
**PHILADELPHIA REGIONAL PORT AUTHORITY
(PHILAPORT)**

Diversity Inclusion Plan (Construction)

DIVERSITY AND INCLUSION POLICY MINIMUM PARTICIPATION LEVELS

PHILAPORT has established the following minimum participation levels (MPLs) for Historically Underutilized Business Enterprises in accordance with a policy on diversity inclusion, set forth in Part X of the Contracting, Procurement, and Leasing Policies and Procedures, revised as of November 2015, the provisions of which are incorporated as though fully set forth herein.

All contracts awarded for construction will have a minimum HUB participation level set by the Director of Procurement, but in no event shall it be less than 20% of the contract value. The participation for each award must include at least 2 of the categories that are identified as HUB with no less than 5% participation for every category being included.

Historically Underutilized Business Enterprise (HUB)

A Business Enterprise that is:

1. an MBE
2. a WBE
3. a Veteran or Service-Disabled Veteran Business Enterprise
4. an LGBT Business Enterprise

***Use forms included to submit HUB solicitation and commitments at time of bidding.

ACCEPTED CERTIFICATIONS

PhilaPort accepts approved third-party certifications from any of the following entities:

- [Unified Certification Program \(UCP\)](#) *
(Every state has its own Unified Certification Program. This links to the Pennsylvania Unified Certification Program.)
- [Woman's Business Enterprise National Council \(WBENC\)](#)
- [National Minority Supplier Development Council \(NMSDC\)](#)
- [United States Small Business Administration \(SBA\) 8\(a\) Program](#) *
- [Vets First Verification Program at vetbiz.gov](#)
- [US Business Leadership Network \(USBLN\)](#)
- [National Gay & Lesbian Chamber of Commerce \(NGLCC\)](#)

07/15/2017

Exhibit “A”

PHILADELPHIA REGIONAL PORT AUTHORITY
Diversity Inclusion Plan (Construction)

TABLE OF CONTENTS

	<u>PAGE</u>
I. POLICY STATEMENT	1
II. DIVERSITY INCLUSION PLAN	1
III. DEFINITIONS.....	1
IV. CONTRACTOR COMPLIANCE GENERALLY	5
V. PROCEDURES – CLAUSES INCLUDED IN BIDDING AND CONTRACT DOCUMENTS.....	7
VI. PROCEDURE TO SOLICIT PARTICIPATION.....	9
VII. PROCEDURE TO EVALUATE BIDS	11
VIII. PROCEDURES – RECORDS AND REPORTS.....	12

EXHIBITS

Exhibit 1	HUB Solicitation and Commitment Statement
Exhibit 2	HUB Monthly Reporting Form Summarizing Payments Made (to include proof of payment to HUB subcontractors)

II. POLICY STATEMENT

The Board of the Philadelphia Regional Port Authority, an independent agency of the Commonwealth of Pennsylvania, pursuant to Sections 697.4 and 697.6(c)(5) of the Philadelphia Regional Port Authority Act, has adopted a policy on diversity inclusion, set forth in Part X of the Contracting, Procurement, and Leasing Policies and Procedures, revised as of November 2015 (the “Diversity Inclusion Policy” or the “Policy”).

It is the policy of the Philadelphia Regional Port Authority (“PHILAPORT”) to promote opportunities for full participation by Minority-owned, Women-owned, Veteran-owned or Service-Disabled-Veteran-owned and LGBT-owned small businesses, hereafter collectively referred to as disadvantaged business enterprises (“HUBs”) in all project-related construction contracts to the greatest extent feasible and to do so by insuring that all Prime Contractors do not discriminate in the solicitation, award and administration of construction subcontracts on PHILAPORT’s projects.

Further, PHILAPORT’s policy is to extend the applicability of the Diversity Inclusion Policy to other professional and non-professional services for which PHILAPORT contracts.

