DBE Office's list or lists of certified SLDDBE and/or DBE firms found on www.nola.gov , www.flymsy.com , www.swbno.org or other state/City DBE lists.
		SMALL CONTRACT(S): The bidder selected specific portions of the work to be performed by DBEs in order to increase the likelihood of meeting the DBE goals (including breaking down contracts into smaller units to facilitate DBE participation).
		FOLLOW-UP: The bidder followed-up initial indications of interest by DBEs by contacting those DBEs to determine with certainty if they remained interested in bidding by providing proof of same.
		ADVERTISEMENT: The bidder advertised in general circulation and/or trade association publications concerning subcontracting opportunities, and allowed DBEs reasonable time to respond.
		INTERNET ADVERTISING: The bidder advertised DBE and/or subcontracting opportunities on internet portals that are accessible to DBEs and/or potential subcontractors.
		GOOD FAITH NEGOTIATIONS: The bidder negotiated in good faith with interested DBEs and did not reject DBEs as unqualified without sound business reasons based on a thorough investigation of their capabilities.
		INFORMATION: The bidder provided interested DBEs with adequate information about the plans, specifications and requirements of the subcontract.
		WRITTEN NOTICE(S): The bidder took the necessary steps to provide written notice in a manner reasonably calculated to inform DBEs of subcontracting opportunities and allowed sufficient time for them to participate effectively.
		COMMUNITY RESOURCES: The bidder used the services of available community organizations, small and/or disadvantaged business assistance offices and other organizations that provided assistance in the recruitment and placement of DBE firms.
		CONTRACT RECORDS: The bidder has maintained the following records for each DBE that has bid on the subcontracting opportunity: 1. Name, address, and telephone number; 2. A description of information provided by the bidder or subcontractor; and 3. A statement of whether an agreement was reached, and if not, why not, including any reasons for concluding that the DBE was unqualified to perform the job.

BACKGROUND

I. POLICY

It is the policy of the OPSB to ensure that DBEs, as defined herein, have an equal opportunity to receive and participate in OPSB contracts. It shall also be the policy of the OPSB:

1. To ensure nondiscrimination in the award and administration of OPSB contracts;
2. To create a level-playing field upon which DBEs can compete fairly for OPSB contracts;
3. To ensure that only firms that are DBE certified are permitted to participate as DBEs;
4. To help remove barriers to the participation of DBEs in OPSB contracts; and
5. To assist the development of firms that can compete successfully in the market place outside the DBE Program.

II. DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOALS UP TO THIRTY FIVE PERCENT

The OPSB establishes an overall goal up to 35% utilization of businesses that are socially and economically disadvantaged for all OPSB projects.

III. DEFINITIONS

1. DISADVANTAGED BUSINESS ENTERPRISE

Disadvantaged Business Enterprise or "DBE" refers to a firm that is certified through any DBE certification program recognized by OPSB as socially and economically disadvantaged.

2. STANDARDS OF GOOD FAITH EFFORTS

The OPSB DBE office through the DBE Committee shall be responsible for determining whether the bidder has made demonstrated *Good Faith Efforts* to achieve the DBE goal. In order to be considered responsive to any solicitation for any OPSB contract, the bidder must, at a minimum, agree to use its *Good Faith Efforts* to fully comply with the DBE Program, including all reporting requirements and any specific contract goals for DBE participation. In order for OPSB to evaluate the *Good Faith Efforts* made by the bidder, the following minimum information is to be provided before the contract is approved for award:

- a) A report of all proposals received from a joint venture of DBEs. The report shall indicate the action taken by the bidder in response to the submitted proposals that have been rejected, and the reason for rejection shall be indicated.
- b) Documentation of efforts to enter into agreements with DBEs for contracted work and efforts to arrange for a joint venture, partnership or other multi-entity relationship with DBEs.
- c) Documented contact with DBEs, associations, or business development organizations which disseminate information to DBEs.
- d) A copy of letters sent to groups in relevant market sectors notifying them of the bidder's intent to submit a proposal to the OPSB.
- e) Description of assistance provided by the bidder to DBEs:
 1. Review of Request for Proposal or other documents issued by OPSB.
 2. Review of the Scope of Work to be performed.
- f) Documentation of any other effort(s) undertaken by the bidder to encourage the participation of DBEs.

- g) Overall operation of the bidder may be considered in evaluating the *Evidence of Good Faith Efforts* of the bidder to comply with the goals and intent of the disadvantaged business enterprise goals for the OPSB.
- h) Any other documentation to demonstrate *Evidence of Good Faith Efforts* to satisfy the objectives outlined above.

IV. ASSISTANCE

You may contact the Orleans Parish School Board's Disadvantaged Business Enterprise office for assistance with completing this or any other DBE form or document. All prime contractors are encouraged to use the following DBE lists: City of New Orleans, Sewage and Water Board of New Orleans, New Orleans Armstrong International Airport, Housing Authority of New Orleans, New Orleans Regional Transit Authority (RTA) and the State Department of Transportation (DOTD) DBE central registry list. You may also contact the OPSB DBE office for assistance in identifying available, capable, and approved DBE firms.

