



\*\*\*\* **SAMPLE FORMS** \*\*\*\*

**SBE-1**  
**RQ# XXXXX**

**COVENANT OF NON-DISCRIMINATION**

**(MUST be completed and submitted with ALL bids or proposals)**

Know All Men By These Presents, that I/we, ( John Doe ),  
Name(s)  
( President, Owner ), ( ABC Company, Inc. ),  
Title(s) Name of Company

(hereinafter "Company"), in consideration of the privilege to submit Bids/Proposals on contracts funded, in whole or in part, by the Cuyahoga County Board of Commissioners, hereby consents, covenants and agrees as follows:

(1) No person shall be excluded from participation in, denied the benefit of, or otherwise discriminated against on the basis of race, color, national origin or gender in connection with any Bid/Proposal submitted to Cuyahoga County or the performance of any contract resulting from;

(2) That it is and shall be the policy of this Company to provide equal opportunity to all business persons seeking to contact or otherwise interested in contracting with this Company, including various eligible Small Business Enterprises (hereinafter "SBE's");

(3) In connection herewith, I/We acknowledge and warrant that this Company has been made aware of, understands and agrees to make a Good Faith Effort to solicit SBE's to do business with this Company;

(4) That the Covenant of Non-Discrimination as made and set forth herein shall be continuing in nature and shall remain in full force and effect without interruption;

(5) That the Covenant of Non-Discrimination as made and set forth herein shall be and are hereby deemed to be made a part of, and incorporated by reference into, any contract or portion thereof which this Company may hereafter obtain; and

(6) That the failure of this Company to satisfactorily discharge any of the Covenant of Non-Discrimination as made and set forth herein shall constitute a material breach of contract entitling the Cuyahoga County Board of Commissioners to declare the contract in default and to exercise any and all applicable rights and remedies, including but not limited to, cancellation of the contract, termination of the contract, suspension and debarment from future contracting opportunities, and withholding and/or forfeiture of compensation due and owing on a contract.

John Doe February 1, 2008  
(Original Signature of Company Representative Identified Above) (Date)



**SBE SUBCONTRACTOR PARTICIPATION PLAN**  
**(MUST be submitted for EACH SBE Subcontractor Proposed)**

**SBE-2**  
**RQ# XXXXX**

Check One: (A) Total Amount of Overall Contract Bid \$ 500,000

Service Contract ☐ Supply Contract ☐ Construction Contract ☒

Business Name of Prime Bidder ABC Company, Inc.

Address 111 Main Street

City Anywhere State Ohio Zip Code 44000

Telephone (216) 555-5555 E-Mail abccompany@yahoo.com

Firm Owned by: ☒ Majority ☐ Minority (specify: \_\_\_\_\_) ☐ Female

(B) Amount to be Subcontracted to SBE: \$ 100,000 Percent of Total Overall Contract Bid [(B)/(A)]: 20 %

Scope of Work Provided By SBE: Electrical Contracting Services

Prime Bidder's Name: John Doe Title: President/Owner  
(Type or Print)

Prime Bidder's Signature: John Doe Date: February 1, 2008  
(Date of Signature)

**SBE SUBCONTRACTOR TO BE UTILIZED**  
(Must be certified by the Cuyahoga County Office of Procurement & Diversity)

Name of SBE: Electrifying Electric Company

Address: 456 Main Street, Anywhere, OH 44000

City Anywhere State Ohio Zip Code 44000

Area Code ( 216 ) Telephone 555-5551

\*\*\*\*\*NOTE: SBE MUST BE A COUNTY CERTIFIED SBE\*\*\*\*\*

The undersigned herewith agrees to subcontract with the above named bidder for the above said services(s) or supply(ies) to be furnished to the County.