III. DIVERSITY INCLUSION PLAN

A. HUB Requirements

PHILAPORT shall take all necessary and appropriate steps to assure that its Prime Contractors do not discriminate and use HUBs in accordance with this Diversity Inclusion Plan (the “Diversity Inclusion Plan” or the “Plan”) for all project-related construction contract awards that exceed the bidding threshold established annually for authorities in Pennsylvania.¹

IV. DEFINITIONS

- A. Bidder Responsiveness - Actions taken by a Prime Bidder to seek participation by Subcontractors as defined below who are HUBs, and documented in the bid. Responsiveness includes submission at the time of the bid of the HUB Solicitation and Commitment Statement (similar in content to Exhibit 1), and, if needed, documentation providing an explanation for failure to achieve minimum levels of participation (MPLs). This documentation must demonstrate that the bidder has not engaged in discriminatory practices and may include a description of any barriers or impediments encountered despite the actions taken.
- B. Bidder Responsibility – Demonstration of non-discrimination in the selection of Subcontractors. Bidders are presumed to meet these responsibilities if minimum participation levels established for the project on the pertinent subcontract are

¹ Although the Plan is termed the “Diversity Inclusion Plan,” the intent of the Plan is to achieve both Diversity and Inclusion, as two distinct characteristics, with respect to its construction contracts.

achieved. Non-discrimination can also be demonstrated by submitting supplemental evidence that failure to achieve the MPLs was not motivated by consideration of race, gender or other impermissible criterion; that HUBs were not treated less favorably than others; and that solicitation and commitment decisions were not based upon policies which disparately affect HUBs.

C. Business Enterprise - Any legal entity that is organized in any form other than as a joint venture (e.g., sole proprietorship, partnership, corporation, etc.) to engage in lawful commercial transactions.

D. Contractor - An entity that contracts with the PHILAPORT to perform work in connection with a construction project.

E. Control - The exclusive, ultimate and sole control of a business including, but not limited to, capital investment and all other financial, property acquisition, contract negotiation, and legal matters, officer-director-employee selection and comprehensive hiring, operating responsibility, cost-control matters, income and dividend matters, financial transactions, and rights of other shareholders or partners. Control shall be real, substantial, and continuing, not merely pro forma. Control shall include the power to direct or cause the direction of the management and policies of the business and to make the day-to-day as well as major decisions in matters of policy, management, and operations. Control shall be exemplified by possession of the requisite knowledge and expertise to operate the particular business. Control shall not be vested in majority or absentee ownership. Control by a HUB defined herein shall not be deemed to exist in any case where any majority owner or employee of the business is disproportionately responsible for the operation of the firm.

F. Disadvantaged Business Enterprise (HUB)

A Business Enterprise that is:

1. an MBE
2. a WBE
3. a Veteran or Service-Disabled Veteran Business Enterprise
4. an LGBT Business Enterprise

G. LGBT Business Enterprise

A Business Enterprise that is:

1. a sole proprietorship, owned and controlled by a LGBT Person; or

2. a partnership or joint venture of Business Enterprises controlled by LGBT Persons in which 51% of the beneficial ownership interest is held by LGBT Persons; or
3. a corporation or other entity controlled by LGBT Persons in which at least 51% of the voting interest and 51% of the beneficial ownership interest are held by LGBT Persons.

H. LGBT Person

Persons who identify as lesbian, gay, bisexual, or transgender.

I. Minority Business Enterprise (MBE)

A Business Enterprise that is:

1. a sole proprietorship, owned and controlled by a Minority Person; or
2. a partnership or joint venture of Business Enterprises controlled by Minority Persons in which 51% of the beneficial ownership interest is held by Minority Persons; or
3. a corporation or other entity controlled by Minority Persons in which at least 51% of the voting interest and 51% of the beneficial ownership interest are held by Minority Persons.

J. Minority Person

Persons who are citizens of the United States and who are Black Americans, Hispanic Americans, Native Americans, Asian-Indian Americans, or Asian-Pacific Americans.

1. Black (African) Americans - Persons having origins from any of the Black groups of Africa. The term includes persons having origins in any of the original peoples of the Cape Verdes Islands.
2. Hispanic Americans - Persons having their origins from one or more of the Spanish- speaking peoples of Mexico, Puerto Rico, Cuba, Central or South America or the Caribbean Islands.
3. Native Americans - Persons having origins from one or more of the original peoples of North America and who are recognized as an Indian by a tribe or tribal organization.
4. Asian-Indian – Persons having origins from one or more countries in south Asia, including India and Pakistan.

