

Metropolitan Washington Airports Authority
PROCUREMENT AND CONTRACTS DEPT.
AMENDMENT OF SOLICITATION

Metropolitan Washington Airports Authority Procurement and Contracts Dept., MA-29 2733 Crystal Drive Arlington, VA 22202	1A. AMENDMENT OF SOLICITATION NO. IFB-18-30347	1B. DATED September 27, 2018
	2A. AMENDMENT NO. Two (002)	2B. EFFECTIVE DATE October 25, 2018

The solicitation identified in Block 1A is amended as set forth in Block 3. Hour and date specified for receipt of offers is extended, is not extended. Offerors must acknowledge receipt of this amendment prior to the hour and dated specified in the solicitation or as amended, by one of the following methods: (a) by completing Block 4 and returning copy of the amendment; (b) by acknowledging receipt of this amendment on the Solicitation Offer and Award Sheet, Block 13. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER.

3. DESCRIPTION OF AMENDMENT

Metropolitan Washington Airports Authority Solicitation IFB-18-30347 entitled "Temporary and Permanent Fencing, National Airport" is amended as follows:

A. Section V (21), Offer Documents, is hereby replaced in its entirety with the following:

21 OFFER DOCUMENTS

Offerors shall include in their offer submission all documents required by this solicitation including, but not limited to, the following:

- A. Solicitation Offer and Award
- B. Price Schedule (Section III)
- C. Representations and Certifications (Section IV)
- D. LDBE Certification Exhibits as applicable:
 - Exhibit A, Voluntary Efforts to Obtain MBE/WBE Participation
 - Exhibit D, Contract Participation Form
 - Exhibit F, LDBE Certification Application or proof of certification
- E. Insurance Affidavit (Section X – Attachment 02)
- F. Other applicable documents addressing areas not listed above, but are required by the solicitation and/or Statement of Work.

B. Section IX, Local Disadvantaged Business Enterprise Participation Requirements, is hereby replaced in its entirety with the attached.

Except as provided herein, all terms and conditions of the document referenced in Block 1A, as heretofore changed, remain unchanged and in full force and effect.

4A. NAME AND TITLE OF OFFEROR	4B. SIGNATURE	4C. DATE

SECTION IX - LOCAL DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION REQUIREMENTS

01 LDBE PARTICIPATION

The Authority's LDBE participation requirements are applicable to certain Authority contracts that do not involve federal funding. The contract to be awarded under this solicitation is subject to the LDBE Program requirements described below.

Pursuant to Section 1.2.1 of the Authority's Contracting Manual, this contract is set aside for 100% performance by LDBEs or eligible LDBE joint ventures as prime contractors. The apparent successful prime offeror must be LDBE certified by the Authority not later than the date established by the Authority for the award of this contract. If they are not LDBE certified by that date, the Authority is under no obligation to delay the award until certification is obtained and the Authority may select another offeror for contract award. The Authority requires sufficient time to process LDBE certification applications. Consequently, the Authority strongly encourages firms to apply for and obtain their LDBE certifications as early as possible. Prospective LDBEs are encouraged to apply for certification prior to the deadline for submission of bids or proposals.

By signing the offer, offeror represents that it is eligible for LDBE certification. Failure to sign the offer to commit to the LDBE participation requirement may result in the offer being found to be in nonconformance with the RFP and rejected. The Authority will treat matters of LDBE participation as matters relating to the offeror's responsibility that the Authority may determine prior to award through communications with the offeror(s) in question. Unless the Authority declares otherwise, such communications with the offeror(s) in question do not constitute "negotiations" or "discussions" as these terms are used in the Authority's Contracting Manual and do not require communication with other offerors.

02 LDBE CERTIFICATION REQUIREMENTS

To be certified by the Authority as an LDBE, a firm must be a small business concern which is organized for profit and which is located within a 100-mile radius of Washington, DC's zero mile marker. Those business entities located within counties that fall partially within the aforementioned boundary, are also eligible to participate in the Authority's program. A table of a representative list of zip codes that fall within this 100-mile radius is attached as Exhibit B. A "small business" is defined, for LDBE purposes, as a firm that is not dominant in its field, and that meets the Authority's small business size standards for the goods it will be supplying or services it will be performing in this contract. The receipts of all affiliates of the LDBE applicant shall be counted in determining the size of the business. Some of the applicable small business size standard(s) for this solicitation are listed in Exhibit C. The apparent successful offeror who claims LDBE status, and all subcontractors claiming LDBE status, must be certified as such by the Authority prior to award of this contract and are subject to an investigation to establish status as a local disadvantaged business enterprise, in accordance with the criteria specified in Section IX(07)(A). The Contractor shall prompt, using reasonable measures, all LDBE firms participating in this contract, including itself, to renew their certifications and notify the Authority immediately of any change in status that would affect their eligibility for LDBE certification. If an LDBE certified firm participating in this contract outgrows the small business size standard (for example, the firm's annual gross receipts increase sufficiently during the term of this contract to cause the three year average of the LDBE's annual gross receipts to exceed the size standard) during the term of this contract, the firm will continue to be considered an LDBE for purposes of calculating LDBE participation for this contract until this contract expires, including any option years. If an LDBE certified firm participating in this contract, other than the Prime Contractor, becomes ineligible for LDBE certification for any reason other than growth during the term of this contract (e.g., the LDBE moves outside the local area or the LDBE is purchased by a large or non-local firm), the Authority reserves the right to require the Contractor to substitute a certified LDBE firm to perform the ineligible LDBE's work under this contract. If the Prime Contractor becomes ineligible for LDBE certification for reasons other than growth, the Authority reserves the right to terminate the contract as soon as it is practical to do so. If this termination occurs, the Authority will compensate the Prime Contractor in accordance with the contract terms for the work performed up to the termination date and shall have no further obligation or liability to the Contractor.

03 PROMPT PAYMENT

The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than 15 days from the receipt of each payment the prime contractor receives from the Airports Authority. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the Authority. This clause applies to both LDBE and non-LDBE subcontractors.

04 LDBE PARTICIPATION REQUIREMENTS

A. The LDBE participation requirements which apply to this solicitation are as follows:

1. This solicitation is a 100% set-aside for eligible LDBEs or eligible LDBE joint ventures. This means that only eligible LDBEs or eligible LDBE joint ventures can be prime offerors and be awarded the contract. The definition of an eligible joint venture for a 100% set-aside contract is provided in Section IX(07)(D). A prime offeror must be LDBE certified, however, for purposes of this Contract, it may obtain its goods and supplies from non-LDBE manufactures, wholesalers, or distributors. Firms that are not LDBEs cannot be Prime Contractors and cannot perform any work under this contract, except as permitted by Section IX(04)(C)(2), below.
2. No offeror that seeks to meet the LDBE requirements through a joint venture shall be considered to have met the requirements unless the LDBE joint venture partner is certified by the Authority.
3. The Authority discourages offerors and contractors from the practice known as "shopping the contract" when such practice results in a disparate impact on subcontractors at any tier. Although offerors and contractors are expected to provide the Authority with the best value possible for the work performed, this expectation should not be construed to mean that the Authority expects or condones any subcontractor, especially LDBEs, to perform work at an unreasonably low price.
4. The Authority is committed to significant participation of minority and woman-owned business enterprises (MBEs and WBEs) in this contract, and encourages offerors to meet the LDBE participation requirement with significant participation by MBEs and WBEs who qualify as LDBEs.

B. Where subcontracting is proposed, the Authority may evaluate the amount of work subcontracted, the industry practices involved, and any other relevant factors in determining whether the LDBE is performing a commercially useful function.

C. LDBE Participation

Offerors shall apply the following rules to determine whether their proposed LDBE participation will meet the contract's LDBE requirement set forth in Sections IX(04)(A)(1), and IX(04)(A)(2).

1. Only LDBE prime offerors (including an eligible joint venture as defined in Section IX(07)(D)) certified by the Authority are eligible to participate as prime offeror under this solicitation.
2. An LDBE prime offeror (including an eligible joint venture as defined in Section IX(07)(D)), who plans to subcontract work to others may obtain the materials and supplies it purchases from either LDBE or non-LDBE manufacturers, wholesalers, or distributors. It is the responsibility of the prime offeror to disclose subcontracting information to the Authority and seek Authority written approval of its subcontracting arrangements.

D. Offeror Conformance with LDBE Requirements

1. Documents to Be Submitted With Offer.

By signing the offer, offeror commits itself to achievement of the LDBE participation requirement listed in Section IX(04)(A).

- a. To be in conformance with this solicitation, the offeror is required to be an eligible LDBE or eligible LDBE joint venture as stated in Section IX(04)(A) above. The offeror's signature on the offer signifies the offeror's commitment. The requirement that this contract be awarded to an LDBE prime contractor or LDBE joint venture shall not be waived.
- b. All eligible LDBE prime offerors shall submit a Contract Participation Form (Exhibit D) with their offers. Exhibit D is to list all firms that are participating in the contract and to provide all information required by the Exhibit. This form must be signed and dated by the Prime Contractor's representative. (Note: Requirements for submission of certification documents set forth in Section IX(04)(D)(3) must also be met.) Offerors are also asked to identify whether or not the LDBE firms listed on Exhibit D are also MBEs and WBEs.

