

**REQUEST FOR TOTAL OR PARTIAL WAIVER OF MBE/WBE GOAL(S)
PURSUANT TO MBE/WBE UTILIZATION PLAN FORM
(Form 15A.2)**

PROPOSER/BIDDER/CONTRACTOR:

Contract Number: _____ Total Contract Dollar Value:

A Proposer/Bidder/Contractor failing to achieve the MBE/WBE goal(s) as specified in the Contract Documents must submit this form (Request for Total or Partial Waiver of MBE/WBE Goal(s) -Form 15A.2) and the documentation of good faith efforts specified in Part II of this form, at the time provided for the submission of the MBE/WBE Utilization Plan (Form 15A.1), or if the contract is already awarded, as soon as the Contractor realizes that it will not achieve a goal, or prior to final payment on the contract whichever is sooner.

PART I. REQUEST FOR WAIVER OF MBE/WBE GOAL(S)

INSTRUCTIONS: If the Proposer/Bidder/Contractor is requesting a total waiver of one or both goals, Section A must be completed. If the proposer/contractor is requesting a partial waiver of one or both goals, Section B must be completed. In requesting a partial waiver, the Proposer/Bidder/Contractor must specify MBE and/or WBE goal percentage(s) it is committed to achieving.

Section A - Total Waiver of MBE/WBE Goal(s)

I, _____, hereby request a total waiver of the:
(Name of Proposer/Bidder/Contractor)

(Check the appropriate box or boxes)

- MBE goal as specified in the Contract Documents
- WBE goal as specified in the Contract Documents

Section B - Partial Waiver of MBE/WBE Goals)

I, _____, hereby request a partial waiver of the:
(Name of Proposer/Bidder/Contractor)

(Check the appropriate box or boxes)

- MBE goal as specified in the Contract Documents
- WBE goal as specified in the Contract Documents

I, _____, commit to achieving an MBE goal of _____ %.
(Name of Proposer/Bidder/Contractor)

I, _____, commit to achieving an WBE goal of _____ %.
(Name of Proposer/Bidder/Contractor)

PART II. GOOD FAITH EFFORTS DOCUMENTATION

INSTRUCTIONS: A Proposer/Bidder/Contractor requesting a request for a total or partial waiver of MBE and/or WBE goal(s) must submit with this form, full and detailed explanation and documentation which specifically identifies the Proposer/Bidder/Contractor's efforts to obtain MBE/WBE participation on this Authority contract.

The Proposer/Bidder/Contractor must provide the information and support documentation specified in Part II of this form (SEE REVERSE SIDE OF THIS FORM), and any other information it believes will assist the Authority in its review of the Request for Total or Partial Waiver of MBE/WBE Goal(s).

- (1) The names of general circulation, trade association and women-oriented publications in which bids were solicited for purposes of complying with goal requirements established for minority and women-owned business enterprise participation;
- (2) The dates bid solicitations for minority and women-owned business participation were published in any of the publications named pursuant to paragraph (1) and the text of the bid solicitations;
- (3) A list of minority and women-owned business enterprises appearing in the State Directory which were solicited in writing to provide bids for purposes of complying with the contract goal requirements for minority and women-owned business enterprise participation;
- (4) Proof of dates on which such solicitations were made in writing and copies of solicitations made, or a sample copy of the solicitation if an identical solicitation was made of all minority and women-owned business enterprise;
- (5) Copies of responses made by minority and women-owned business enterprises to solicitations made by the contractor;
- (6) A description of any contract documents, plans, or specifications made available to minority and women-owned business enterprises for purposes of soliciting their bids, and the dates and manner in which these documents were made available;
- (7) Documentation of any negotiations between the contractor and minority and women-owned business enterprise participation;
- (8) A statement setting forth the contractor's basis for requesting a partial or total waiver;
- (9) Written discussion of the relevance of the following items to the contractor's request for a partial or total waiver of MBE/WBE contract goal(s) specified in the Contract Documents:
 - a) The number and types of minority or women-owned business enterprises located in the region in which the contract is to be performed;
 - b) The total dollar value of this contract;
 - c) The scope of work to be performed;
 - d) The project size;
 - e) The project term;
 - f) The availability of other business enterprises located in the region;
 - g) The financial ability of minority and women-owned business enterprises located outside the region to perform on the contract
- 10) Identify terms and conditions offered to minority and women-owned business enterprises, and compare how those subcontract terms and conditions compare to those offered in the ordinary course of the contractor's business and to other subcontractors of the contractor.
- 11) Identify efforts made by the contractor to reasonably structure the contract scope of work for purposes of subcontracting with minority and women-owned enterprises;
- 12) Identify actions taken to contact and assess the financial ability of minority and women-owned business enterprises located outside of the region in which the contract scope of work is to be performed; and
- 13) Any other information determined relevant by the Authority (if and when requested) or the contractor.

By signing this form, the person individually and on the behalf of the Proposer/Bidder/Contractor represents to the Authority that the information supplied to the Authority is truthful, accurate, complete and not misleading.

Authorized Signature: _____ Title:

Firm/Company Name:

Address:

Telephone Number: _____ Date: