



## Department of Procurement Services

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160 South Hollywood Street · Room 126 · Memphis, TN 38112 · (901) 416-5376

November 12, 2024

### **Addendum #I: IFB# 112124VK - Cordova High School Paving**

Dear Bidders:

This Addendum forms a part of the Contract Documents. The Contractor shall acknowledge receipt of this Addendum on the Bid Form. Failure to do so may subject the Bidder to disqualification. Addendum I shall be located on the MSCS Procurement website, [Procurement \(scsk12.org\)](http://Procurement(scsk12.org). For your convenience, the Addendum I is attached.

**Item # 1** – Appendix P – SBE Utilization Form – Joint Venture

**Addition** – Include Appendix P – SBE Utilization Form – Joint Venture which applies to this project IFB# 112124VK - Cordova High School Paving. Documents below and at the link below.

[Cordova High School Paving Documents](#)



## **APPENDIX P – SMALL BUSINESS ENTERPRISE JOINT VENTURE UTILIZATION**

THIS PROJECT IS SUBJECT TO SCBE POLICY 2010: SUPPLIER DIVERSITY POLICY

The BIDDER, CONTRACTOR, RESPONDENT OR CONSTRUCTION MANAGER shall take affirmative action to ensure that Small Business Enterprises (SBEs) that have been certified by the City of Memphis, Mid-South Minority Business Council Continuum – Uniform Certification Agency (UCA), or Shelby County Government and approved by Shelby County Board of Education are utilized when possible as sources of supplies, equipment, construction, services and professional services for Memphis-Shelby County Schools.

### **SBE PARTICIPATION**

The Shelby County Board of Education (hereafter referred to as the “Board”) recognizes that small businesses and businesses owned by minorities and/or women (hereafter referred to as SBEs/MWBEs) frequently face unique problems that are not encountered by large majority-owned businesses. Therefore, it is the policy of the Board to take necessary affirmative steps, in accordance with 2 CFR 200.321, to assure that equal opportunities are provided for SBE/MWBEs to participate in the performance of District contracts financed in whole or in part with federal funds.

In our acquisition of professional services, the Board values majority-owned businesses that establish partnerships and joint ventures with local certified Small Business Enterprise vendors when doing business with the Shelby County Board of Education. We appreciate majority-owned firms that form partnerships/joint ventures while providing professional services to the Board. The BIDDER, CONTRACTOR, RESPONDENT, OR CONSTRUCTION MANAGER with locally certified SBE Joint Venture participation is preferred.

### **ELIGIBLE SBE FIRMS**

**IT IS THE RESPONSIBILITY OF THE BIDDER, CONTRACTOR, OR RESPONDENT AND THE BIDDER, CONTRACTOR, OR RESPONDENT MUST VERIFY WITH MEMPHIS-SHELBY COUNTY SCHOOLS (CONTACT INFO BELOW) THAT ANY SBE FIRM(S) UTILIZED AS PARTICIPATING JOINT VENTURE PARTNER(S) ARE CERTIFIED AS A SBE FIRM WITHIN SHELBY COUNTY.** A listing of current SBE certified firms can be found on the Memphis-Shelby County Schools Office of Economic Opportunity webpage <http://www.scsk12.org/mwbe/>. To see the best results from the **Certified Vendor Directory**, you should download the entire directory, including commodity codes. One or a combination of several SBEs may be utilized to meet the established project goal.

Residency and Location Requirements: For purposes of Memphis-Shelby County Schools, an eligible business owner shall provide proof of being a resident of Shelby County for at least six months prior to the time of application for SBE registration and have a physical business address located within the county and have continuously maintained the physical address for at least six months prior to the time of application. In addition, the business shall be authorized to do business under the laws of the state and eligible to do business in Shelby County, Tennessee. An exemption to Shelby County residency requirement will be granted by the Administrator of the SBE Program to those eligible SBE owners who have operated the qualifying business within Shelby County for a minimum of two years and employ a minimum of three employees who are residents of Shelby County.

### **GOOD FAITH EFFORTS**

If a Joint Venture involving an SBE in Architecture & Engineering, Construction, Goods, Nonprofessional Services, and/or Professional Services is not achieved, responsive BIDDER, CONTRACTOR, OR RESPONDENT shall provide the required documentation of good faith efforts, and the SBE firms that will be used on the project (*see attached Good Faith Effort form*).

### **SMALL BUSINESS ENTERPRISE (SBE)**

A business that meets the federal small business size standards and is independently owned and operated, organized for profit, and not dominant in its field. The size threshold designated by SBA standards is based on an industry-by-industry basis. (See 13 CFR 121). Small business size standards matched to industry NAICS codes are published by the Small Business Administration and are available at <http://www.sba.gov/content/table-small-business-size-standards>.

For purposes of Memphis-Shelby County Schools, an eligible business owner shall provide proof of being a resident of Shelby County for at least six months prior to the time of application for SBE registration and have a physical business address located within the county and have continuously maintained the physical address for at least six months prior to the time of application. In addition, the business shall be authorized to do business under the laws of the state and eligible to do business in Shelby County, Tennessee. An exemption to Shelby County residency requirement will be granted by the Administrator of the SBE Program to those eligible SBE owners who have operated the qualifying business within Shelby County for a minimum of two years and employ a minimum of three employees who are residents of Shelby County.

**JOINT VENTURE (JV)**

When a certified SBE performs as a participant in a joint venture, MSCS will count the portion of the total dollar value of the contract equal to the distinct, clearly defined portion of the work of the contract that the certified SBE performs with its own forces toward fulfilling the contract goal, and not more than the percentage of the contract performed by the joint venture.

**REPORTING:** The BIDDER, CONTRACTOR, RESPONDENT OR CONSTRUCTION MANAGER shall provide Memphis-Shelby County Schools, Department of Minority & Women-Owned Business Enterprises with all Trade Contractors and/or Subcontractors participating on this project and associated payments. It is required that this information be updated regularly in the software program [Memphis-Shelby County Schools \(scsk12.smwbe.com\)](http://Memphis-Shelby County Schools (scsk12.smwbe.com)). **The Bidder, Contractor, Respondent or Construction Manager shall consult with the MSCS Office of Economic Opportunity when reviewing projects for SBE/MWBE participation.**

| <b>MEMPHIS-SHELBY COUNTY SCHOOLS-SUPPLIER DIVERSITY PROGRAM<br/>DOCUMENTATION OVERVIEW</b>   |   |                         |
|--|---|-------------------------|
| <b>Form</b>  | <b>Submission Requirements</b>  | <b>Required Form</b>    |
| <p><b>SBE Joint Venture Plan</b><br/>List the estimated percentage and dollar amount of such participation by local SBE JV partners and suppliers the BIDDER, CONTRACTOR, RESPONDENT, OR CONSTRUCTION MANAGER will use on the project.</p>   | <p>Due with proposal</p>  | <p><b>Form A</b></p>    |
| <p><b>Letter of Intent to Perform as a JV Partner</b><br/>Identifies SBE participation that will be used in the project<br/><br/><b>Form B</b> is signed by the SBE.</p>   | <p>Due with bid/proposal, IF the BIDDER, CONTRACTOR, RESPONDENT OR CONSTRUCTION MANAGER has identified SBE<br/>Joint Venture partner participation that will be used on the project<br/><br/>Must match firms listed on <b>Form A</b></p> | <p><b>Form B</b></p>    |
| <p><b>Listing of Good Faith Efforts (GFE)</b><br/>Indicate the actions you undertook to recruit and solicit SBE partners or suppliers for this project and/or other aspects of the company's business.<br/><br/>Submit evidence of the BIDDER, CONTRACTOR, RESPONDENT, OR CONSTRUCTION MANAGER's intent to comply with SBE/MWBE Program initiative and procedures, including documentation for #1 - #15 of the GFE Affidavit</p> | <p>Due with bid/proposal, IF the BIDDER, CONTRACTOR, RESPONDENT OR CONSTRUCTION MANAGER fails to achieve the SBE Joint Venture participation.</p>   | <p><b>Affidavit</b></p> |
| <p><b>SBE GOOD FAITH EFFORT DOCUMENTATION LIST ALL CERTIFIED SBE FIRMS NOTIFIED</b><br/>Submit FORM C with a Good Faith Effort Affidavit along with other supporting documents.</p>  | <p>Due with bid/proposal, IF the BIDDER, CONTRACTOR, RESPONDENT OR CONSTRUCTION MANAGER fails to achieve the SBE Joint Venture participation.</p>   | <p><b>Form C</b></p>    |