5. Asian-Pacific Americans - Persons having origins from one or more of the original peoples of the Far East, Southeast Asia or the Pacific Islands, including China, Japan, Korea, Samoa, and the Philippine Islands.

K. Owner – PHILAPORT

L. Prime Bidder and Prime Contractor

For HUB purposes, the term, “Prime Bidder” means a Business Enterprise that submits a bid to PHILAPORT (e.g., general contractors, plumbing contractors). A Prime Contractor is a Prime Bidder that has received an award from PHILAPORT.

M. Service-Disabled Veteran Business Enterprise. A Business Enterprise that is:

1. a sole proprietorship, owned and controlled by a Service-Disabled Veteran; or
2. a partnership or joint venture of Business Enterprises controlled by Service-Disabled Veterans in which 51% of the beneficial ownership interest is held by Service-Disabled Veterans; or
3. a corporation or other entity controlled by Service-Disabled Veterans in which at least 51% of the voting interest and 51% of the beneficial ownership interest are held by Service-Disabled Veterans.

N. Service-Disabled Veteran.

Persons who are Veterans and either (1) are “disabled veterans” as defined in 5 USC 2108(2) (i.e. “individuals who have served on active duty in the armed forces, have been separated therefrom under honorable conditions, and have established the present existence of a service-connected disability or are receiving compensation, disability retirement benefits, or pension because of a public statute administered by the Department of Veterans Affairs or military department”) or (2) have a disability as defined in the Social Security regulations, 42 USC 423 (i.e. “an inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death, or which has lasted, or can be expected to last for a continuous period of not less than 12 months”) and have a present determination of a disability by the Social Security Administration or Veterans Administration.

O. Subcontractor. A Business Enterprise that has a contract with a Prime Contractor to supply labor, equipment, materials or supplies for a project as a manufacturer, vendor, supplier or subcontractor.

P. Veteran. Persons who served in honorably in the United States military.

Q. Veteran Business Enterprise.

1. a sole proprietorship, owned and controlled by a Veteran; or
2. a partnership or joint venture of Business Enterprises controlled by Veterans in which 51% of the beneficial ownership interest is held by Veterans; or
3. a corporation or other entity controlled by Veterans in which at least 51% of the voting interest and 51% of the beneficial ownership interest are held by Veterans.

R. Women's Business Enterprise (WBE). A Business Enterprise that is:

1. a sole proprietorship, owned and controlled by a Woman; or
2. a partnership or joint venture of Business Enterprises controlled by Women in which 51% of the beneficial ownership interest is held by Women; or
3. a corporation or other entity controlled by Women in which at least 51% of the voting interest and 51% of the beneficial ownership interest are held by Women.

S. Women. United States citizens who are of the female gender.

V. **CONTRACTOR COMPLIANCE GENERALLY**

A. Minimum Participation Levels (MPLs)

PHILAPORT will establish minimum participation levels (MPLs) for the HUBs on a project-by-project basis. The MPLs will be established for each prime bid to be used solely as a guide in determining Prime Bidder responsibility. MPLs are applied to each bid category. The MPLs will vary based on the market availability of subcontracting opportunities for HUB's, on a project-by-project basis.

PHILAPORT shall endeavor to establish MPLs on the basis of actual market availability that matches the scope of work included in the project and available HUB firms, on a project-by-project basis with separate participation levels for the HUB categories.

B. Bidder's Submissions at Time of Bid

The Prime Bidder shall submit the HUB Solicitation and Commitment Statement attached as Exhibit 1 with its bid, showing efforts made to solicit HUB Subcontractors, and written confirmations of the intent to use the identified Subcontractors if awarded the prime contract. Prime Contractor's HUB Contact/Solicitation and Commitment Statement shall include the names of all companies and individuals contacted or solicited for participation in the project,

the type of work, material, supplies or equipment involved in the solicitation, the total dollar amount of each quote received, the time of solicitation, and, where applicable, the total dollar amount of each subcontract that would be awarded.

