

 <p>CLAYTON COUNTY Water AUTHORITY</p> <p>1600 Battle Creek Road, Morrow, GA 30260</p>	WET WELL CLEANING AND DISPOSAL SERVICES	
	ADDENDUM No. 1	
	DATE	Monday, March 20, 2023
	BID NUMBER	2023-WR-09
	PRE-BID MEETING DATE	Tuesday, March 21, 2023
BID OPENING DATE	Tuesday, April 4, 2023	
ADDENDUM MUST BE SIGNED AND INCLUDED IN YOUR RESPONSE TO THE RFB.		

Revisions

Include the following section as part of the RFB. Section includes – Division 2 Section 8 – Small Local Business Enterprises (SLBE) –Information. Section provided below:

<i>Acknowledgment of receipt of this addendum must be signed and included in your bid response.</i>	
COMPANY NAME	
SIGNATURE	
DATE	

Division 2 **Bid Requirements**

Section 8: Small Local Business Enterprises (SLBE) –Information

8.1 Program Overview

Clayton County Water Authority (CCWA) implemented a Small Local Business Enterprise (SLBE) Program to promote full and open competition in all government procurement and purchasing.

The SLBE program provides an additional race-and gender-neutral tool for the Authority to use in its efforts to ensure that all segment of its local business community have a reasonable and significant opportunity to participate in Authority Solicitations.

SLBEs must perform a commercially useful function, which means performance of provision of real and actual services under the contract or subcontract with CCWA. Factors such as the nature and amount of the work subcontracted; whether the SLBE has the skill and expertise to perform the work for which it has been certified; whether the SLBE actually performs, manages or supervises the work; and whether the SLBE intends to purchase commodities and/or services from a non-SLBE and simply resell them will be considered in determining if the SLBE is performing a commercially useful function.

SLBE in CCWA refers to a locally-based small business which meets the following criteria:

- Independently owned and operated business concern whose average annual gross receipts for the previous three years must not exceed: (1) Construction Firms – \$18,250,000; (2) Professional Services Firms – \$5,500,000; (3) Architectural Firms – \$3,750,000; (4) Engineering Firms – \$7,500,000, and (5) Goods and Services – less than 250 employees.
- Locally based, meaning located and operating in Clayton County or the ten (10) counties of Cherokee, Cobb, DeKalb, Douglas, Fayette, Fulton, Gwinnett, Henry, Rockdale and Spalding for at least one year.
- Note: Complete CCWA SLBE Certification Requirements are listed on the Provisional and General Certification Applications; <https://www.ccwa.us>. To be considered a CCWA SLBE Certified Firm, the vendor shall complete the Certification Process by the bid submission deadline.

To encourage participation in contracting regardless of company size, the Authority provides bidders with Bid Incentives to ensure that small businesses maintain a competitive advantage in the Authority's bidding process. The Authority's three Bid

Division 2 **Bid Requirements**

Section 8: Small Local Business Enterprises (SLBE) –Information

Incentives; Bid Discounts, Preference Points, and SLBE Goal Incentives utilization are determined on a solicitation by solicitation basis.

8.2 SLBE Incentive Type

The purpose of this section is to communicate the use of an SLBE Incentive (Bid Discount, Preference Points, SLBE Goal) in the solicitation and provide instructions or requirements of the intended SLBE Incentive.

This solicitation offers the following SLBE Incentive:

■ Bid Discount

Bid discounts are incentives that allow an original bid amount to be discounted for evaluation purposes in determining the lowest responsive, responsible bidder, while the original bid amount will be the basis for contract award. Bid Discounts will be applied to CCWA certified SLBE prime bidders only. The use of certified SLBE sub-contractors will not establish eligibility to receive Bid Discounts. In the event of a tie bid between a discounted bidder and a non-discounted bidder, the discounted bidder (SLBE) will be recommended for the contract.

The calculation of SLBE tiered bid discounts shall be as follows:

- 10% for SLBE's in Clayton County.
- 7.5% for SLBE's within the 10 counties: Cherokee, Cobb, DeKalb, Douglas, Fayette, Fulton, Gwinnett, Henry, Rockdale and Spalding.

