



Dear Applicant:

The Purchasing Division of the City of Beaumont administers and certifies the Minority-Owned Business Enterprise (MBE) Program. The certification program is designed to involve Minority-Owned Businesses to the fullest extent allowable by State statute in the procurement process and to provide opportunities to compete for contracts for construction and professional services. The City of Beaumont's goals for MBE participation for construction contracts exceeding \$50,000 and for professional services agreements exceeding \$25,000 is 20%.

In order to maximize the number of certified MBEs, the City will accept State of Texas certified Historically Underutilized Businesses (HUB).

The City maintains a separate list of vendors that are certified and distributes the list to general contractors for construction bids and professional services. In addition, all vendors are placed on the City's bid list for notification of bids. If you are not a City-certified MBE or HUB certified, and wish to be included in the City's MBE directory, we encourage you pull and complete the application from the city's website at: <https://www.beaumonttexas.gov/Purchasing/MBEAPP.pdf>.

Email the application to: MBE.Beaumont@beaumonttexas.gov.

If you are currently a City-certified MBE, but your certificate has or is about to expire, please complete and submit the application as instructed above.

Please email your application to MBE.Beaumont@beaumonttexas.gov.

If email is not available to you, please mail your completed application, including supporting documentation to:

City of Beaumont
Purchasing Division
801 Main St., Ste. 315
Beaumont, TX 77701

Incomplete applications may take longer to process. If your application is not signed, notarized and accompanied by supporting documentation, it is considered incomplete.

If you are not currently in the City's Vendor Listing, you will also need to complete the vendor packet that can be found on the purchasing website as indicated above. Please complete and submit the packet by email to the email address above or mail it to the address listed above.

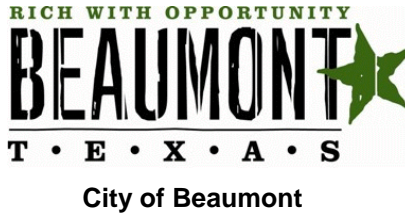
Thank you for your interest in the City of Beaumont's MBE program. If you have any questions or need assistance completing your application, please contact the Purchasing Division at (409) 880-3720.

Respectfully,

Todd Simoneaux

Todd A. Simoneaux, CPA
Chief Financial Officer
City of Beaumont
Finance Department

/bd_Revised 8/12/19



Minority Business Enterprise

The City of Beaumont is committed to encourage and promote the use of Minority Business Enterprises (MBE) in construction and professional service contracts.

The Beaumont City Council adopted a new MBE policy on September 12, 2006. Goals for participation in City construction and professional service contracts are 20% of contracts exceeding \$50,000 and \$25,000, respectively.

To assist the City in meeting its goals, we ask that you make a good faith effort to invite certified MBE's and Historically Underutilized Businesses (HUB) to participate in your bid process.

Please complete and submit with your bid the attached form indicating all certified subcontractors that you plan to use in this project. The successful bidder will be required to submit a final list of subcontractors and amount contracted upon completion of the project.

You may obtain the list of City certified contractors from the following:

- City of Beaumont website: www.beaumonttexas.gov/purchasing

- **Mailing Address:**
City of Beaumont
Purchasing Division
P. O. Box 3827
Beaumont, TX 77704-3827
- **Physical Address:**
City of Beaumont
Purchasing Division
801 Main Street, Suite 315
Beaumont, TX 77701

- Phone: 409-880-3720
- Fax: 409-880-3747

If you have any questions concerning the inclusion of MBE's in City bids, please call the Purchasing Division.

Thank you.

CITY OF BEAUMONT

MINORITY BUSINESS ENTERPRISE (MBE) PROGRAM

I. POLICY STATEMENT

“Minority Business Enterprise” (MBE), or “Minority Business” means a business in which (a) at least fifty-one percent (51%) is owned by minority members, or in the case of a corporation, at least fifty-one percent (51%) of the stock is owned by minority members; and (b) the management and daily business operations are controlled by one or more such individuals.

It is the policy of the City of Beaumont to involve local Minority-Owned Businesses (MBEs) to the fullest extent allowable by State statute in the procurement process.

In order to maximize the number of certified MBEs, the City will accept the State of Texas certified Historically Underutilized Businesses (HUBs) to meet its utilization goals.