C. Safe Harbor and Compliance at Time of Bidding

In the absence of evidence to the contrary, compliance with the requirements under this Plan to demonstrate both bidder responsiveness and responsibility is presumed if MPLs are achieved.

If MPLs are not met, the Prime Bidder shall document why it was not feasible to meet the numerical levels by submitting evidence that failure to achieve MPLs was not motivated by consideration of race or gender, or other disadvantaged status; that HUBs were not treated less favorably than others; that solicitation and commitment decisions were not based upon policies which disparately affect HUBs. Justification for not meeting the MPLs may include impediments encountered despite actions taken.

D. Compliance Responsibilities – PHILAPORT and Prime Contractor

PHILAPORT has the responsibility to comply with the requirements under this Plan and ensure non-discrimination in the selection of Subcontractors, and in the administration of the project.

Prime Contractor has the responsibility to meet its commitments made during bidding by utilizing each Subcontractor it selected to the full extent of the subcontract value. The failure to meet minimum participation levels at the completion of two projects shall warrant Prime Contractor's disqualification from contracting with PHILAPORT for a period of six months and the imposition of liquidated damages in the amount of 10% of the dollar amount of the shortfall in the commitment to compensate PHILAPORT for the administrative costs of addressing the deficiency and not as a penalty.

E. Prime Contractor's Submissions during Project Administration

Prime Contractor shall submit monthly reports as specified in this Plan and in the Contract Documents. Specifically, Prime Contractor shall submit the Prime Contractor HUB Monthly Reporting Form Summarizing Payments Made (similar in content to Exhibit 2) for each project as well as proof of payment in the form of invoices from subcontractors. Both form and proof of payment to subcontractors should be submitted to the Finance Department along with the Prime Contractor's monthly invoicing. PhilaPort reserves the right to withhold payment to Prime Contractor until the HUB monthly reporting is up-to-date and in accordance with the MPLs submitted with the bid..

VI. PROCEDURES – CLAUSES INCLUDED IN BIDDING AND CONTRACT DOCUMENTS

PHILAPORT shall insert the following in the appropriate contract document, establishing requirements applicable to the Prime Bidder:

A. Advertisement / Invitation for Bid (IFB)

All advertisements for IFB will include the following statement:

“The bidder must submit documentary evidence of solicitations from HUBs, which have been contacted and to which commitments have been made. Documentation of contract solicitations and commitments shall be submitted concurrently with the bid.”

B. Instructions to Bidders (ITB)

The following statements will be placed in the bid documents, establishing requirements applicable to the Prime Bidder:

1. Participation Level

- a. PHILAPORT has established the following minimum participation levels (MPLs) for Disadvantaged Business Enterprises in accordance with a policy on diversity inclusion, set forth in Part X of the Contracting, Procurement, and Leasing Policies and Procedures, revised as of November 2015, the provisions of which are incorporated as though fully set forth herein.

- MBEs ____% of the total dollar amount of the _____ contract
- WBEs ____% of the total dollar amount of the _____ contract
- Veteran or Service-Disabled Veteran Business Enterprise ____% of the total dollar amount of the _____ contract

- LGBT Business Enterprise ____% of the total dollar amount of the _____ contract

All contracts awarded for construction will have a minimum HUB participation level set by the Director of Procurement, but in no event shall it be less than 20% of the contract value. The participation for each award must include at least 2 of the categories that are identified as HUB with no less than 5% participation for every category being included.

MPLs are established for this project to be used solely as a threshold in determining Prime Bidder responsibility. Prime Bidders are presumed to meet their responsibilities under the Policy if the dollar commitments to the HUBs reflect these participation levels. A Prime Bidder will not be rejected as non-responsible solely because it fails to reach the MPLs. To determine the participation level that has been reached, a Prime Bidder shall divide the total dollar amount of the commitments for the project by the total dollar amount of the Prime Bidder's contract award.