**Request for SBE verification must be submitted to the Memphis- Shelby County Schools, Office of Economic Opportunity listed below:**

Joyce Douglas, Office of Economic Opportunity, Memphis-Shelby County Schools,  
3030 Jackson Avenue, 5<sup>th</sup> Floor, Ste. 33; Memphis, TN 38112 Phone: 901.416.8021;  
Email: [douglasja@scsk12.org](mailto:douglasja@scsk12.org)

092524JV

**(SUBMIT WITH BID) FORM -A**

**SMALL BUSINESS ENTERPRISE (SBE) JOINT VENTURE/TEAMING PROJECT UTILIZATION PLAN**

I, \_\_\_\_\_, do hereby certify that on this project,  
(Name of Bidder/Contractor/Respondent/Construction Manager)

we will expend a minimum of      % of the total dollar amount of the contract with the following SBE as Joint Venture partner, and/or suppliers.

**PROJECT TITLE:** \_\_\_\_\_ **BID/RFP#:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

THE FOLLOWING SECTIONS MUST BE COMPLETED BY BIDDER/CONTRACTOR/RESPONDENT OR CONSTRUCTION MANAGER. A LISTING OF CURRENT SBE CERTIFIED FIRMS CAN BE FOUND ON

**Memphis-Shelby County Schools-Office of Economic Opportunity webpage <http://www.scsk12.org/mwbe/>.** To find the best results from the **Certified Vendor Directory**, it is recommended to download the entire directory including commodity codes. One or a combination of several SBEs may be utilized for Joint Venture/Teaming participation. List all SBE Joint Venture/Teaming partners, including lower tiers, to be used on this project. In accordance with Shelby County Board of Education Policy 2010, the undersigned will enter into a formal agreement for work on this project. Submit additional sheets if necessary. For purposes of this program the SBE owner must reside within Shelby County and possess a Shelby County, Tennessee business license. An exemption to Shelby County residency requirement will be granted by the Administrator of the SBE Program to those eligible SBE owners who have operated the qualifying business within Shelby County for a minimum of two years and employ a minimum of three employees who are residents of Shelby County.

| <b>Name of Certified SBE Joint Venture/Teaming Partner(s)</b> | <b>Address and Phone Number</b> | <b>MSCS Vendor #</b> | <b>Type of Work to be Performed</b> | <b>Ownership of Business<br/><i>(see code below)</i></b> | <b>Dollar (\$) Value of Work &amp; Scope of Work</b> | <b>Percentage of Total Bid Amount</b> |
|---|---------------------------------|----------------------|-------------------------------------|--|--|---------------------------------------|
|   |                                 |                      |                                     |  |  |                                       |
|   |                                 |                      |                                     |  |  |                                       |
|   |                                 |                      |                                     |  |  |                                       |

**Code: SBE** – Certified Small Business Enterprise TOTAL SBE % \_\_\_\_\_

**SBE Prime Bidder/Contractor/Respondent/Construction Manager:** Submission as a Prime MSCS Certified SBE will count toward SBE participation.