Example: A \$100,000 bid with a 7.5% bid discount would be evaluated at \$92,500. However, \$100,000 would be paid to the successful bidder.

□ Preference Points

RFP Preference Points are point incentives that are awarded on a basis that includes factors other than the lowest price and wherein responses that are submitted by CCWA SLBE Certified Firms are awarded additional points in the evaluation process in the scoring and ranking of proposals. The awarded points are disbursed for CCWA SLBE Certified Firms proposing as a Prime Contractor and located in Clayton County or the ten (10) counties outlined in Section 8.1. RFP Preference points will be added to the total score for evaluation purposes in determining the highest ranked responsible, responsive proposer.

Division 2 Bid Requirements

Section 8: Small Local Business Enterprises (SLBE) –Information

The calculation of tiered RFP Preference Points in this solicitation for CCWA SLBE Certified Firms will be based on the following criteria:

- 10 Points for CCWA SLBE Firms in Clayton County.
- 7.5 Points for CCWA SLBE Firms within the 10 counties: Cherokee, Cobb, DeKalb, Douglas, Fayette, Fulton, Gwinnett, Henry, Rockdale and Spalding.

<u>Example:</u>	
General proposal requirements	(POSSIBLE TOTAL 50 POINTS)
Technical requirements	(POSSIBLE TOTAL 50 POINTS)
SBLE Preference Points	(POSSIBLE TOTAL 10 POINTS)
<u>SLBE Proposal</u>	<u>NON-SLBE Proposal</u>
General Requirements 40	General Requirements 40
Technical Requirements 30	Technical Requirements 30
SLBE Preference Points –Clayton 10	No SLBE Preference 0
TOTAL POINTS 80	TOTAL POINTS 70

Utilization Goals

Utilization Goals are set to encourage Prime Contractors to utilize CCWA SLBE Firms as subcontractors.

The Utilization Goal set for a project is determined by the CCWA Project Manager and Purchasing Department. The Project Manager considers the commercially useful functions a Prime Contractor can outsource within the Scope of Work to CCWA SLBE Firms as Subcontractors.

The Prime Contractor shall employ and document the Good Faith Efforts for all subcontracts, even if the Prime Contractor has achieved the fair share objectives of the SLBE Goal Percentage. Good Faith Efforts fair share objectives are also set on a procurement-by-procurement basis. Prime Contractors are required to contact a minimum number of CCWA SLBE Firms as set by the Small Business Procurement Coordinator.

Efforts must be documented in Section 8.4 SLBE Appendix B. Bid Package Compliance Documents - Forms 1-4.

- The **SLBE Subcontractor Utilization Goal** for this procurement is **XX%**.
- **Good Faith Effort** - demonstration of a minimum of **X** CCWA Certified SLBE Firms contacted to achieve the SLBE Subcontractor Utilization Goal.

Division 2 **Bid Requirements**

Section 8: Small Local Business Enterprises (SLBE) –Information

- **CCWA SLBE Goal Incentive Forms** submission as listed in Section 8.4 SLBE Appendix B. (Forms must be completed for Bidder to be considered responsive.)

The awarded bidder must comply with SLBE Monthly Participation Report Requirement as discussed in Section 8.4 SLBE Appendix B. Post-Award Award Compliance Documents.

No substitution/replacement for any SLBE Subcontractor, vendor, or previously selected Subcontractor/vendor by the Prime shall be made without written notification to CCWA and the approval by CCWA. A Prime cannot arbitrarily terminate a SLBE Subcontractor and self-perform the work without requesting a waiver and written approval from CCWA in advance.

SLBE Subcontractors can be replaced if they are unable or unwilling to perform the contracted work, or for other appropriate reasons, which are documented in writing. If it appears that the SLBE subcontracting requirement cannot be achieved, the Prime Contractor shall immediately notify CCWA in writing accompanied by the appropriate documentation. Good Faith Effort used to try to meet at least a portion of the requirement should be documented and submitted to CCWA for evaluation. All Prime Contractors seeking substitutions must use “Form SLBE-6: Request for SLBE Subcontractor Removal/Substitution Form” in Section 8.4 SLBE Appendix B. Post-Award Award Compliance Documents.

