

VBE-2
VBE PARTICIPATION SUBMITTAL

Discipline: GC (.1 GC, .2 HVAC, .3 Plumbing, or .4 Electrical)

Base Bid: GC-1 (identify the corresponding Base Bid for this VBE Participation Submittal)

CHECK ONE, AND ONLY ONE, BOX. FAILURE TO COMPLY WILL RESULT IN REJECTION OF YOUR BID/PROPOSAL.

Click on bold titles to navigate to that specific page.

I agree to meet the VBE participation goal in full.
I have completed and am submitting with my bid or proposal a **VBE Utilization Schedule (VBE-3)**, which is required in order to be considered for award.

I am requesting a partial waiver of the VBE participation goal.
After making good faith outreach efforts as more fully described in the **Guidance for Documenting Good Faith Efforts to Meet the VBE Participation Goal**, I am unable to achieve the total VBE participation goal for this solicitation and am requesting a partial waiver of the VBE participation goal. I have completed and am submitting with my bid or proposal both of the following, which are required in order to be considered for award:

1. a **VBE Utilization Schedule (VBE-3)** for that portion of the VBE participation goal that I will meet; AND
2. a **Good Faith Efforts Waiver Request** for the portion of the VBE participation goals that I am unable to meet.

I am requesting a full waiver of the VBE participation goal
After making good faith outreach efforts as more fully described in the **Guidance for Documenting Good Faith Efforts to Meet the VBE Participation Goal**, I am unable to achieve any part of the VBE participation goal for this solicitation and am requesting a full waiver of the VBE participation goal.

I have completed and am submitting with my bid or proposal a **Good Faith Efforts Waiver Request** for the complete VBE participation goal, which is required in order to be considered for award.

NOTE: VBE primes who are submitting as bidders or offerors must complete a **VBE Utilization Schedule (VBE-3)** identifying any self-performance towards the VBE participation goal.

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- d. Failure to submit a Good Faith Efforts waiver request when not fully meeting the VBE participation goal.

Example: A bidder/offeror lists a subcontractor that possesses a third-party certificate issued by one of the DGS-approved third party certifying entities; however, the subcontractor did not complete its DGS VBE verification as of the bid or proposal due date and time. The bidder/offeror does not receive credit for any commitments made to the subcontractor and has therefore not met the VBE participation goal. The bidder/offeror cannot cure this error. Therefore, the bid or proposal must be rejected as non-responsive.

2. **Potentially curable errors.** The Issuing Office and BDISBO may provide Bidders or Offerors the opportunity to provide clarifications or to correct errors not listed as fatal errors above. If the additionally submitted information does not adequately address or clarify the submittal, the bid or proposal may be rejected. **Bidders or Offerors are not permitted to add additional VBEs or make material changes as part of its clarifications or corrections in order to meet the VBE participation goal.**
3. **Solicitations with Multiple Base Bids.** If the Bid or Proposal contains multiple Base Bids, an Offeror must complete and submit a separate **VBE Participation Submittal (VBE-2)** and accompanying required documentation for EACH Base Bid, including Base Bids labeled “same as,” for which it is submitting a bid or proposal. Each separate **VBE Participation Submittal** and accompanying required documentation must be labeled to identify the corresponding Base Bid. Failure to submit a **VBE Participation Submittal** and accompanying required documentation for each Base Bid may result in the rejection of the bid or proposal for each Base Bid for which a **VBE Participation Submittal** was not submitted.

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supplier. For a nonstocking supplier to receive credit, the nonstocking supplier shall perform a useful business function by engaging in meaningful work (that is, negotiating price; determining quality and quantity; ordering materials; and paying for the materials). Industry practices and other relevant factors will be considered. Only the amount of the fee or commission charged by the VBE nonstocking supplier for assistance in the procurement of the materials and supplies shall be counted towards the VBE participation goal. The fees or commissions must also be reasonable and not excessive as compared with fees customarily allowed for similar services.