**THIS FORM MUST BE SUBMITTED WITH THE BID OR THE BID WILL BE CONSIDERED NON-CONFORMING.**

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**MEMPHIS-SHELBY COUNTY SCHOOLS**  
**FORM B - LETTER OF INTENT TO PERFORM AS A JOINT VENTURE/TEAMING PARTNER**  
*(PROVIDE MATERIALS, SUPPLIES, and/or SERVICES)*

Project Name: \_\_\_\_\_ Project/Bid # \_\_\_\_\_

Name: \_\_\_\_\_  
Prime Respondent or Construction Manager

Address: \_\_\_\_\_  
Street City State Zip Code

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Name of Certified SBE Vendor: \_\_\_\_\_

The undersigned intends to perform work in connection with the above project as:

\_\_\_\_\_ CERTIFIED SMALL BUSINESS ENTERPRISE (SBE)

The SBE status of the undersigned is certified by the City of Memphis, Mid-South Minority Business Council Continuum – Uniform Certification Agency (UCA), Shelby County Government or TriState Minority Supplier Development Council (TSMSSDC) and approved by Memphis-Shelby County Schools.

Our firm is certified by \_\_\_\_\_  
Certification number is \_\_\_\_\_ Expiration date \_\_\_\_\_

The undersigned is prepared to perform the following described work or provide materials/supplies in connection with the above project (*specify in detail particular work items, materials or services to be performed or provided*):

Description of work to be performed by certified SBE vendor:

\_\_\_\_\_  
\_\_\_\_\_

Joint Venture Partner(s) at any tier must be reported and is subject to all SBE compliance requirements.

\_\_\_\_\_  
Name of Certified SBE Company

\_\_\_\_\_  
Title of Authorized Officer Phone Number Email Address

\_\_\_\_\_  
(Signature) (Date)

**For purposes of this program, the SBE owner must reside within Shelby County and possess a Shelby County, Tennessee business license. An exemption to Shelby County residency requirement will be granted by the Administrator of the SBE Program to those eligible SBE owners who have operated the qualifying business within Shelby County for a minimum of two years and employ a minimum of three employees who are residents of Shelby County.**

**Due with bid/proposal, IF the bidder/contractor/respondent/construction manager has identified SBE participation that will be utilized on the project.**

**FORM C – JV GOOD FAITH EFFORT DOCUMENTATION – ALL CERTIFIED SBE FIRMS NOTIFIED**

**NOTE: COMPLETION OF THIS FORM IS NOT REQUIRED IF ESTABLISHED JOINT VENTURE/TEAMING AGREEMENT PARTNERSHIP. LIST ALL CERTIFIED SBE FIRMS NOTIFIED. INDICATE IN DETAIL WHEN AND HOW THEY WERE NOTIFIED AS WELL AS THE RESULTS OF YOUR EFFORTS. SUBMIT ADDITIONAL SHEETS, IF NECESSARY.**

**Bidder/Contractor/Respondent/Construction Manager Name:** \_\_\_\_\_

**Project Title:** \_\_\_\_\_

The following certified SBE firms were invited to submit a proposal.

| Certified SBE Firm Name<br>Address, Phone No.<br>and Email | Certified SBE Firm<br>Contact Person | Methods of Contact      | Prime<br>Contact<br>Date | Certified<br>Firm<br>Response | Results of Contact<br><i>(Please indicate why suitable or not suitable for work)</i> |
|--|--------------------------------------|-------------------------|--------------------------|-------------------------------|--|
|  |                                      | Phone#<br>Email<br>Fax# | _____<br>_____           |                               |  |
|  |                                      | Phone#<br>Email<br>Fax# | _____<br>_____           |                               |  |
|  |                                      | Phone#<br>Email<br>Fax# | _____<br>_____           |                               |  |
|  |                                      | Phone#<br>Email<br>Fax# | _____<br>_____           |                               |  |
|  |                                      | Phone#<br>Email<br>Fax# | _____<br>_____           |                               |  |
|  |                                      | Phone#<br>Email<br>Fax# | _____<br>_____           |                               |  |

**Print Name:** \_\_\_\_\_ **Email Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

**Authorized Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

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**(SUBMIT AFFIDAVIT WITH BID)**

**SMALL BUSINESS ENTERPRISE GOOD FAITH EFFORT DOCUMENTATION**

Note: Completion of this form is not required if established Joint Venture/Teaming Agreement partnership.