V. CONTACT US

Orleans Parish School Board DBE Office
Disadvantaged Business Enterprise Program
3520 General DeGaulle Drive, Suite 5055
New Orleans, LA 70114
(504) 304-5584 Office
(504) 390-7963 Mobile



DISADVANTAGE BUSINESS ENTERPRISE (DBE)
MONTHLY DBE UTILIZATION/PARTICIPATION REPORT
DBE FORM 3:

RFP/RFQ/Bid/P.O./Solicitation/Other # _____ Project Description (Name) _____

Contractor/Vendor Firm _____ DBE Participation Goal _____

THE COMPLETED FORM SHOULD BE RETURNED TO THE OPSB-DBE OFFICE WITHIN SEVEN (7) DAYS OF THE END OF EACH MONTH DURING THE CONTRACT PERIOD. FAILURE TO SUBMIT THIS FORM MAY CONSTITUTE NON-COMPLIANCE WITH THE DBE CONTRACT SPECIFICATIONS AND MAY BE SUFFICIENT CAUSE FOR CANCELLATION OF THE CONTRACT.

Page _____ of _____
 Use additional forms if necessary

Name, Address and Type of DBE Certified Firm	Primary Contact Person (Name/Telephone)	Scope of Work Performed (Attach scope/schedule if you need additional space)	Dollar Amount of DBE Component	Percentage of Total Bid/Proposal

Submitted by: _____ Signature _____ Date _____/_____/_____

Print Name of Owner or Officer



DISADVANTAGE BUSINESS ENTERPRISE (DBE)

DBE FIRM CONTACTED FORM EVIDENCE OF GOOD FAITH EFFORTS OPSB-DBE FORM-2 (A)

PAGE ____ OF ____

FOR BIDS/RFP/RFQ: THIS COMPLETED FORM SHOULD BE RETURNED TO THE OPSB-PURCHASING OFFICE BY THE APPARENT LOWEST BIDDER WITHIN TEN (10) DAYS OF THE BID OPENING. FAILURE TO COMPLETE THIS FORM PROPERLY MAY CAUSE THE BID TO BE NON-RESPONSIVE AND SUFFICIENT CAUSE FOR REJECTION.

RFP/RFQ/P.O./Bid/Solicitation/Other # _____ Bidder/Respondent _____
Project Description _____

Specific Work or Materials (by pay Item): _____

DBE Firm Contacted:

Name _____ Address _____ () _____
Phone Number _____

A. INITIAL CONTACT: (See important contact information on instruction sheet)

Method: _____
1. Date _____ [] Phone [] Mail [] FAX [] Other

2. Person _____
Contacted _____
Name _____ Title _____

3. DBE's Response: Date: _____ Method: [] Phone [] Mail [] FAX [] Other
[] Submitted an acceptable sub-bid. (If sub-bid accepted, skip to Section D)
[] Not interested: Indicate Reason(s) _____
[] Needs more information: Date Prime provided requested information _____
[] Will provide quote by: Date _____
[] Received unacceptable sub-bid (complete Section C)

B. FOLLOW-UP CONTACT

Method: _____
1. Date _____ [] Phone [] Mail [] FAX [] Other

2. Person _____
Contacted _____
Name _____ Title _____

3. DBE's Response: Date: _____ Method: [] Phone [] Mail [] FAX [] Other
[] Submitted an acceptable sub-bid. (If sub-bid accepted, skip to Section D)
[] Received unacceptable sub-bid (complete Section C)
[] Other result: _____

C. EXPLANATION OF FAILURE TO ACHIEVE AN ACCEPTABLE SUB-BID:

1. Were the following required efforts made?

- a. [] Yes [] No Identified specific items of work, products, materials, etc. when asking for quote(s).
- b. [] Yes [] No Offered assistance in acquiring necessary bonding & insurance.
- c. [] Yes [] No Provided all appropriate information concerning the specific work items or materials.

2. Was the DBE's quote non-competitive (i.e., more than 10% higher than the accepted quote)? [] Yes [] No

3. Was the DBE unable to perform in some capacity? [] Yes [] No If "Yes", explain: _____

D. CERTIFICATION: I certify that the information provided above is accurate and that efforts to solicit sub-bids were made in good faith.

