

**PRINCE GEORGE'S COUNTY
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
MINORITY BUSINESS ENTERPRISE PARTICIPATION STATEMENT**

With respect to _____ project, hereinafter referred to as the "Project," I hereby certify that I am the _____ (Title) and duly authorized representative of _____ (name of firm), whose address is _____ and that all statements made herein are on such firm's behalf.

I understand and subscribe to the following statement of policy and regulatory applications:

Basic Understanding and Certifications

(A) POLICY

It is the Policy of Prince George's County, Maryland that Minority Business Enterprise (MBEs) as defined in Section 10A-101(a)(26) of the Prince George's County Code shall have the maximum opportunity to participate in the performance of contracts on the Project. Consequently, the MBE requirements of Section 10A-101(a)(27) and applicable administrative procedures of the Prince George's County Code apply to the _____ Project.

(B) MBE OBLIGATION

I agree to ensure that Minority Business Enterprises, as defined in Section 10A-101(a)(26) of the Prince George's County Code, have the maximum opportunity to participate in this Project. In this regard I shall take all necessary and reasonable steps to ensure that minority business enterprises have the maximum opportunity to compete for and perform contracts to at least the levels specified in (c) below. I shall not discriminate on the basis of race, age, color, religion, sex, national origin, physical or mental disability in the award and performance of contracts on this Project.

(C) MBE PARTICIPATION

- (1) I hereby certify that it is the intention of my firm to affirmatively seek out and include MBEs to participate in this Project and to otherwise comply with the provisions herein.
- (2) I hereby certify that my firm will make good faith efforts to procure at least 30% percent of the total dollar amount of Project cost from certified MBEs.

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(D) COMPLIANCE

- (1) I understand that MBE listings and other relevant resources may be obtained from Prince George's County, and from other public agencies and private organizations.
- (2) I understand and agree that any and all MBE participation in connection with this Project, whether undertaken prior to or subsequently to the signing of this statement, will be in accordance with the terms contained herein.
- (3) My firm will require all contractors and/or subcontractors to exert their best efforts to accord MBEs the maximum opportunity to participate in lower-tier subcontracting opportunities.
- (4) I understand that my firm will not be awarded any contract/funding until the County has reviewed and approved an MBE Plan (Attachment: #1).
- (5) I understand that failure to carry out the requirements set out herein shall constitute a breach of contract and may result in termination of the contract/funding.
- (6) I understand that the provisions contained herein are in addition to all other equal opportunity requirements.

(E) FACTORS IN DETERMINING COMPLIANCE

Good faith efforts to comply with the conditions contained herein shall be determined by the Prince George's County Minority Business Opportunity Commission (MBE Commission) and/or the Prince George's County Department of Housing and Community Development (DHCD) from a review of the following (by way of example and not limitation) submissions and factors:

- (1) Whether a contractor advertised in general circulation, trade association and minority focus media concerning the subcontracting opportunities.
- (2) Contractor's submission of the names and addresses of each minority business enterprise subcontractor contacted and referred, and the actions taken with respect to contacting and results of the contacts.

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- (3) Identification of any actions taken by a contractor to subdivide the work in order to enhance the potential to subcontract with certified minority business enterprises.
- (4) Demonstration of the contractor's efforts to provide adequate information about the plans, specifications and requirements of the contract to certified minority business enterprises contacted.

(F) COMPLIANCE VERIFICATION

To assure compliance with minority business enterprise program contracting requirements, the Minority Business Opportunities Commission and/or DHCD may request and shall be furnished information, entry for an on-site verification inspection, and/or documents relevant to any contract such as:

- (1) Copies of purchase orders, contracts and or subcontracts, canceled checks and other records that may indicate the number, names, dollar value of minority business enterprise subcontracts, dates and scheduled time for performance of work by minority business enterprise subcontractors.
- (2) Interviews with construction contractors and/or subcontractors.
- (3) Other such information as may be necessary.

(G) RECORDS AND REPORTS

- (1) My firm will keep such records as are necessary to demonstrate its compliance with the requirements of its approved MBE Utilization Plan including records showing:
 - (a) The number of MBE and non-MBE contractors and or subcontractors and suppliers and the type of materials and services being provided by each.
 - (b) The progress and efforts being made in seeking out MBEs, including but not limited to the use of government agencies, private organizations, and MBE contractor associations.
 - (c) Documentation of all correspondence, telephone calls, and personal contacts to obtain MBE participants on this Project.

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- (2) The records required under (A) above shall be retained for a period of at least three (3) years following acceptance of final payment on this Project and shall be available for inspection at any time by authorized representatives of the Department of Housing and Community Development or Prince George's County.
- (3) My firm will submit to the Department of Housing and Community Development a monthly MBE Report in the form and manner set out in Attachment #2.

(H) DEFINITIONS:

- (1) "Minority individuals" are those who have been subjected to prejudice or cultural bias because of their identity as a member of a group in terms of race, color, ethnic origin, or gender, without regard to their individual capabilities. Minority group members include, but are not limited to Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans, Asian Indian Americans, Hasidic Jewish Americans and females.
- (2) "Minority business enterprise" means any business enterprise (a) which is at least 51% owned by one or more minority individuals; or, in the case of any publicly-owned corporation, at least 51% of the stock of which is owned by one or more minority individuals, and (b) whose general management and daily business affairs and essential productive operations are controlled by one or more minority individuals, and (c) which has been certified by the Minority Business Opportunity Commission as a Minority Business Enterprise pursuant to Section 2-452(j) of the Prince George's County Code.

ARE YOU:	YES	NO
1). A Minority Business Enterprise	___	___
2). A Certified MBE by Prince George's County	___	___
3). A Certified MBE by State of Maryland or MDOT	___	___
4). Other Certification: Specify:		

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I understand it shall be the continuing obligation of my firm to maintain the MBE participation goals as described herein. I agree to provide immediate notice to the County in the event that any of the representations or circumstances change with respect to the minority business enterprise status of my firm or the percentage of minority business enterprise participation (as provided for herein) is reduced. I understand that the failure to comply with this provision may subject this firm to disqualification from the award of any County contract or future funding assistance. In addition, I shall be subject to such other actions as may be provided under applicable County laws.

I agree in connection with this Project to comply with the MBE participation goals contained herein.

NAME OF AUTHORIZED OFFICIAL

WITNESS

SIGNATURE OF AUTHORIZED OFFICIAL

DATE

DATE