8.3 SLBE Conclusion

A Contractor does not have to be a CCWA SLBE Certified Firm to participate in a solicitation where Bid Discount or Preference Points Incentives are offered.

In a solicitation where an SLBE Utilization Goal Incentive is offered, Prime Contractors must demonstrate “good faith efforts” as outlined in the SLBE Goal Incentive Section 8.2 towards achieving the SLBE Subcontractor Utilization Goal.

By signing the bid, the bidder is certifying that he/she has complied with the requirements of this program. Please contact the Small Business Procurement Coordinator at ccwa_slbe_program@ccwa.us for a list of CCWA Certified SLBE Firms or information on becoming certified.

8.4 SLBE Appendix

A. Forms Required for Preference Point or Bid Discount Incentive Solicitations ONLY

Division 2 **Bid Requirements**

Section 8: Small Local Business Enterprises (SLBE) –Information

For CCWA SLBE Certified Firms claiming a bid discount or preference points, a copy of their valid CCWA SLBE Certification Letter must be provided with their Bid Response.

B. Forms Required for SLBE Goal Incentive Solicitation ONLY

Bid Package Compliance Documents (To be submitted with Solicitation):

SLBE-1 – Covenant of Non-Discrimination: The signed agreement stating that the firm will not discriminate on the basis of a firm's size (revenue or employee count) with regard to prime contracting, subcontracting, or partnering opportunities.

SLBE-2 – Sub-Contractor Contact Form: A list of all firms contacted to participate as SLBE sub-contractors/suppliers on a contract.

SLBE-3 – SLBE Sub-Contractor/Supplier Utilization Form: A list of all firms procured as SLBE sub-contractors/suppliers to be utilized on a contract.

SLBE-4 – Statement of Good Faith Efforts (Including the Checklist): Documented efforts to seek and procure the utilization of SLBEs as sub-contractors/suppliers on a contract where a goal is required.

Post Award Compliance Documents (To be submitted by awarded Contractor):

SLBE-5 – Post Award – Monthly SLBE Participation Report – Contract Goal: Report detailing percentage of SLBE participation (work performed) and payments to SLBEs on a contract.

SLBE-6 Request for Subcontractor Removal/Substitution Form: Required to fill out and obtain approval if a SLBE subcontractor is being substituted following award.

Division 2 Bid Requirements

Section 8: Small Local Business Enterprises (SLBE) –Information

**FORM SLBE-1
COVENANT OF NON-DISCRIMINATION**

The undersigned understands that it is the policy of the Clayton County Water Authority (CCWA) to promote full and equal business opportunity for all persons doing business with CCWA. The undersigned covenants that we have not discriminated on the basis of a firm’s revenue or employee count with regard to prime contracting, subcontracting or partnering opportunities. The undersigned further covenants that we have completed truthfully and fully the required forms SLBE-2, SLBE-3 and SLBE-4. Set forth below is the signature of an officer of the proposing entity with CCWA to bind the entity.

I, _____, _____ (Name, Title), on behalf of _____ (Company),
by my signature below, do hereby promise:

1. To adopt the policies of Clayton County relating to equal opportunity in contracting on projects and contracts funded, in whole or in part, with funds of CCWA;
2. Not to otherwise engage in discriminatory conduct;
3. To provide a discrimination-free working environment;
4. That this Covenant of Non-Discrimination shall be continuing in nature and shall remain in full force and effect without interruption; and
5. That this Covenant of Non-Discrimination shall be incorporated by reference into any contract or portion thereof which we may hereafter obtain.

We understand that our failure to satisfactorily discharge any of the promises of non-discrimination as made and set forth herein shall constitute a material breach of contract.

Signature of Attesting Party

Title of Attesting Party

On this _____ day of _____, 20_____, before me
appeared _____, the person who signed the above
covenant in my presence.

Notary Public

My Commission Expires

[Seal]

FORM SLBE-2
SUB-CONTRACTOR CONTACT FORM

Instructions: List all sub-contractors or suppliers (SLBE and Non-SLBE) that were contacted regarding this project. (Complete entire form.)

Name of Sub-Contractor	Contact Name, Address and Phone Number	CCWA SLBE Certification Verified	Type of Work Solicited for	Business Ownership <small>(Enter SLBE or Non SLBE)</small>	Results of Contact
i.e. Company ABC	123 Main Street Morrow, GA 30260 770-123-4698	Yes	Hauling	SLBE	Will perform as sub; Proposal submitted; Will not bid; etc.

FORM SLBE-2
SUB-CONTRACTOR CONTACT FORM (continued)

Name of Sub-Contractor	Contact Name, Address and Phone Number	CCWA SLBE Certification Verified (Y/N)	Type of Work Solicited for	Business Ownership <i>(Enter SLBE or Non SLBE)</i>	Results of Contact

 Authorized Signature

 Date

 Bidder's Company Name

 Representative's Name and Title

FORM SLBE-3
INTENDED SUB-CONTRACTOR UTILIZATION FORM

Instructions: List all subcontractors (SLBE, Non-SLBE), of all tiers to be used on this project. (Complete entire form).

Name of Sub-Contractor/ Supplier	CCWA SLBE Certification No.	CCWA SLBE Expiration Date	NAIC or NIGP Code	Type of Work to be Performed	Estimate Dollar (\$) Value of Work	Percentage of Total Bid Amount
Company ABC	SLBE-3465-12	1/15/2017	96239	Hauling	\$4200	8.4%

Total SLBE Usage (%): _____

 Authorized Signature

 Date

 Bidder's Company Name

 Representative's Name and Title

FORM SLBE-4
CERTIFICATION OF GOOD FAITH EFFORTS & CHECKLIST

Instructions: Prime Contractors must employ and document the Good Faith Efforts for all solicitations, even if the Prime Contractor has achieved the fair share objectives of the SLBE Goal Utilization Percentage. The Statement of Good Efforts Checklist shall be utilized to achieve such objectives. On the checklist indicate the actions taken in achieving the Good Faith Effort set for this bid: **Note:** For any questions answered no, Bidders shall submit a narrative explanation of reason for not completing the checklist item.

YES	NO	CHECKLIST ACTIONS
<input type="checkbox"/>	<input type="checkbox"/>	Attendance at a pre-bid meeting to inform SLBEs of subcontracting opportunities under a given solicitation; Advertisement for solicitation of SLBEs in general circulation media, trade association publications, and minority-focus media, to provide notice of subcontracting opportunities.
<input type="checkbox"/>	<input type="checkbox"/>	Advertisement in general circulation media at least seven (7) days prior to Bid or proposal opening any and all Sub-contractor opportunities.
<input type="checkbox"/>	<input type="checkbox"/>	Provided interested SLBEs with timely, adequate information about the plans specifications, and other relevant requirements to facilitate their quotation and conducted follow up to initial solicitations.
<input type="checkbox"/>	<input type="checkbox"/>	Provided written notice to SLBEs that their interest in subcontracting opportunities or furnishing supplies is solicited.
<input type="checkbox"/>	<input type="checkbox"/>	Efforts were made to divide the work for SLBE subcontracting in areas likely to be successful and identify portions of work available to SLBEs consistent with their availability. Include a list of divisions of work not subcontracted and the corresponding reasons for not including them. The ability or desire of a Bidder/Proposer to perform the work of a contract with its own organization does not relieve it of the responsibility to make good faith efforts on all scopes of work subject to subcontracting.
<input type="checkbox"/>	<input type="checkbox"/>	Efforts were made to assist potential SLBE sub-contractors to meet bonding, insurance or other governmental contracting requirements. Where feasible, facilitating the leasing of supplies or equipment when they are of such a specialized nature that an SLBE could not readily and economically obtain them in the marketplace.
<input type="checkbox"/>	<input type="checkbox"/>	Utilization of services of available minority community organizations, minority contractor groups and other organizations that provide assistance in the recruitment and placement of SLBEs.
<input type="checkbox"/>	<input type="checkbox"/>	Communication with the CCWA Small Business Procurement Coordinator seeking assistance in identifying available SLBEs by emailing ccwa_slbe_program@ccwa.us .
<input type="checkbox"/>	<input type="checkbox"/>	Exploration of joint venture opportunities with SLBEs.