II. ELIGIBILITY & OWNERSHIP

Minority individual means those individuals who are citizens of the United States (or lawfully admitted permanent residents) who are a member of one the groups listed below:

- A. “Asian-Indian Americans” which includes persons whose origins are from India, Pakistan, Bangladesh, Sri Lanka, Bhutan, or Nepal.
- B. “Asian-Pacific Americans” which includes persons whose origins are from Japan, China, Taiwan, Korea, Vietnam, Laos, Cambodia, the Philippines, Samoa, Guam, the U.S. Trust Territories of the Pacific, and the Northern Marianas.
- C. “Black Americans” which includes persons having origins in any of the Black racial groups of Africa.
- D. “Hispanic Americans” which includes persons of Mexican, Puerto Rican, Central or South America, or other Spanish culture or origin, regardless of race.
- E. “Native Americans” which includes persons who are American Indians, Eskimos, Aleuts, or Native Hawaiians.
- F. American Women, including all women of any ethnicity.

III. MBE DIRECTORY

The City will maintain a directory to facilitate identification of MBEs with capabilities relevant to general contracting requirements and to particular bid solicitations. The directory is available to bidders to assist in their efforts to meet the City's MBE participation goals.

IV. MBE ELIGIBILITY AND JOINT VENTURES INVOLVING MBEs

To ensure that the MBE program only benefits firms owned and controlled by minority individuals, the City of Beaumont shall certify the eligibility of MBEs by verifying all documentation submitted for MBE certification.

A. Determination of Ownership and Control

1. An eligible MBE shall be an independent business, and
 - a. the ownership and control by minority persons shall be real, substantial, continuing, and shall go beyond the pro forma ownership of the firm as reflected in its ownership documents;
 - b. the minority owners shall enjoy the customary incidents of ownership and shall share in the risks and profits commensurate with their ownership interests, as demonstrated by an examination of the substance rather than form or arrangements;
 - c. recognition of the business as a separate entity for tax or corporate purposes is not necessarily sufficient for recognition as an MBE;
 - d. in determining whether a potential MBE is an independent business, the City shall consider all relevant factors, including the date the business was established, the adequacy of its resources for the work of the contract, and the degree to which financial, equipment leasing, and other relationships with non-minority firms vary from industry practice.
2. The City shall safeguard from disclosure to unauthorized persons information that reasonably may be regarded as confidential business information, consistent with federal, State and local law.

V. APPLICATION UPDATE

- A. Once certified, an MBE shall update its submission annually every two (2) years by submitting a new application or certifying that the application on file is still accurate. If at any time there is a change in ownership or control of the firm, the firm shall submit a new application within thirty (30) days of the change.
- B. Failure to renew every two years will result in company being removed from the directory of certified MBEs.

VI. PERCENTAGE GOALS

- A. Overall Goals

The overall goal for the City of Beaumont's MBE program is to achieve twenty percent (20%) utilization for construction contracts exceeding \$50,000 and twenty percent (20%) utilization for professional services contracts exceeding \$25,000.

These goals shall not constitute a fixed quota. MBE participation will be calculated using the total dollar value of the contract awarded.

VII. MAINTENANCE OF RECORDS AND REPORTS

- A. In order to monitor the progress of its MBE program, the City shall maintain a record keeping system which will identify and assess MBE contract awards and projected goals.
- B. These records shall include as a minimum:
 - 1. the number of contracts awarded to MBEs;
 - 2. a description of the general categories of contracts so awarded;
 - 3. the dollar value of contracts so awarded;
 - 4. the percentage of the dollar value of all contracts awarded which were awarded to MBEs.

VIII. DECERTIFICATION PROCEDURE

A. Reasons for Decertification

The City reserves the right to decertify an existing MBE for any of the following reasons:

1. the firm's structure has changed to the extent that the business is no longer owned or controlled by an eligible person(s);
2. the business is no longer active;
3. the business is not financially responsible;
4. the business is not competent to do the work for which it was certified in accordance with generally accepted industry standards;
5. the firm has refused or failed without good cause to perform the work for which it was certified; and
6. the business has failed to comply with the City's recertification process.



CITY OF BEAUMONT
BEAUMONT, TEXAS

APPLICATION FOR CERTIFICATION AS A
MINORITY BUSINESS ENTERPRISE (MBE)

Revised 1/26/18 /bd

This application is used to request the City of Beaumont’s certification as a Minority Business Enterprise (MBE).