2. Documents to Be Submitted After Offer Submission

a. Letters of Intent

The apparent successful offeror shall submit original signed Letters of Intent (Exhibit E) from each of the LDBEs, if any, identified on the Contract Participation Form (Exhibit D) as those firms which will be used to meet the LDBE requirement of this solicitation. These Letters of Intent must be submitted by contract award date. Each Exhibit E shall be completely filled out and signed by the LDBE and co-signed by the offeror. A detailed description of the LDBE's scope of work must be provided on Exhibit E.

In an RFP process, the signed Letter of Intent (Exhibit E) represents an intent by the LDBE to perform the subcontract at the price stated on the Contract Participation Form (Exhibit D), if the offer is accepted by the Authority without negotiation. However, if price negotiation occurs, e.g., the Authority requests a best and final offer, the offeror shall submit a revised Exhibit D and E with its revised offer. The offeror is not required to renegotiate prices with any LDBEs identified on the initial Exhibit D; consequently, the revised Exhibit D submitted after negotiations between the Authority and the offeror is not required to show any change to the original price agreed to by the LDBE.

b. LDBE Certification

1. All LDBEs participating in the contract to be awarded must be certified by the Authority as LDBEs prior to award of this contract. All LDBE firms in joint ventures must be formally certified by the Authority prior to award of this contract. The definitions and qualifications for LDBEs and eligible joint ventures are outlined in Section IX(07). Each LDBE or LDBE joint venture that is not currently LDBE certified by the Authority, must submit an online application for LDBE Certification at <https://mwaa.diversitycompliance.com/> to the Authority. This Application should be submitted prior to bid or proposal submission, if possible, or promptly thereafter.
2. The Prime Contractor and all other LDBEs participating in the contract shall keep their LDBE certifications current and shall immediately notify the Authority if they become ineligible for LDBE certification.

3. Failure to Submit Documents and Information

Failure to submit Contract Participation Form (Exhibit D), Letters of Intent (Exhibit E), where applicable, or LDBE Certification letter (if needed), by the deadline specified by the Contracting Officer or by contract award date may result in rejection of the offer.

05 PRE-AWARD SUBSTITUTIONS

The Authority expects contractors to achieve LDBE participation using the firm(s) specified on the Contract Participation Form (Exhibit D). On occasion it may be necessary to substitute other firms to achieve the LDBE

participation. No substitution may occur without the Authority's prior written approval. The Authority will approve a proposed substitution if it determines that the offeror has acted in good faith in attempting to meet the LDBE participation achievement and if the Authority concurs that the substitution is necessary. The following are some examples of when substitution may be necessary:

- A. Failure to qualify as an LDBE, if the firm was proposed in good faith by the offeror.
- B. Death or physical disability, if the named LDBE subcontractor, or LDBE partner of the joint venture is an individual.
- C. Dissolution, if a corporation or partnership.
- D. Bankruptcy.
- E. Inability to furnish the required performance and payment bond.
- F. Inability to obtain, or loss of, a license necessary for the performance of the particular category of work.
- G. Failure or refusal to execute the subcontract in accordance with the terms of an offer negotiated with the Contractor, but only where the Contracting Officer can ascertain with reasonable certainty the terms of such offer. In the absence of any other factors, such a failure or refusal will be considered an unusual situation only if the successful offeror obtained an enforceable commitment from the subcontractor involved.
- H. Failure to comply with the terms and conditions of the contract or those of its subcontract or joint venture agreement.
- I. Voluntary decision by the LDBE to not participate on the project prior to signing the Letter of Intent (Exhibit E).
- J. The Authority determines that a named LDBE is not likely to be performing a commercially useful function or is unable to perform work of the nature and scope claimed for it and the Authority finds that the offeror acted in good faith with respect to its decision to propose that LDBE.

06 POST-AWARD COMPLIANCE

- A. Compliance Reviews
 - 1. The Authority may conduct post-award compliance reviews to ensure that the named LDBEs on the original or, as a result of contract modification, amended Contract Participation Form (Exhibit D), submitted to and accepted by the Authority, perform the work as assigned, and at least at the agreed price that was identified on Exhibit D. Specifically, compliance reviews verify: (1) the participation of those LDBE prime contractor(s) and subcontractors identified on Exhibit D; (2) the scope of work for each LDBE listed on Exhibit D; and, (3) at least at the agreed price identified for each LDBE listed on Exhibit D. The Authority may use the Web-Based Compliance system, the Invoice Attachment Form (Exhibit J) and any other appropriate information, to verify the participation of each LDBE prime Contractor and subcontractor identified on Exhibit D, as submitted by the Contractor. Delineated on these forms will be the activities of all first tier subcontractors (and second or third tier subcontractors, if required), including contract amount and reported payment, for the purpose of monitoring the progress of all phases of the contract. Voluntary MBE/WBE participation will also be reported on Exhibit J.
 - 2. The Authority is committed to equitable treatment and meaningful utilization of, and timely payment and return of retainage to, LDBE subcontractors. All offerors are advised that the contract resulting from this solicitation will include the subcontractor payments provision referenced in Section VII (20)(H).) This provision must be incorporated into all subcontracts exceeding \$5,000.
- B. By accepting the contract, the Contractor agrees to the following requirements:

1. The Contractor shall prompt, with reasonable measures, to require that all LDBE firms participating in this contract renew their LDBE certifications and notify the Authority immediately of any change in status that would affect their eligibility for LDBE certification.
 2. The Contractor shall submit a revised Contract Participation Form (Exhibit D) and Revised Letter(s) of Intent (Exhibit E1), or other documentation acceptable to the Authority, which reflects changes in the LDBE participation associated with the modifications to the contract. **A revised Exhibit D, if required, shall be provided to the Contracting Officer concurrent with submission of the proposal for the changed work. Revised Exhibit(s) E1, if required, shall be provided to the Contracting Officer concurrent with submission of the signed modification.**
 3. The Contractor shall submit a completed Invoice Attachment Form (Exhibit J) with each invoice. Additionally, The contractor and associated subcontractors shall take the mandatory Contractor training within 30 days of award date and utilize the Authority's web-based compliance system monthly to report all subcontractors' payments and require the subcontractors to confirm. The Contractor is responsible for the accuracy of all information reported.
 4. The Contractor shall allow the Authority access to records relating to the contract, including but not limited to, subcontracts, payroll records, tax information and accounting records, for the purpose of ascertaining whether the LDBEs are performing the scheduled subcontract work and the Contractor is otherwise in compliance with the contract's LDBE participation requirements.
 5. The Contractor shall maintain LDBE subcontractor records of all LDBE subcontracting activities. These records shall include current LDBE subcontractor logs, the Authority's Invoice Attachment Form (Exhibit J) and evidence of payments to LDBE subcontractors, including but not limited to, copies of canceled checks and paid invoices. These records must evidence compliance with the terms of the contract. Copies of these records will be available to the Contracting Officer or the Equal Opportunity Specialist to review. The Contractor shall document any changes in LDBE subcontractor(s) resulting from new LDBE subcontracts, completion of existing LDBE contracts or approved substitution of an LDBE subcontractor.
 6. The Contractor shall maintain a detailed record of every non-compliance issue and corrective action taken. Examples of non-compliance issues are found in Section IX(06)(C).
- C. The Contractor shall be found to be in non-compliance if the Contractor fails to fulfill the LDBE participation commitment contained in the Contract Participation Form (Exhibit D) and Letter(s) of Intent (Exhibit E), or in revisions to these documents. The following are examples of non-compliance:
1. The terms of a subcontract with an LDBE do not agree with the Contract Participation Form (Exhibit D) and/or Letter of Intent (Exhibit E).
 2. A firm other than the LDBE listed on the Contract Participation Form (Exhibit D) is performing the subcontract work listed on Exhibit D, unless the substitution was authorized by the Authority. The Invoice Attachment Form (Exhibit J) may be used by the Authority to monitor the activities of LDBEs and to identify incidents of non-compliance.
 3. The Contractor is purchasing the supplies or materials when the Contractor has represented to the Authority that the LDBE subcontractor will supply both the labor and supplies or materials for the subcontract.
 4. The Contractor requires the LDBE subcontractor to perform additional work that was not agreed to in the Letter of Intent (Exhibit E) and the formal contract between the Contractor and the LDBE subcontractor, without additional compensation, and without filing a Revised Letter of Intent (Exhibit E1) with the Authority.

5. The Contractor is paying the LDBE subcontractor less than the agreed price of the subcontract as defined in the Letter of Intent (Exhibit E), or in the Revised Letter of Intent (Exhibit E1) without cause.
 6. The Contractor is not paying the LDBE subcontractor in accordance with the payment provisions of their subcontract.
 7. The Contractor fails to submit Invoice Attachment Form (Exhibit J) with his/her invoice submittal, and other documents requested for the purpose of conducting a post-award compliance review.
 8. The Contractor's payments to an LDBE subcontractor do not meet the LDBE dollar commitment made in the Contract Participation Form (Exhibit D).
 9. The Contractor fails to accurately report payments to the LDBE subcontractor on the Invoice Attachment Form (Exhibit J).
 10. The LDBE subcontractor is not performing a commercially useful function as defined in Section IX(07)(F).
- D. If the Contractor is found to be in non-compliance, the Authority may impose appropriate sanctions, (including, but not limited to, withholding of payments or termination of the contract in accordance with the DEFAULT provision) if corrective action acceptable to the Authority is not taken within forty-eight (48) hours (or such other time period deemed appropriate by the Contracting Officer) after notification by the Contracting Officer.
- E. If an LDBE listed on the Contract Participation Form (Exhibit D) is determined not to be performing a commercially useful function and it is determined by the Authority that a misrepresentation was made by the LDBE, the firm's LDBE certification with the Authority may be revoked. In such cases, the Contractor will be required to replace the LDBE subcontractor found to be ineligible with another eligible, certifiable LDBE approved by the Authority, that will perform a commercially useful function.
- F. POST-AWARD SUBSTITUTION: The Authority may permit the LDBE Contractor to make post-award LDBE substitutions consistent with the principles established in Section IX(05). Since this contract is 100% set-aside for LDBE participation, only LDBE firms may participate as Prime Contractors or perform work under this contract, unless waived in writing by the Authority.