Name: \_\_\_\_\_  
BIDDER, CONTRACTOR, RESPONDENT OR CONSTRUCTION MANAGER

Project Title: \_\_\_\_\_ Project Number: \_\_\_\_\_

This document is to be completed if a Joint Venture/Teaming Agreement involving an SBE in Architecture & Engineering, Construction, Goods, Nonprofessional Services, and/or Professional Services is not achieved, responsive BIDDER, CONTRACTOR, OR RESPONDENT shall provide the required documentation of good faith efforts, and the SBE firms that will be used on the project or contacted. The BIDDER, CONTRACTOR, RESPONDENT OR CONSTRUCTION MANAGER must, at the time of response, submit a Good Faith Efforts statement accompanied by the appropriate documentation justifying its submitted SBE Joint Venture participation.

Criteria listed below are excerpted from the Memphis-Shelby County Schools SBE/MWBE Program Administrative Procedures Manual. A response is required to address each sited paragraph. Failure to provide documentation (evidence) as outlined in the criteria listed below may deem a bid or proposal non-responsive and not further considered for review.

Additional pages may be added as necessary.

1. Attendance at pre-bid meeting, if held:  Yes,  No,  Not Held;
2. Followed up with SBEs that attended and the pre-bid or pre-proposal meetings to discuss joint venture, subcontracting and/or supplier opportunities and contacted SBEs listed in the MSCS online directory.
3. Notification of Joint Venture and/or Subcontracting Opportunities: BIDDER, CONTRACTOR, RESPONDENT OR CONSTRUCTION MANAGER must provide to MSCS copies of solicitations for quotes sent to MSCS – SBE listed firms in the online directory. Please attach list of all firms notified, detail when and how they were notified (*form attached*);
4. SBE Contact: A detailed statement of the efforts made by the contractor up to 10 days before the bid opening to solicit SBEs through written notices that describe the categories of work for which bid documents can be reviewed, representative of the Prime BIDDER, CONTRACTOR, RESPONDENT OR CONSTRUCTION MANAGER to contact, and location, date and time when quotes must be received.
5. Made Project Documents Available: Made the pertinent construction plans, specifications, and requirements available for review by prospective SBEs at the time of SBE contact but no less than 10 days before the bid due date.
6. Identified and designated portions of the work to be performed by SBEs to increase the likelihood of meeting the aspirational Joint Venture/partnership participation initiative (including where appropriate breaking down the contract into reasonably sized subcontracts to ensure participation);
7. Engaged with SBE Support Organizations: Worked with SBE Support Organizations within the 12-month period before bid opening provided training or facilitated workshops sponsored by the SBE Support Organization.
8. Bonding or Insurance Assistance: Aided in getting required bonding or insurance or provided alternatives to bonding or insurance for subcontractors or sub-consultants;
9. Negotiate in Good Faith: Negotiated in good faith with interested SBEs and did not reject them as unqualified without sound reasons based on their capabilities. Any rejection of a SBEs based on lack of qualification should have the reasons documented in writing. Provide the names of the SBE businesses and email addresses.
10. Financial Assistance: Aided an otherwise qualified SBE in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letters of credit, including waiving credit that is ordinarily required.

**(SUBMIT AFFIDAVIT WITH BID)**

**SMALL BUSINESS ENTERPRISE GOOD FAITH EFFORT DOCUMENTATION**

Note: Completion of this form is not required if established Joint Venture/Teaming Agreement partnership.