- b. HUB subcontracts will be credited toward the MPLs at 100%. HUB stocking suppliers and manufacturers are credited at 100%. HUB non-stocking suppliers, which are commonly and ordinarily the custom in the industry and a part of the industry's trade practices, are credited at 100%. Non-stocking suppliers, which are not commonly and ordinarily the custom in the industry nor a part of the industry's trade practice, are not credited.
- c. A prospective Subcontractor that qualifies in one, two, three or all four categories, will only receive credit toward MPLs as one but not more than one. Prime Bidders must indicate on the HUB Solicitation and Commitment Statement (similar in content to Exhibit 1) how the prospective Subcontractor should be credited.
- d. A HUB which is the Prime Bidder on a project with a contract valued at \$100,000 or less will receive full MPL credit for its own work effort for services provided. Such a business bidding as Prime Contractor should nonetheless attempt to hire and solicit other, certified HUBs for participation in subcontracts.
- e. HUB Subcontractors providing labor must perform at least seventy-five percent (75%) of the cost of the subcontract, not including the cost of materials, with its own employees.

C. General Conditions

PHILAPORT will include following provisions in construction contracts, establishing requirements applicable to Prime Contractor.

1. Reporting Requirements After Award

- a. Prime contractors must provide PHILAPORT directly with the Prime Contractor’s Monthly HUB Business Utilization Report (similar in content to Exhibit 2) for each project that is underway and for which payment applications are being submitted. The report shall include the names of and the total dollar amount paid to all HUB Subcontractors utilized under this contract. PHILAPORT reserves the right to verify payments to subcontractors at any time.

2. Joint Ventures and Subcontracting

- a. Joint Venture.

Project-related contracts that involve a joint venture with a HUB firm must include the following clause:

If the joint venture relationship identified as the _____ is dissolved,
Joint Venture Firm Name
 or otherwise discontinued, (_____),
Name of Replacement Prime Contractor

Replacement Prime Contractor, as the successor on the contract, shall continue this commitment by entering into contractual agreements with other appropriate firms to perform work on this contract. Replacement Prime Contractor must submit all requests for change orders to PHILAPORT for approval.

- b. Subcontracting.

Subcontracts with HUB firms must include the following clause:

If the subcontracting commitment made to the _____
Name of Subcontractor
 is terminated or materially reduced, _____
Name of Prime Contractor

agrees that the termination or material reduction is subject to the approval of PHILAPORT, which approval shall not be withheld unreasonably.

VII. PROCEDURE TO SOLICIT PARTICIPATION

A. HUB Certification

1. Prime Bidders will only be given credit for HUBs that are certified or accepted as certified HUBs by programs approved by, and in accordance with additional requirements set forth by, Board resolution.
2. Under the State Act of December 21, 1984, No. 230, P.L. 210, 18 PA. C.S.A. § 4107.2 a person commits a felony of the third degree if, in the course of business, he/she engages in deception relating to HUB certification.
3. To be credited, the certification relied upon must be for the category of labor, equipment, materials or supplies that would be used by Prime Contractor in the proposed subcontract with the Subcontractor. For example, a certification as a masonry contractor does not qualify as a certification to supply electrical equipment.

B. Notification to HUBs

The procedure for Prime Contractor to notify HUBs of contract shall be as follows:

1. Notice of ITBs

The Prime Bidder shall utilize available information regarding certified HUB firms capable of performing in the project's area. PHILAPORT shall provide reasonable assistance to the Prime Bidder. The Prime Bidder shall provide notice of the project to HUB firms so identified and to other qualified HUB firms and shall otherwise provide the same level of communication and interaction with prospective HUB Subcontractors as it would to other companies with which the Prime Bidder routinely contracts.

2. Other Notices - Notices of the HUB subcontracting opportunities will be sent by PHILAPORT to appropriate organizations, such as:

- a. local minority churches and civic organizations;
- b. appropriate (1) minority business technical assistance organizations and schools, (2) minority, women, veteran, LGBT and small business contractor associations and appropriate trade organizations; and,
- c. other business assistance agencies, community organizations, and media organizations such as trade association papers and newsletters, community television networks, local newsletters, and radio advertising.