07 DEFINITIONS

- A. An LDBE is defined as a small business concern that is organized for profit and that is located within a 100-mile radius of the District of Columbia's zero mile marker. Those business entities located within counties that fall partially within the aforementioned boundary are also eligible to participate in the Authority's LDBE program. "Located" means that as of the date of its LDBE application, a business entity has an established office or place of business within a city, county, or town within the 100-mile radius referenced above. Evidence of whether a business is "located" within the region include: an office address within the 100-mile radius that is not a post office box and that is not an office principally devoted to the performance of work on a single project, and; the firm's owner, management, or the firm's employees are present and conduct the firm's business on a regular and frequent basis at that address. In addition, the firm must have one or more of the following: a business license or registration to do business locally, if applicable to the business; receipts showing payment of local taxes by the business; current performance of work in the local area; or other evidence that demonstrates that the business entity has an established local presence, and that its local presence is not just in connection with performance of a contract or project that it has received, or that it anticipates receiving, from the Authority or any other entity. A residential address will not be considered an office address unless the firm demonstrates to the Authority that the residence is used on a full-time basis during business hours for conducting the firm's business.

Further, a local office that principally serves to market the firm locally is not considered to have an established local presence, unless the office is used full-time by principals and employees of the firm, the

firm pays local taxes and the office is used for the current performance of work in the local area. A firm that is doing business from a local telework center, or similar facility in which businesses share facilities, such as receptionists or copiers, on a short or long term basis, will not be considered to have a sufficient local presence unless the firm's principals and employees use it on a full-time basis.

A "small business" is defined, for LDBE purposes, as a firm that is not dominant in its field, and that meets the Authority's small business size standards for the goods it will be supplying or services it will be performing in a specific solicitation. The receipts of the business or the number of employees, whichever is applicable to the size standard in question, including all affiliates, will be counted in determining size of the firm. The Authority uses the Small Business Administration regulations, 13 CFR Part 121, as guidance in determining whether firms are affiliates of each other. A firm is not considered dominant in its field of operation when it does not exercise a controlling or major influence in a kind of business activity in which a number of business concerns are primarily engaged. In determining whether dominance exists, consideration will be given to all appropriate factors including volume of business, number of employees, financial resources, and competitive status or position.

- B. "Affiliates:" Business concerns are affiliates of each other when either directly or indirectly, (1) one business concern controls or has the power to control the other, or (2) a third party or parties controls or has the power to control both. In determining whether business concerns are affiliated, consideration shall be given to all appropriate factors, including common ownership, common management, and contractual relationships. The provisions of 13 CFR Part 121 will be used to guide the Authority in determining whether firms are affiliated.
- C. For purposes of Section IX of this solicitation, the term "subcontractor" shall mean an individual or firm with which the offeror proposes to enter into a contract for the performance of goods and/or services for the offeror. The term "subcontractor" shall refer only to first tier subcontractors unless the contract also permits second tier subcontracting.
- D. The term "joint venture" shall mean an association of two or more businesses to carry out a single business enterprise for profit for which purpose they combine their property, capital, efforts, skills, and/or knowledge. In solicitations which are set-aside 100% for LDBEs, a joint venture competing as a prime offeror is eligible to compete as an LDBE joint venture if each business comprising the joint venture meets the requirements for an eligible LDBE. The LDBE joint venture shall perform a commercially useful function and each business comprising the joint venture shall share proportionately in the control, management, responsibility, risks and profits.
- E. "Minority Business Enterprises and Women Business Enterprises" (MBE/WBE). The Authority is committed to achieving significant participation of minority and woman-owned businesses in its contracting opportunities. To be considered a minority or woman-owned business enterprise, the business concern must be at least 51 percent owned and controlled by one or more minority (African American, Hispanic American, Native American, Asian-Indian American, Asian Pacific American) or female individuals. The firm's management and daily business operations must be controlled by one or more of the qualifying individuals who own it.
- F. "Commercially Useful Function:"

An LDBE is considered to perform a commercially useful function when it:

1. Engages in meaningful work that provides for a performance of a distinct element of the contract where that distinct element of work is worthy of the dollar amount to be awarded to the LDBE; and,
2. Carries out its responsibilities by actually performing, managing, and supervising the work involved.