- 11. Assisted SBEs in obtaining the same unit pricing with the BIDDER, CONTRACTOR, RESPONDENT OR CONSTRUCTION MANAGER's suppliers in order to help the M/WBEs in establishing credit.
- 12. Joint Ventures: Negotiated joint venture and partnership arrangements with SBEs in order to increase opportunities for SBE participation when possible.
- 13. Quick Pay Agreements: Provided quick pay agreements and policies to enable SBE to meet cash-flow.
- 14. SBE Participation on Non-MSCS Contracts: The BIDDER, CONTRACTOR, RESPONDENT OR CONSTRUCTION MANAGER must submit documentation that during the eighteen (18) month period before bid opening, the BIDDER, CONTRACTOR, RESPONDENT OR CONSTRUCTION MANAGER paid SBEs on non-School Board contracts. BIDDER, CONTRACTOR, RESPONDENT OR CONSTRUCTION MANAGER must list, document and submit for each non-School Board contract the SBE subcontractors: (a) the name of the project and parties to the contract; (b) the name of the SBEs the BIDDER, CONTRACTOR, RESPONDENT OR CONSTRUCTION MANAGER paid on the project; (c) the amount the BIDDER, CONTRACTOR, RESPONDENT OR CONSTRUCTION MANAGER paid each SBE during such period. The SBE firm must be certified and registered at the time of the MSCS bid or proposal receipt.
- 15. BIDDER, CONTRACTOR, RESPONDENT OR CONSTRUCTION MANAGER notified MSCS Office of Economic Opportunity at [mwbe@scsk12.org](mailto:mwbe@scsk12.org) concerning difficulties with the aspirational SBE participation (**must attach copy of notification**).  Yes or  No

16. Other good faith efforts:

\_\_\_\_\_  
\_\_\_\_\_

Name of Authorized Officer: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

State of Tennessee

County of \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

Notary Public

My commission expires \_\_\_\_\_



# **REMINDER**

## **MEMPHIS-SHELBY COUNTY SCHOOLS SUPPLIER DIVERSITY PROGRAM DOCUMENTATION OVERVIEW**

| <b>MEMPHIS-SHELBY COUNTY SCHOOLS<br/>SUPPLIER DIVERSITY PROGRAM<br/>DOCUMENTATION OVERVIEW</b>  |   |                      |
|---|---|----------------------|
| <b>Form</b>   | <b>Submission Requirements</b>  | <b>Required Form</b> |
| <p style="text-align: center;"><b>SBE Joint Venture Plan</b></p> <p>List estimated percentage and dollar amount of such participation by local SBE JV partners and suppliers the BIDDER, CONTRACTOR, RESPONDENT OR CONSTRUCTION MANAGER will use on the project</p>   | Due with bid/proposal   | <b>Form A</b>        |
| <p style="text-align: center;"><b>Letter of Intent to Perform as a JV Partner</b><br/>Identifies SBE participation that will be used on the project</p> <p style="text-align: center;"><b>Form B</b> is signed by the SBE</p>   | <p>Due with bid/proposal, IF the BIDDER, CONTRACTOR, RESPONDENT OR CONSTRUCTION MANAGER has identified SBE participation that will be used on the project</p> <p style="text-align: center;">Must match firms listed on <b>Form A</b></p> | <b>Form B</b>        |
| <p style="text-align: center;"><b>Listing of Good Faith Efforts (GFE)</b></p> <p>Indicate the actions you undertook to recruit and solicit local certified SBE JV Partners participation for this project and/or other aspects of the company's business</p> <p>Submit evidence of the BIDDER, CONTRACTOR, RESPONDENT OR CONSTRUCTION MANAGER intent to recruit and solicit local certified SBE Joint Venture participation including documentation for #1 - #15 of the GFE Affidavit</p> | Due with proposal, IF the BIDDER, CONTRACTOR, RESPONDENT OR CONSTRUCTION MANAGER fails to include Joint Venture/Teaming partnership with local certified SBEs.  | <b>Affidavit</b>     |
| <p style="text-align: center;"><b>SBE GOOD FAITH EFFORT DOCUMENTATION</b><br/><b>LIST ALL CERTIFIED SBE FIRMS NOTIFIED</b></p> <p>Submit FORM C with Good Faith Effort Affidavit along with other supporting documents (evidence)</p>   | Due with bid/proposal, IF the BIDDER, CONTRACTOR, RESPONDENT OR CONSTRUCTION MANAGER fails to include SBE Joint Venture/Teaming Partnership.  | <b>Form C</b>        |

**For purposes of this program the SBE owner must reside within Shelby County and possess a Shelby County, Tennessee business license.**