EMAIL completed form to: MBE.Beaumont@beaumonttexas.gov (Preferred)

- OR -

Mail completed form to: MBE Program
City of Beaumont
Purchasing Division
P. O. Box 3827
Beaumont, TX 77704-3827

- OR -

It may be delivered to: City Hall, 801 Main St., Suite 315, Beaumont, Texas.

For additional information, you may call (409) 880-3720 at the City of Beaumont’s Purchasing Division.

Instructions

Complete each item on this application. If an item is not applicable, enter “N/A” as a response. Applications that are incomplete, not signed, or notarized may be returned, thus delaying the MBE Program’s review of your application.

Other Certification

If you are currently certified through the State of Texas as a Historically Underutilized Business (HUB) you are not required to complete this application. Please complete items 1 through 8, item 12, and submit a copy of your HUB certification with this application.

1. Federal Employer’s Identification Number (EIN): _____

Provide the 9-digit EIN assigned to you for the purpose of filing your business’ federal income tax returns with the Internal Revenue Services (IRS). **Attached is a W-9 Request for Taxpayer Identification Number and Certification. This must be completed and returned with your application.**

2. Business Structure - Check the appropriate box that identifies your business structure.

- Sole Proprietorship Corporation Limited (Liability) Partnership
- Partnership Joint Venture Limited (Liability) Company

If Sole Proprietorship, provide copy of assumed name certificate and State license, if applicable.
If Partnership, provide copy of partnership agreement, assumed name certificate, and State license, if applicable.
If Corporation, provide copy of articles of incorporation, by-laws, board of directors, assumed name certificate, and State license, if applicable.
If Joint Venture, provide copy of joint venture agreement, assumed name certificate, and State license, if applicable.

3. Business Name, Mailing Address and Physical Address Information - Include physical address, if different from mailing address.

Business Name: _____

Mailing Address: _____

City: _____ State _____ Zip _____ County _____

Physical Address: _____

City: _____ State _____ Zip _____ County _____

4. Internet Web Page/URL Address (if applicable): _____

5. E-Mail Address (REQUIRED): _____

6. Business Phone No.: (____) _____ Business Fax No.: (____) _____

Cell Phone No.: (____) _____ Pager No.: (____) _____

7. **Business Category Description:** Check the box (only one) that best identifies the services provided by your business and is the primary source of gross revenue receipts for your business.

- | | |
|---|---|
| <input type="checkbox"/> (01) - Heavy Construction other than Building Construction | <input type="checkbox"/> (05) - Architectural / Engineering and Surveying |
| <input type="checkbox"/> (02) - Building Construction, including General Contractors & Operative Builders | <input type="checkbox"/> (06) - Other Services including Legal Services |
| <input type="checkbox"/> (03) - Special Trade Construction | <input type="checkbox"/> (07) - Commodities Wholesaler / Reseller |
| <input type="checkbox"/> (04) - Financial and Accounting Services | <input type="checkbox"/> (08) - Commodities Manufacturer |
| | <input type="checkbox"/> (09) - Medical Services |

Principal Line of Business - Provide a brief description of the products and/or services provided by your business.

8. Year Business Established: _____

9. **Ownership** - Provide the name, title, 9-digit Social Security Number (SSN) or Federal EIN, and percentage of ownership interest of all individuals and business entities having an ownership interest in your business.

Identify each individual's ethnicity by using the following **Ethnic Group Codes:**

| | |
|-------------------------------------|--------------------------------|
| AS - Asian-Indian Americans | HI - Hispanic Americans |
| AP - Asian-Pacific Americans | AI - Native Americans |
| BL - Black Americans | WO - American Woman |

Identify each individual's gender by using the following **Gender Code:** Female - "F" OR Male - "M".

Based on a 40-hour work week, identify the number of hours each owner is present at the business' physical address during the regularly established business hours, actively participating in the daily activities of the business operations.

| Name (First, MI, Last) | Title | EIN or SSN | % of Ownership | Ethnicity / Gender | No. of Hours |
|------------------------|-------|------------|----------------|--------------------|--------------|
| | | | | | |
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10. **Business Responsibilities** - Provide the name and title of the individual(s) ultimately responsible for the functions identified below.

| Functions | Name (First, Last) | Title |
|--|--------------------|-------|
| Negotiate and Sign Financial Contracts | | |
| Supervision of Day-to-Day Operations | | |

11. Required Documentation to Substantiate MBE Eligibility (DOCUMENTS MUST BE SUBMITTED WITH YOUR APPLICATION.) - As part of the submission of your completed MBE certification application, you are required to submit copies of documentation to substantiate that your business meets the MBE eligibility.