V. Additional Required Documentation.

1. The Bidder or Offeror must submit along with its **VBE Participation Submittal (VBE-2)** a **letter of commitment (LOC) (VBE-3.1)** for each subcontractor included in its **VBE Utilization Schedule (VBE-3)**. At a minimum, each **LOC** must contain the following unless otherwise specified by the solicitation documents:
 - a. The dollar amount of the commitment made to the VBE; and
 - b. A description of the services or supplies the VBE will provide; and
 - c. The timeframe during the contract term when the VBE will perform or provide the services and/or supplies; and
 - d. The name and telephone number of the Bidder or Offeror's point of contact for VBE participation; and
 - e. The name, address, and telephone number of the primary contact person for the VBE; and
 - f. Signatures of representatives of both the Bidder/Offeror and the VBE subcontractor who are authorized to contractually bind their firm.

VI. Document Submittal Errors.

1. **Fatal errors.** The following errors will result in rejection of a bid or proposal as non-responsive:
 - a. Failure to submit a completed **VBE Participation Submittal (VBE-2)**;
 - b. Failure to submit a **VBE Utilization Schedule (VBE-3)**, unless the bidder or offeror is seeking a complete Good Faith Efforts waiver;
 - c. Failure to make commitments to and list **DGS-verified** VBEs that will be used to meet the VBE participation goal, unless the bidder or offeror's commitments to other DGS-verified VBEs meet or exceed the VBE Participation goal;

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participation goal will result in rejection of that VBE prime's bid or proposal as nonresponsive.

2. For a VBE prime bidder or offeror to receive credit for self-performance, the VBE prime bidder or offeror must list itself in the **VBE Utilization Schedule (VBE-3)**.
3. The VBE prime bidder or offeror must also include the classification category (Veteran-Owned Small Business or Service-Disabled Veteran-Owned Small Business) under which it is self-performing and include information regarding the work it will self-perform. For any portion of the VBE participation goal not met through the VBE prime bidder or offeror's self-performance, the VBE bidder or offeror must also identify on the **VBE Utilization Schedule (VBE-3)** the other VBE subcontractors, manufacturers, or suppliers it will use to meet the unmet portion of the goal or must request and receive a Good Faith Efforts waiver.

IV. Calculating VBE participation

1. VBE subcontractors. A VBE subcontractor, through its own employees, shall perform at least 50% of the amount of the subcontract. 100% of the total subcontract amount shall be counted towards the VBE participation goal, unless the VBE subcontractor is performing one of the functions listed in paragraphs 2-4 below.
2. VBE manufacturers. A VBE manufacturer is a firm that operates or maintains a factory or establishment that produces, on the premises, the materials, supplies, articles or equipment required under the contract and of the general character described by the specifications. 100% of the total cost of the materials or supplies purchased from the VBE manufacturer shall be counted towards the VBE participation goal.
3. VBE stocking suppliers. A VBE stocking supplier is a firm that owns, operates or maintains a store, warehouse or other establishment in which the materials, supplies, articles or equipment of the general character described by the specifications and required under the contract are bought, kept in stock and regularly sold or leased to the public in the usual course of business. 60% of the total cost of the materials or supplies purchased from the VBE stocking supplier shall be counted towards the VBE participation goal.

Example for illustrative purposes of applying the 60% rule:

Overall contract value: \$2,000,000

Total value of supplies: \$100,000

Apply 60% Rule: \$100,000 x 60% = \$60,000

Divide 60% Rule result by contract value: \$60,000/\$2,000,000 = 3%

In this example, 3% would be counted towards the VBE participation goal for the VBE supplier.

4. VBE nonstocking suppliers. A VBE nonstocking supplier does not carry inventory but orders materials from a manufacturer, manufacturer's representative or a stocking

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4. Dually verified firms. If a DGS-verified SDB is dually verified as a VBE, the firm may receive credit towards both the SDB participation goal and the VBE participation goal as set forth in the eMarketplace advertisement and also in the Notice to Bidders.