Signature of Company Representative _____

Title _____

Date _____



DISADVANTAGE BUSINESS ENTERPRISE (DBE)

COMPLAINT FORM OPSB-DBE FORM-4 (OVERVIEW)

In an effort to improve oversight, accountability, and compliance on the Orleans Parish School Board's procurements, the Disadvantaged Business Enterprise Office facilitates the reporting of complaints and allegations of wrongdoing ("complaints") against the Orleans Parish School Board's Contractors¹. Complaints that may be reported include, but are not limited to:

- Contract, procurement, and grant fraud
- Non-compliance with DBE participation goals
- Environmental, health, and safety violations
- Racial, sexual, or other alleged discriminatory behavior
- Slow payments by the Orleans Parish School Board.
- Slow payments prime contractor to a subcontractor
- Computer crimes
- Product substitution and suspect/counterfeit parts
- Bribery, kickbacks, and gratuities
- False statements and/or false claims
- Conflicts of interest and ethics violations
- Theft and/or abuse of government property
- Violation(s) of criminal or civil law by any the Orleans Parish School Board contractor
- Other violations of City, State, or Federal laws and regulations

Complainants are encouraged to provide **relevant and specific details** of their complaint including, but not limited to:

1. The identity of the person, company, or organization that is the subject of the complaint;
2. Relevant and specific details of the complaint;
3. The City facility, department, contract, or program affected by the complaint;
4. The contract number, contract description, or other identifying information related to the complaint;
5. The date(s) of the alleged infraction(s)
6. How the complainant is aware of the alleged impropriety;
7. The identities of potential witnesses; and
8. Any additional supporting documentation or relevant information regarding the complaint.

Complaints may be reported by the Orleans Parish School Board employees, contractors, or the general public. Complaints may be filed via e-mail 24 hours a day, in person Monday through Friday between 8am and 4:30pm, or by mail. Complaints should be addressed to the OPSB-DBE Program Executive Director. All formal complaints must be made in writing. Complaints with limited specificity or merit may be held in abeyance until further, specific details are reported. Upon receipt of a specific complaint, the OPSB-DBE Program Executive Director may take any one or more of the following actions:

1. Open an investigation or review of the complaint;
2. Report the matter to the OPSB Superintendent;
3. Report the matter to the Office of the State Legislative Auditor
4. Report the matter to the appropriate law enforcement.

Individuals who file a complaint are not required to identify themselves. However, persons who file complaints are encouraged to identify themselves in the event additional questions arise during an investigation.

Confidentiality

The OPSB-DBE Office will protect the identity of complainants to the maximum extent possible by law. Employees who report allegations may specifically request confidentiality.

¹ Contractors include construction contractors, professional services contractors, and non-professional services contractors, and certified DBE contractors.



DISADVANTAGE BUSINESS ENTERPRISE (DBE)

DBE COMPLAINT FORM

OPSB-DBE FORM-4

RFP/RFQ/P.O./Bid/Solicitation/Other # _____

Project Description _____

Check one or more box:

- | | |
|---|---|
| <input type="checkbox"/> Contract, procurement, and grant fraud | <input type="checkbox"/> Bribery, kickbacks, and gratuities |
| <input type="checkbox"/> Non-compliance with DBE participation goals | <input type="checkbox"/> False statements and/or false claims |
| <input type="checkbox"/> Environment, health, and safety violations | <input type="checkbox"/> Conflicts of interest and ethics violations |
| <input type="checkbox"/> Racial, sexual, or other alleged discriminatory behavior | <input type="checkbox"/> Theft and/or abuse of government property |
| <input type="checkbox"/> Slow payments by the OPSB | <input type="checkbox"/> Violation(s) of criminal or civil law by OPSB's contractor |
| <input type="checkbox"/> Slow payments prime contractor to a subcontractor | <input type="checkbox"/> Other violations of City, State, or Federal laws and regulations |
| <input type="checkbox"/> Computer crimes | |
| <input type="checkbox"/> Product substitution and suspect/counterfeit parts | |

Please provide relevant and specific details of your complaint and/or allegation of wrongdoing below. If you have documents to support your complaint or allegation of wrongdoing, attach them to this document. If you need additional space please use a separate page and attach it to this document.

Complainant (Name and/or Firm): _____

Address: _____ City _____ State _____ Zip _____

Telephone: _____ Fax: _____ E-Mail: _____

By: _____ / _____ / _____
(Signature) (Title) (Date)

Office Use Only

Date received by OPSB ____/____/____

Received by _____
(Initials)

Initial Action Taken on ____/____/____

Initial Action Taken

- ☐ Opened an investigation or review of the complaint;
☐ Referred the matter to the full Board;
☐ Reported the matter to the OPSB Superintendent;
☐ Reported the matter to law enforcement.



**DISADVANTAGE BUSINESS ENTERPRISE (DBE) GOALS
REQUEST FOR WAIVER OF DBE REQUIREMENT
OPSB-DBE FORM 5**

BID/RFP/RFQ/P.O./Solicitation/Other# _____ Current Date ____/____/____
Project Description _____

I hereby request that the DBE participation goal, pursuant to the Orleans Parish School Board's DBE Policy be waived on the above-referenced project for the following reason(s):

☐ See **DBE Form-2: Evidence of Good Faith Efforts** and supporting documentation attached.

Requested By

_____, _____, ____/____/____
(Signature) (Title) (Date)

Telephone E-Mail

Reviewed By (Office of OPSB-DBE)

_____, _____, ____/____/____
(Signature) (Title) (Date)

Approved By (Superintendent)

_____, _____, ____/____/____
(Signature) (Title) (Date)