3. Plans and Specifications - Plans and specifications and all bidding documents on all projects will be made available to potential

Subcontractors, and HUB contractor associations, and trade organizations, through Penn Bid and similar web-based databases, and otherwise as may be appropriate.

4. List of Plan holders - The names of Prime Bidders requesting bid documents will be made available upon request by PHILAPORT to HUB firms which provide labor, equipment, materials or supplies that appropriate to the scope of project work being solicited.
5. Lists of HUB's Businesses - PHILAPORT will provide each Prime Bidder obtaining plans and specifications for a project with any available lists of HUB firms.

VIII. PROCEDURE TO EVALUATE BIDS

A. Responsiveness

1. The Prime Bidder must complete and submit the HUB Solicitation and Commitment Statement (similar in content to Exhibit 1) with the bid. Failure to submit a completed form with the bid will result in the bid being rejected as nonresponsive.
2. The Prime Bidder should only solicit HUB Subcontractors whose labor, equipment, materials or supplies are within the scope of work and which the Prime Bidder reasonably believes it could choose to subcontract with or purchase from.
3. Prime Bidders failing to meet the MPLs must submit concurrently with the bid, an explanation of why the MPLs have not been met. This explanation must demonstrate that the Prime Bidder has not engaged in discriminatory practices in the solicitation and utilization of HUBs to perform as Subcontractors on the project. The evidence submitted by the Prime Bidder must demonstrate the following:
 - a. indicate whether HUB firms were solicited for each type of work the Prime Bidder expects to subcontract for and for all materials which the Prime Bidder expects to procure and, if not, the reason(s) why no such solicitation was made;
 - b. indicate the reason why commitments were not made to HUB firms for a type of subcontract labor, equipment, materials or supplies in any areas where quotes were received from such firms; and
 - c. in any case where no quotations are received from, nor commitments made to HUB firms, indicate on Exhibit 1 that no quotes were received, and if there is another reason for no commitments being made, the reason for the lack of commitments.

4. If the Prime Bidder fails to submit such evidence, the bid submission shall be considered non-responsive and the bid shall be rejected.
5. Information related to the above shall be submitted on Exhibit 1 with the bid and on such additional materials as the Prime Bidder wishes to attach.

B. Responsibility

1. The submittals of each Prime Bidder are subject to review by PHILAPORT to determine whether the Prime Bidder has discriminated in the selection of Subcontractors.

Where the MPLs are not met, PHILAPORT will determine whether discrimination has occurred. If, after investigation including a review of Exhibit 1, other materials submitted by the Prime Bidder, and such additional documents and information as PHILAPORT has secured, it is determined that discrimination has occurred, the Prime Bidder shall be deemed to be not responsible and the bid will be rejected.

2. Documentation submitted by the Prime Bidder should meet the following standards for review:
 - a. the Prime Bidder whose actions resulted in a limited or no commitment to HUB firms was not motivated by consideration of race or gender;
 - b. HUB firms were not treated less favorably than other businesses in the hiring and/or contract solicitation and commitment processes; and
 - c. solicitation and commitment decisions were not based upon policies that disparately affect HUB firms.
3. Commitments to HUB firms at the time of bidding must be maintained throughout the project unless a change in commitment is approved in advance by PHILAPORT. Such approval shall not unreasonably be withheld.

C. Access to Information

PHILAPORT may obtain documents and information from any Prime Bidder and any Subcontractor as may be required to ascertain Prime Bidder's contractor responsibility. Failure to provide requested information may result in the Prime Bidder's bid being declared non-responsive, the Prime Bidder being declared not responsible, or both.

IX. PROCEDURES – RECORDS AND REPORTS

A. Records and Reports

1. PHILAPORT will review all reports received to determine if the commitments made by Prime Contractors in their bids are being met. This review is to be done contemporaneously with the receipt of payment applications, and in any event prior to final payment being made to Prime Contractor.
2. PHILAPORT will keep such records as are necessary to determine compliance with its HUB requirements. These records must be in sufficient detail to indicate the prime contract work performed, and the percentages of project-related work that is being performed by HUBs.
3. Prime Contractor must retain HUB records related to the construction period for a period of four years after final completion of the project. If any litigation, claim, negotiation, audit, or other action has been commenced before the previously mentioned record retention periods, the records must be retained until the completion of the action and resolution of all issues which arise from it or until the end of the previously referenced record retention period, whichever is later.