Example: The SDB participation goal is 10% and the VBE participation goal is 5%. A subcontractor is DGS-verified as both an SDB and a VBE and will perform 10% of the contract work. The prime contractor can satisfy both the SDB participation goal and the VBE participation goal through that subcontractor's performance of 10% of the contract work., unless otherwise agreed to by the parties in writing and approved by BDISBO and the Issuing Office.

5. Participation by VBE firms as prime bidders/offerors or subcontractors. A Bidder/Offeror that qualifies as a VBE and submits a bid or proposal as a prime contractor is not prohibited from being included as a subcontractor in separate proposals submitted by other Bidders/Offerors. A VBE may be included as a subcontractor with as many prime contractors as it chooses in separate bids or proposals and a prime contractor may not prohibit a VBE from committing to any other prime contractor.

6. Questions about VBE verification. Questions regarding the VBE program, including questions about the self-certification and verification processes can be directed to:

Department of General Services

Bureau of Diversity, Inclusion and Small Business Opportunities (BDISBO)

Room 611, North Office Building

Harrisburg, PA 17125

Phone: (717) 783-3119

Fax: (717) 787-7052

Email: RA-BDISBOVerification@pa.gov

Website: www.dgs.pa.gov

III. Guidelines Regarding VBE Prime Self-Performance.

1. A VBE firm participating as a prime bidder or offeror on a procurement may receive credit towards the VBE Participation goal established for the procurement through their own self-performance.

Example: A solicitation has a 15% VBE participation goal. A VBE prime offeror self-performing contract work valued at only 10% of contract costs (if permitted by the solicitation documents) must still satisfy the remaining 5% VBE participation goal through subcontracting or must request a Good Faith Efforts Waiver for the unmet VBE participation goal. Failure to satisfy the remaining 5% VBE participation goal or failure to obtain a Good Faith Efforts waiver for the unmet portion of the VBE

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PLEASE READ BEFORE COMPLETING THESE DOCUMENTS
Bidders/Offerors do not need to return VBE-1 with their VBE Participation Submittal

The following instructions include details for completing the VBE Participation Submittal (VBE-2) which Bidders or Offerors must submit in order to be considered responsive.

The following instructions also include details for completing the VBE Utilization Schedule (VBE-3), which Bidders or Offerors must submit for any portion of the VBE participation goal the Bidder or Offeror commits to meeting.

A Bidder/Offeror's failure to meet the VBE participation goal in full or their failure to receive an approved Good Faith Efforts waiver for any unmet portion of the VBE participation goal will result in the rejection of the Bid or Proposal as nonresponsive.

I. **VBE Participation Goal**: The VBE participation goal is set forth in the eMarketplace advertisement and also in the Notice to Bidders. The Bidder/Offeror is encouraged to use a diverse group of subcontractors and suppliers to meet the VBE participation goal.

II. **VBE Eligibility**:

1. **Finding VBE firms**: Offerors can access the directory of **DGS-verified** VBE firms from the DGS Supplier Search directory at: <http://www.dgs.internet.state.pa.us/suppliersearch>.
2. **Only VBEs verified by DGS** and as defined herein may be counted for purposes of achieving the VBE participation goal. In order to be counted for purposes of achieving the VBE participation goal, the VBE firm, including a VBE prime, **must be DGS-verified for the services, materials or supplies that it has committed to perform on the VBE Utilization Schedule (VBE-3)**. A firm whose VBE verification is pending or incomplete as of the bid or proposal due date and time shall not be counted towards the VBE participation goal. Offerors cannot use self-certified SBs that do not have their VBE verification as of the bid or proposal due date and time to meet the VBE participation goal.
3. **VBE Requirements**: To be considered a VBE, a firm must be a **DGS-verified** Veteran-Owned Small Business Enterprise or Service-Disabled Veteran-Owned Small Business Enterprise.