SBE Subcontractor's Name: Tom Edison Title: President/Owner  
(Type or Print)

SBE Subcontractor's Signature: Tom Edison Date: January 23, 2008  
(Date of Signature)



**WAIVER REQUEST--GOOD FAITH EFFORT CERTIFICATION**  
**(Must be submitted with bids NOT meeting SBE goal or requesting full or partial waiver)**

Pursuant to the requirements for bidders under the SBE Program, and in consideration of the privilege to submit bids/proposals funded, in whole or in part, by Cuyahoga County,

I/We, ( John Doe ), ( President, Owner ) of ( ABC Company, Inc. )  
Name(s) of Person(s) Signing Below Title(s) Company Name

attest that I/We have exercised the following good faith efforts in addition to my/our regular and customary solicitation process: (Check ALL that apply and complete as indicated)

- ☒ I/We are requesting a FULL/PARTIAL WAIVER of the SBE Participation Goal for the following reason(s): **We are requesting a partial waiver of the SBE Goal as we were only able to meet 20% of the 25% goal. We were unable to find an SBE to meet the additional 5% required.**
- ☐ I/We are a non-profit agency and are requesting a FULL WAIVER of the SBE Participation Goal.
- ☒ I/We have contacted the OPD or website to obtain a list of SBE's appropriate to the bid/proposal.
- ☒ I/We delivered written notice to available certified SBE's for each potential subcontracting or supply category in the contract **AND** all potential subcontractors or vendors which requested information on the contract.
- ☒ I/We have provided all potential subcontractors or vendors with adequate information as to plans, specifications, relevant terms and conditions of the contract, bonding requirements, and the last date and time for receipt of price quotations.
- ☒ I/We have attended the pre-bid/proposal conference.
- ☒ I/We have provided a written explanation for rejection of any potential SBE subcontractor or vendor to the OPD, where price competitiveness is not the reason for rejection.
- ☒ I/We have actively solicited, through sending letters, emails or initiating personal contact, SBE's in all feasible and appropriate categories providing subcontracting opportunities for the contract under consideration.
- ☒ I/We have utilized the services of available community organizations and associations, contractors' groups, and trade associations known to publicize contracting and procurement opportunities, for the purpose of obtaining assistance in the contacting and recruitment of SBE's for the Cuyahoga County contract under consideration.
- ☒ I/We have conducted discussions with interested SBE's in good faith, and provided the same willingness to assist SBE's as has been extended to any other similarly situated subcontractor.
- ☒ I/We have taken steps to ensure that all labor supervisors, superintendents, and other on-site supervisory personnel are aware of and carry out the obligation to maintain a non-discriminatory work environment, free of harassment, intimidation and coercion at all construction sites, offices and other facilities to which employees are assigned to work.

If applicable, identify all SBE's contacted to participate that declined or were not chosen:

1. Perfect Plumbing Company 222 Main Street, Anywhere, OH 44000 216-555-5553  
Name of Subcontractor/Vendor Address Phone  
Paul Perfect January 15, 2008 \$25,000 (5%) January 18, 2008  
Name of Contact Date of Offer to Participate Bid Amount Date Offer Declined

Reasons Given for Declining Has other commitments at this time and is unable to work with us.

2. Dan's DuctWork Company 333 Main Street, Anywhere, OH 44000 216-555-5554  
Name of Subcontractor/Vendor Address Phone  
Dan Handy January 18, 2008 \$25,000 (5%) January 19, 2008  
Name of Contact Date of Offer to Participate Bid Amount Date Offer Declined

Reasons Given for Declining They are no longer providing the required sub-contracting service as part of its business.

3. Dave's Landscapes Inc 444 Main Street, Anywhere, OH 44000 216-555-5556  
Name of Subcontractor/Vendor Address Phone  
Dave Curbappeal January 16, 2008 \$25,000 (5%) January 17, 2008  
Name of Contact Date of Offer to Participate Bid Amount Date Offer Declined

Reasons Given for Declining Has other commitments at this time and is unable to work with us.

(Make additional copies to extend list of SBE contacts if needed)

I/We affix my/our signature to this document to attest that I/We have exercised the above-indicated Good Faith Effort to promote SBE participation on the Bid/Proposal and Contract under consideration and to comply fully with the provisions of the Cuyahoga County Small Business Enterprise Program.

John Doe  
Printed/Typed Name of Company Official

February 1, 2008  
Date

John Doe  
Signature (Must be Original)

President, Owner  
Title of Company Official

ABC Company, Inc.  
Full Company Name

111 Main Street  
Mailing Address

216-555-5555  
Area Code/ Phone Number

Anywhere, OH 44000  
City, State, Zip

Nancy Notarious  
Notary Public

December 31, 2010  
My Commission Expires

**PLEASE NOTE: Failure to properly complete and submit SBE-1, SBE-2 and SBE-3 (if applicable) will result in bids/proposals being ruled non-responsive.**