12. Affidavit of Eligibility - As evidence of my signature below, I attest that the business entity identified above in Item 3 meets the City of Beaumont's eligibility requirements. I agree to provide all materials and information necessary to identify and explain the operation of the above named business and hereby permit, if required, the audit and examination of its books, records, and files. I understand that any material misrepresentation of data for MBE certification may result in immediate removal from the MBE Directory. I further certify that my responses to the questions above and any information I have provided is a complete and accurate statement of the facts. If there are any changes regarding the information contained or incorporated in this affidavit, I will notify the City of Beaumont within thirty (30) days of such changes.

PRINTED NAME of Eligible Applicant
with Majority Ownership Interest

SIGNATURE of Eligible Applicant
with Majority Ownership Interest

Subscribed and sworn to me the undersigned Notary Public on this _____ day of _____ ,
year _____.

Notary Public's Signature and Stamp/Seal _____.

My Commission expires on: _____ .

DOCUMENTATION REQUIREMENTS FOR MBE CERTIFICATION

- NOTE:
- 1) Applicants are required to provide clear and legible copies of the documents listed below.
 - 2) Please read each item carefully.
 - 3) **Provide documentation in the order listed below.**

● Proof of U.S. citizenship and ethnicity for the eligible applicant. Proof of U.S. Citizenship and ethnicity may be in the form of a birth certificate or the Bureau of Citizenship and Immigration Services' Certificate of Citizenship/Naturalization **or** the Tribal Registration Certificate* of an entity recognized by the Bureau of Indian Affairs. (*Tribal Registration Certificates are applicable to Native Americans only.)

● Official Photo Identification for the eligible applicant. Official photo identification may be in the form of a valid State Drivers License/ID or the Bureau of Citizenship and Immigration Services' Certificate of Citizenship/Naturalization **or** the Tribal Registration ID Card of an entity recognized by the Bureau of Indian Affairs.* (*Tribal Registration ID cards are applicable to Native Americans only.)

● Proof of residency for the eligible applicant. Proof of residency may be in the form of a valid Drivers License/ID **or** a valid Voter's Registration Card **or** a current Property Tax Statement.

● Federal income tax return as determined by your business structure most recently filed with the Internal Revenue Service (IRS) for the business. If this firm is a new business which **has not** filed a federal income tax return with the IRS, the eligible applicant is required to provide the most recent quarterly financial statement and a minimum of three (3) customers or clients' names and contact information.

● Assumed Name Certificate of an Unincorporated Business verifying that your business is registered with the County.

● Current bank signature card or a signed letter from the business' banking institution identifying the 1) business name, 2) primary checking account number, and 3) all individuals who are recognized as authorized signature on the account.

● Three (3) canceled checks (front and back) that have cleared the business' primary checking account number within the last six (6) months and were signed by the eligible applicant. Note: Bank statements that include images of cancelled checks signed by the eligible applicant are sufficient.

● Current State of Texas Sales and Use Tax Permit. **If not applicable, check this box.**

● Current professional licenses and permits. **If not applicable, check this box.**

● Current signed business site lease agreement, including amendments and renewals. Note: If you are the owner of the property on which the business operates and there is no formal written lease agreement in effect, you are required to provide a copy of the most current County tax appraisal statement from the property.

NOTE:

All information submitted in conjunction with an MBE application is exempt from Public Disclosure.

**CITY OF BEAUMONT
SCHEDULE C
SCHEDULE OF MBE PARTICIPATION**

VENDOR'S COMPANY NAME

| <i>CERTIFIED MBE CONTRACTOR</i> | <i>ADDRESS</i> | <i>TYPE OF WORK</i> | <i>AGREED PRICE</i> |
|---------------------------------|----------------|---------------------|---------------------|
| | | | |
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| | | | |

The undersigned will enter into a formal agreement with MBE Contractors for work listed in this schedule conditioned upon execution of a contract with the City of Beaumont.

NOTE: This schedule should be submitted with your bid.

SIGNATURE

TITLE