Exhibit C

Local Disadvantaged Business Enterprise (LDBE)
Size Standards for Solicitation IFB-18-30347

<u>NAICS Code</u>	<u>Type Of Work / Service</u>	<u>LDBE Size Standard</u>
238990	Fence Installation	\$36.5 Million
423390	Gate and Fence Hardware Merchant Wholesalers	100 Employees

For the purposes of this solicitation, only firms certified by the Metropolitan Washington Airports Authority's LDBE Program may be utilized for LDBE participation. The directory of currently certified LDBE firms is available on the Airports Authority's website at <http://www.mwaa.com/contracting>. (Click on "LDBE/DBE Directory Search".)

To be considered an LDBE, a business firm's average annual gross receipts (AGR) or average number of employees (ANE) for the last three (3) years cannot exceed the applicable LDBE size standard. AGR or ANE of all affiliates of the firm are included when determining the firm's eligibility for LDBE certification.

Firms will only be certified as an LDBE for services or goods that they are able to provide at the time of LDBE certification and for which they do not exceed the applicable LDBE size standard, as noted above. An LDBE firm adding services or goods during the term of its certification may request the Authority's Department of Supplier Diversity to amend the LDBE certification to include these new services or goods, provided the firm also meets the applicable LDBE size standards for these new services or goods.

Your firm must be certified for the work you plan to perform or for the goods you plan to manufacture or supply on this contract.

There may be other NAICS codes approved for this project. If this list does not include an LDBE NAICS code and size standard for work that you anticipate may be needed for this project, you must request it through the Contracting Officer.

The Authority will review your request. If the NAICS code is accepted for this solicitation, the change will be formally communicated in an amendment to the solicitation.

Contact the Authority's Department of Supplier Diversity at 703-417-8660 for questions on LDBE certification requirements.

EXHIBIT D

CONTRACT PARTICIPATION FORM

The Contract Participation Form is available for download from the Metropolitan Washington Airports Authority's website in Microsoft Excel format at:

<http://www.mwaa.com/business/contracting-manuals-forms-and-other-resources>

**METROPOLITAN WASHINGTON AIRPORTS AUTHORITY
LETTER OF INTENT**

_____ Contract Number _____
 (Name of Prime Contractor) Location _____
 _____ Contract Name _____
 (Name of 1st Tier Subcontractor (If Applicable))

- A. The undersigned LDBE intends to perform the work associated with this contract as (Check one):
 Individual Partnership Corporation Joint Venture
- B. The undersigned LDBE will perform the work associated with this contract as a (Check all that apply):
 Construction Contractor Stocking Supplier Manufacturer Stocking Distributor
 Broker, Agent, Packager Hauler Service Provider (for non-construction contracts)
- C. The undersigned LDBE will: Perform the following services Supply the following materials, equipment, supplies:

IF AVAILABLE, PLEASE ATTACH A COPY OF THE PROPOSED SCOPE OF WORK AND SUBCONTRACT AGREEMENT FOR THIS SUBCONTRACTOR.

Item Number	Detailed Description Of Scope of Work	Scope of Services (Check One)	Quantity	Unit Price
01	_____	<input type="checkbox"/> Labor Only <input type="checkbox"/> Matl Only <input type="checkbox"/> Complete	_____	_____
02	_____	<input type="checkbox"/> Labor Only <input type="checkbox"/> Matl Only <input type="checkbox"/> Complete	_____	_____
03	_____	<input type="checkbox"/> Labor Only <input type="checkbox"/> Matl Only <input type="checkbox"/> Complete	_____	_____
04	_____	<input type="checkbox"/> Labor Only <input type="checkbox"/> Matl Only <input type="checkbox"/> Complete	_____	_____

Please Attach Additional Sheets if Necessary

- D. Work described above will be performed at the following total price: \$_____.
- E. Total Contract Amount: \$_____
- F. Term of Contract Commencement Date: _____ Completion Date: _____
- G. _____% of the dollar value of the subcontract will be performed by (check if applicable):
 Non-LDBE contractors Non-LDBE suppliers.