Indicate actions achieved:

- I hereby attest that I have exercised good faith efforts to meet the Small Local Business Enterprise goals for this bid by contacting the minimum required number of active CCWA Certified SLBE Firms to perform a commercially useful function within the Scope of Work and logging those efforts on SLBE Form 2.
- As a result of those good faith efforts, I have been able to meet the SLBE SubContractor Utilization Goal as noted on SLBE Form 3 and supporting outreach efforts documentation.
- Despite such good faith efforts, I have not been able to meet the SLBE SubContractor Utilization Goal and have attached copies of solicitation notices sent via email, fax or mail, and the amount of time given for response and follow up efforts along with SLBE Form 2.

 Authorized Signature

 Date

 Bidder's Company Name

 Representative's Name and Title

**FORM SLBE-5
POST AWARD – MONTHLY SLBE PARTICIPATION REPORT**

Instructions: The Prime Contractor must complete the Monthly SLBE Participation Report and submit the form with each pay application to the CCWA Project Manager managing the contract. Failure to submit this form will result in payment application being deemed incomplete.

PROJECT NO. (S): _____

REPORT NO. _____

CONTRACTOR: _____

SUBMISSION DATE: _____

CONTRACT AMOUNT: \$ _____

PAY APPLICATION PERIOD END DATE: _____

Check if final payment >>>>>>>>>>>>>>>> FINAL PAYMENT

SLBE GOAL % _____

SLBE GOAL AMOUNT \$: _____

NAME OF APPROVED SLBE	DESCRIPTION OF WORK	PRIOR EARNED PAY APPLICATION AMOUNT	CURRENT EARNED PAY APPLICATION AMOUNT	EARNINGS TO-DATE

I HEREBY CERTIFY THAT THE ABOVE STATEMENT IS TRUE AND CORRECT AND SUPPORTING DOCUMENTATION IS ON FILE AND IS AVAILABLE FOR INSPECTION BY CCWA AT ANY TIME.

SIGNED _____
PRIME CONTRACTOR

REMARKS _____

TOTAL SLBE EARNINGS TO-DATE: _____

CONTRACT PERCENT COMPLETED: _____

FOR DEPARTMENT USE ONLY:

THIS DOCUMENT HAS BEEN REVIEWED AT THAT PROJECT LEVEL BY:

SIGNED _____ TITLE _____

THIS DOCUMENT HAS BEEN REVIEWED AT THE PROGRAM LEVEL BY:

SIGNED _____ TITLE _____

FORM SLBE-6
Request for Subcontractor Removal/Substitution

Instructions: Prior to submitting this form to the SLBE Program Coordinator and contract Project Manager, you must notify the SLBE in writing of your intent and allow the SLBE five (5) days to respond.

Request Date:		Contract/Project #	
Contract Value:	SLBE Contract Amount:	Amount Paid to SLBE:	
Prime Contractor Name:			
Prime Contractor Address:			
Prime Contact Name & Email:		Prime Contact Phone:	
Name of SLBE Firm:		SLBE Contact Name:	
SLBE Firm Address:		SLBE Contact Phone:	

Was SLBE firm given five (5) days written notice of intent? Yes or No If yes, please attach written notice.

Will the SLBE goal for the project still be met? Yes or No If no, please attach reason.

Reason(s) for removal/substitution. **Check all that apply**

- The listed SLBE** is no longer in business.
- The listed SLBE** requested removal.
- The listed SLBE** failed or refused to perform under the terms of the contract or failed to furnish the listed materials.
- The work performed by **the listed SLBE** was unsatisfactory and was not in accordance with the scheduled specifications.

Name/Address of Substitution Contractor:	Is the substituted contractor an SLBE? <input type="checkbox"/> Yes or <input type="checkbox"/> No
Fully describe the type of work the substitute subcontractor will perform:	

Prime Authorized Signature:	Date:
Approved <input type="checkbox"/> Rejected <input type="checkbox"/> Reason for rejection:	
Purchasing Manager Signature:	Date:

SUBMIT TO:
CLAYTON COUNTY WATER AUTHORITY
ATTN: PURCHASING DEPARTMENT-SLBE PROGRAM
ccwa_slbe_program@ccwa.us