Additional information on the DGS verification process can be found at:

<https://www.dgs.pa.gov/Small%20Diverse%20Business%20Program/Pages/default.aspx>

**VBE-3
VBE UTILIZATION SCHEDULE**

List in the chart below VBES (including where applicable a prime bidder or offeror is self-performing a portion of the work) that will be used to meet the VBE participation goal (add additional pages if necessary). Submit a **Letter of Commitment (VBE-3.1)** for each VBE subcontractor, supplier, or manufacturer (add additional Letters of Commitment as necessary).

VBE Name SAP Vendor Number (6-digit number provided by VBE) VBE Verification Number (located on DGS VBE verification)	Type of VBE (check all that apply)	Description of Work to be Performed (Statement of Work/Specification reference)	% Commitment (or % of work to be self-performed by VBE bidder/offeror)	Dollar Value of Commitment (after applying any calculation per VBE-1, Section IV, Calculating VBE participation)
Name: ABC IT Solutions SAP Vendor Number: <u>123456</u> VBE Verification Number: <u>123456-2016-09-SB-M</u>	MBE <input type="checkbox"/> VBE <input type="checkbox"/> SDVBE	IT staffing resources	%	\$
Name: Matrix Solutions SAP Vendor Number: 324606202206-SDB-S VBE Verification Number: 324606202206-SDB-S	<input checked="" type="checkbox"/> VBE <input type="checkbox"/> SDVBE	Electrician	%	
Name: 12 Bravo SAP Vendor Number: 551859 VBE Verification Number: 551859202206-SDB-S	<input type="checkbox"/> VBE <input checked="" type="checkbox"/> SDVBE	Earthwork	6.67 %	1,206,000
Name: SAP Vendor Number: VBE Verification Number:	<input type="checkbox"/> VBE <input type="checkbox"/> SDVBE		%	
Name: SAP Vendor Number: VBE Verification Number:	<input type="checkbox"/> VBE <input type="checkbox"/> SDVBE		%	
Attach additional sheets if necessary			Total % VBE commitment: <u>0</u>	Total \$ amount: <u>0</u>

6.67 1,200

SDB-3-1
LETTER OF COMMITMENT

This Letter of Commitment serves as confirmation of the commitment by the prime Bidder or Offeror to utilize the Small Diverse Business (SDB) on the below-referenced Solicitation/Project.

Solicitation Number: C-0210-0004

Solicitation Name: DNA Laboratory Facility New Building PA State Police Greensburg Ph1 Rebid

	Bidder/Offeror Information	SDB Information
Name	Massaro Corporation	12 Bravo, Inc.
Address	120 Delta Drive Pittsburgh PA 15238	10891 Route 993, Suite 1 Irwin, PA 15642
Point of Contact	Joe Matsko	Scott Antosh
Telephone number	412-670-9957	724-382-4879
Email address	jmatsko@massarocorporation.com	admin@12bravocc.com

Services/Supplies and Time Frame. If Bidder/Offeror is the successful vendor, the SDB shall perform or provide the following services or supplies during the term of the prime contract, as more specifically set forth below:

Services or supplies the SDB will provide:	Excavation Package
Specific Time Frame the SDB will provide the services or supplies:	

Dollar Value of Commitment. These services or supplies represent \$ 1,200,000 for the term of the contract.

SDB verified. By signing below, the SDB represents that it meets the SDB requirements set forth in the Solicitation and all required documentation has been provided to the Bidder/Offeror for its SDB submission.

Sincerely,

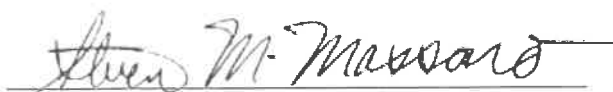
Acknowledged

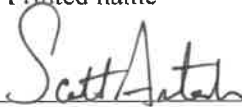
Steven Massaro

Scott Antosh

Printed name

Printed name





Signature

Signature

Bidder/Offeror Point of Contact Name

SDB Point of Contact Name

** For purposes of monitoring compliance with SDB and VBE commitments, the work performed by a firm that is both an SDB and a VBE will be counted by BDISBO towards fulfilling both the SDB and VBE commitments unless otherwise agreed to by the parties in writing and approved by BDISBO and the Issuing Office.*