The undersigned will enter into a subcontract consistent with the above upon execution of a contract between the Prime Contractor and the Authority: **(NOTE: SIGNATURES MUST BE DATED)**

_____ Agreed To _____
 (Print or Type Name of LDBE Firm) (Print or Type Name of Prime Contractor)

By _____
 (Print or Type Name and Title) (Print or Type Name and Title)

_____ (Signature) _____ (Date) _____ (Signature) _____ (Date)

_____ (Print or Type LDBE's Certification Expiration Date)

FOR MWAA USE ONLY

MWAA DSD Specialist's Approval \$ _____
 (Enter The Amount of Contract Approved for LDBE Participation) (Signature) (Date)

METROPOLITAN WASHINGTON AIRPORTS AUTHORITY
REVISION TO ORIGINAL LETTER OF INTENT

(Name of Prime Contractor) Contract Number
(Location) Location
(Name of 1st Tier Subcontractor (If Applicable)) Contract Name

Revision # MWA Change Notice # MWA Contract Modification #
Describe Change or Modification
This revision represents: Increase in Contract Amount Decrease in Contract Amount
If Decrease, state reason

- A. The undersigned LDBE intends to perform the work associated with this contract as (Check one):
B. The undersigned LDBE will perform the work associated with this contract as a (Check all that apply):
C. The undersigned LDBE will: Perform the following services Supply the following materials, equipment, supplies:

IF AVAILABLE, PLEASE ATTACH A COPY OF THE PROPOSED SCOPE OF WORK AND SUBCONTRACT AGREEMENT FOR THIS SUBCONTRACTOR.

Table with 5 columns: Item Number, Detailed Description Of Scope of Work, Scope of Services (Check One), Quantity, Unit Price. Includes rows for items 01-04 and a note to attach additional sheets if necessary.

- D. Work described above will be performed at the following total price: \$
E. Original Total Contract Amount: Current Total Contract Amount:
F. Term of Contract Original Commencement Date: Original Completion Date:
G. % of the dollar value of the subcontract will be performed by (check if applicable):

The undersigned will enter into a subcontract consistent with the above upon execution of a contract between the Prime Contractor and the Authority: (NOTE: SIGNATURES MUST BE DATED)

Agreed To
(Print or Type Name of LDBE Firm) (Print or Type Name of Prime Contractor)
By (Print or Type Name and Title) (Print or Type Name and Title)
(Signature) (Date) (Signature) (Date)
(Print or Type LDBE's Certification Expiration Date)

FOR MWA USE ONLY
MWA DSD Specialist's Approval \$
(Enter The Amount of Contract Approved for LDBE Participation) (Signature) (Date)

EXHIBIT F

LDBE CERTIFICATION APPLICATION

Apply for Local Disadvantaged Business Enterprise (LDBE) certification online at:

<https://mwaa.diversitycompliance.com>

METROPOLITAN WASHINGTON AIRPORTS AUTHORITY INVOICE ATTACHMENT FORM

Name Of Prime Contractor _____
 Contract Name & Number _____
 Original Contract Amount \$ _____ Payments Received \$ _____
 Current Contract Amount \$ _____ Retainage Withheld \$ _____
 Invoice Period From _____ Through _____ Date Submitted _____
 Actual LDBE Participation To Date \$ _____
 Current Scheduled LDBE Participation \$ _____
 Total Original Contracted LDBE Participation \$ _____ Percent Original Contracted Participation _____ %

#	NAME OF SUBCONTRACTOR	BUSINESS ADDRESS (CITY, STATE, ZIP)	DESCRIPTION OF WORK	* L D B E	M B E	W B E	O T H E R	MONTHLY CONTRACT INFORMATION				% C O M P L E T E	% L D B E
								ORIGINAL SUBCONTRACT AMOUNT	CURRENT SUBCONTRACT AMOUNT	TOTAL PAYMENTS TO DATE	AMOUNT THIS INVOICE		
1													
2													
3													
4													
5													
6													
7													
8													
9													
10													
11													
12													
13													
14													
15													
16													
17													
18													
SUBCONTRACTOR TOTALS													
PRIME CONTRACTOR TOTAL													
TOTAL THIS INVOICE													

* PUT AN "X" IN THIS COLUMN ONLY IF SUBCONTRACTOR IS AN AUTHORITY CERTIFIED LDBE.

I certify that the information furnished above is correct to the best of my knowledge and represents the current status of the firm's (Prime Contractor) subcontract(s) with the listed firms (Subcontractors) for the designated period covered by this report.

Signed: _____ Title _____ Date _____

This form must be attached to all Invoices submitted by the Prime Contractor.

Metropolitan Washington Airports Authority
INSTRUCTIONS FOR COMPLETING
THE INVOICE ATTACHMENT FORM (EXHIBIT J)

I. USE AUTHORIZED FORMS

Use only **Authority approved forms** to file monthly Invoice Attachment Form. Do not change or amend the Authority approved form in any manner. Authority approved forms are available on hard copy or diskette from the EOP Specialist assigned to the contract. Note that all subcontractors are to be listed on the Invoice Attachment Form. Also, note that some entries are required that apply only to the sum of LDBE contracts. To facilitate accuracy in reporting, it is recommended that LDBE subcontractors be listed first and a subtotal appear in each of the four sub-columns that comprise the "Monthly Contract Information" section of the report.