Exhibit 1

HUB Solicitation and Commitment Statement

Exhibit 1

HUB SOLICITATION AND COMMITMENT STATEMENT

OWNER / PRIME BIDDER'S FIRM NAME (1)						PROJECT NAME (2) PROJECT #				
ADDRESS						BID OPENING DATE		CONTRACT AWARD DATE		
TELEPHONE NUMBER						CONTACT PERSON (Name and Email Address)				
*(3)	(4)	(4)	(4)	(4)	(4)	(4)	(5)	(6)	*(7)	*(8)
COMPANY NAME EIN/SSN TELEPHONE NUMBER	DATE OF SOLICITATION	MBE	WBE	Veteran or Service-Disabled Veteran Business Enterprise	LGBT Business Enterprise	Certification Program and Number	TYPE OF WORK TO BE PERFORMED AND/OR MATERIAL TO BE SUPPLIED	TOTAL DOLLAR AMOUNT OF QUOTE RECEIVED	TOTAL COMMITMENT DOLLAR AMOUNT	TOTAL COMMITMENT PERCENTAGE %
(9) Note: List those certified HUB Subcontractors from which you solicited quotes or which contacted you and gave you quotes in regard to this invitation to bid. Contact with HUB Subcontractors should be at least equivalent to the notice given to other subcontractor proposers.										
(10) PREPARED BY (please print)						TELEPHONE NUMBER		E-MAIL		

*Use additional sheets, if necessary.

Exhibit 1

HUB SOLICITATION AND COMMITMENT STATEMENT Instructions and Explanation of Columns

Project owners and all prime bidders will complete this form to document all businesses solicited and all businesses that provided solicited or unsolicited quotes for project-related contracts.

1. Provide your company name, address, telephone number.
2. Provide the project name, project number, bid opening date, contract award date, and a contact person's name.
3. For each business solicited and each quote/bid received, enter the firm name, Employer Identification Number (EIN) or Social Security Number (SSN) for a sole proprietorship, telephone number with area code, and e-mail address. Only the company's name is a mandatory item.
4. Indicate whether or not the firm is an MBE, a WBE, Veteran or Service-Disabled Veteran Business Enterprise, or LGBT Business Enterprise. Place a check mark in only one of the appropriate MBE, WBE, Veteran or Service-Disabled Veteran Business Enterprise or LGBT Business Enterprise, add the identity of the certifying entity and the HUB's certification number.
5. Indicate the type of work to be performed and/or material to be supplied.
6. Enter the total dollar amount of the quote received.
7. Enter the total dollar (\$) amount of the commitment which you have made to the MBE, WBE, Veteran or Service-Disabled Veteran Business Enterprise or LGBT Business Enterprise. If no amount is provided in this space, it will be presumed that your firm made no commitment to the MBE, WBE, Veteran or Service-Disabled Veteran Business Enterprise or LGBT Business Enterprise.
8. Enter the total percentage (%) of the commitment which you have made to the MBE, WBE, Veteran or Service-Disabled Veteran Business Enterprise or LGBT Business Enterprise. If no amount is provided in this space, it will be presumed that your firm made no commitment to the MBE, WBE, Veteran or Service-Disabled Veteran Business Enterprise or LGBT Business Enterprise.
9. NOTE: You must include information on both solicited and unsolicited quotes. Failure to include a firm providing solicited or unsolicited quotes may result in the rejection of the bid or a determination that you are not a responsible contractor. Adequate time equivalent to that provided to other Subcontractor proposers must be provided for HUB Subcontractors and suppliers to respond to bids.
10. Indicate the name, telephone number and e-mail address of the person(s) who prepared the form.

Exhibit 2

PHILAPORT's Monthly HUB Business Utilization Report