II. REPORT ALL LDBEs EVERY MONTH

Every LDBE firm whose contract is counted toward achievement of the participation requirement must appear on the Invoice Attachment Form every month. If there is no invoice activity for an LDBE in any given month, enter "0" in the column, "Amount this Invoice". Note that all other information must be entered, must be current and correct.

III. LEDGER PORTION

A. Name, Location & Description of Work – For all subcontractors, enter the subcontractor's name, location (city, state and zip code) and description of work. For LDBEs, these entries must be the same as comparable information appearing on the Letter of Intent and the Contract Participation Form.

B. Classification of Subcontractor(s)

Only those subcontractors who meet the LDBE eligibility requirements may be classified as LDBEs on the Invoice Attachment Form.

Assign classifications as follows:

1. **LDBE**-Place an "X" in this column only if the subcontractor is an Authority certified LDBE.
2. **MBE**-Place an "X" in this column if the subcontractor is also a minority-owned company, regardless of their size. This classification should also be used for subcontractors who have submitted a certification application but have not yet been certified. Once certification has been achieved, such firms should be classified as both MBE and LDBE. This column is also used to calculate Voluntary Participation of Minority-owned firms. Thus, a subcontractor can be classified as both LDBE and MBE, or just MBE.
3. **WBE**-Place an "X" in this column if the subcontractor is a woman-owned company regardless of their size. This classification should also be used for subcontractors who have submitted a certification application but have not yet been certified. Once certification has been achieved, such firms should be classified as both LDBE and WBE. This column is also used to calculate Voluntary Participation of woman-owned firms. Thus, a subcontractor can be classified as both LDBE and WBE, or just WBE.

**Metropolitan Washington Airports Authority
Instructions for Completing the Invoice Attachment Form**

4. **Other**-Place an "X" in this column for all subcontractors who cannot be classified as either LDBE, MBE or WBE.

C. Original Subcontract Amount

Enter the original subcontract amount. For LDBEs, this must be the amount submitted on the LDBE's Letter of Intent and approved by the Authority.

D. Current Subcontract Amount

Enter the current subcontract amount. If this amount is the same as the entry in "Original Subcontract Amount", enter it. For LDBEs, if this amount is different that the amount entered in "Original Subcontract Amount", a **Revised Letter of Intent** must be on file with and approved by the EOP Specialist. It is recommended that **Revised Letters of Intent** be submitted with the Invoice Attachment Form that initially reports the New Contract amount.

E. Total Payments to Date

Enter the sum of payments that have been made to that subcontractor as of the date of the report. Note that this column should not contain diminishing amounts, i.e., a succeeding month's entry lower than the preceding month's entry. If this occurs, the Authority may request an examination of additional records to verify the correct amount.

F. Amount of This Invoice

Enter the amount of the subcontractor's invoice being submitted with this report.

G. Percentage Amount Complete

Enter the percentage that equals the progress of that subcontractor's work.

H. Percent LDBE

This entry depends upon the type of contract and terms stated in the solicitation. The **percentage for non-LDBEs is always "0"**. Thus, if the subcontractor does not meet the requirements stated above to be classified as a LDBE, the percentage entered in this column **must be "0"**.

I. Totals

Fill out totals as follows:

1. **SUBCONTRACTOR TOTALS** – Totals for all subcontractor data reported on the Exhibit J form.
2. **PRIME CONTRACTOR TOTAL** – Portion of invoice attributed to work performed by prime contractor. (May include payments to non-LDBE/MBE/WBE suppliers that are not listed in the subcontractor section of the Exhibit J from.)
3. **TOTAL THIS INVOICE** – Sum of the Subcontractor Total and Prime Contractor Total for the current invoice. Must match the amount of the invoice.

**Metropolitan Washington Airports Authority
Instructions for Completing the Invoice Attachment Form**

IV. TOP PORTION OF INVOICE ATTACHMENT FORM

A. Original Contract Amount

Enter the original amount of the Prime's Contract.

B. Payments Received

Enter the sum total of payments received as of the date of the report.

C. Current Contract Amount

Enter the current amount of the Prime's Contract.

D. Retainage Withheld

Enter the amount of retainage withheld. If none, enter 0.

E. Invoice Period

Enter the month being reported, i.e. January 1 to January 31, 2000.

F. Date Submitted

Enter the date the report is submitted to the Authority.

G. Actual LDBE Participation to Date \$

Enter the sum of Total Payments to LDBEs.

H. Current Scheduled LDBE Participation \$

Enter the sum of **Current Subcontract Amounts** reported for **LDBEs only**, i.e, do NOT include current subcontract amounts for non-LDBEs even though they appear in the ledger portion of the report.

I. Total Original Contracted LDBE Participation \$

Enter the dollar amount of the original LDBE participation requirement of this contract.

J. Percentage Original Contracted Participation

Enter the percentage of required LDBE participation for this contract.