

04/18/1991

Resolution

167-91

RESOLUTION NO. 167-91

A RESOLUTION SUPPORTING ADOPTION OF THE ADMINISTRATIVE PLAN FOR A TEN PERCENT (10%) MINIMUM GOAL FOR DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION IN LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONSTRUCTION AND PROFESSIONAL SERVICES CONTRACTS; PROVIDING THAT AS PART OF THEIR BIDS ON LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONSTRUCTION CONTRACTS, GENERAL CONTRACTORS SHALL MAKE A GOOD FAITH EFFORT TO AWARD AT LEAST TEN PERCENT (10%) OF ALL SUBCONTRACTS TO DISADVANTAGED BUSINESS ENTERPRISES; PROVIDING THAT DIVISIONS OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT SHALL MAKE A GOOD FAITH EFFORT TO AWARD AT LEAST TEN PERCENT (10%) OF THEIR PROFESSIONAL SERVICES AND OTHER CONTRACTS TO DISADVANTAGED BUSINESS ENTERPRISES; PROVIDING THAT DISADVANTAGED BUSINESS ENTERPRISE SHALL MEAN ANY LEGALLY CONSTITUTED BUSINESS ENTERPRISE WHICH IS MAJORITY OWNED AND CONTROLLED BY DISADVANTAGED INDIVIDUALS; PROVIDING THAT A DISADVANTAGED INDIVIDUAL MAY INCLUDE ANY LEGAL RESIDENT OF THE UNITED STATES HAVING ETHNIC ORIGIN IN THE BLACK RACIAL GROUPS OF AFRICA, ANY LEGAL RESIDENT OF THE UNITED STATES WHO IS A MEMBER OF AN ECONOMIC, RELIGIOUS, ETHNIC, CULTURAL, RACIAL OR NATIONAL ORIGIN GROUP WHICH HAS A HISTORY OF NON-PARTICIPATION IN GOVERNMENT CONTRACTS, A HANDICAPPED PERSON OR A FEMALE; AND PROVIDING THAT THE PROGRAM SHALL BE REVIEWED AFTER A TWO YEAR TRIAL PERIOD TO DETERMINE ITS SUCCESS AND THE NEED FOR ITS CONTINUATION.

BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN
COUNTY GOVERNMENT:

Section 1 - That the Urban County Council hereby supports the adoption of the "Administrative Plan for Implementation of DBE 10% Minimum Goal for Construction Contracts and Professional Services", which is attached hereto and incorporated herein by reference.

Section 2 - That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: April 18, 1991

MAYOR

ATTEST:

Ann Sallee
Clerk of Urban County Council

PUBLISHED: April 24, 1991-1t

045/J43

REQUEST FOR COUNCIL ACTION
(Administrative Review Form)

R-167-91
151-91

I. DIRECTORS AND COMMISSIONERS:

Summary of Action Requested: To establish a 10% "Minimum Goal" for Disadvantaged Business Enterprises' participation in government contracts.

Budgetary Implications: ☐ Yes ☒ No

If yes, complete the following and attach B-102 if necessary:

	Account Number	Amount of Annual Impact
<input type="checkbox"/> (a) Fully budgeted		\$
<input type="checkbox"/> (b) Partially budgeted		\$
<input type="checkbox"/> (c) Not currently budgeted		\$
Director's Signature <u>[Signature]</u>		3/19/91 Date
Commissioner's Approval <u>[Signature]</u>		3/19/91 Date

II. LOGGED IN MAYOR'S OFFICE:

Name

P. Mance

Date

3/26/91

III. ADMINISTRATIVE SERVICES REVIEW

Required on all items:

	Initials	Date	Approve	No Comments	Comments Attached
Law	<u>ELH</u>	<u>3/27/91</u>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
Budgeting	<u>712</u>	<u>3/27/91</u>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
Acct. No. <u>NA</u>					
Annual Impact					
Current Budget Balance					
Review if relevant:					
Personnel			<input type="checkbox"/>		<input type="checkbox"/>
Grants Administration	<u>[Signature]</u>	<u>2-21</u>	<input type="checkbox"/>		<input type="checkbox"/>
Finance	<u>[Signature]</u>	<u>3-28</u>	<input type="checkbox"/>		<input type="checkbox"/>

IV. COMMISSIONERS/DIRECTORS WILL BE NOTIFIED TO CHANGE COVER MEMORANDA AND/OR ATTACHMENTS AS REQUIRED BY ADMINISTRATIVE SERVICES REVIEW.

V. MAYOR REVIEW:



Approve:



Hold

Mayor's Report

Date

Date

New Business

Date

Signature

Date

Scotley

VI. WORK SESSION ACTION TAKEN

☒ Place on docket (send to Law)

☐ Refer to

Committee

☐ Refer to

☐ Receive as Information

☐ Other

for additional information

Signature

Date

[Signature]

4/12/91

Lexington
Fayette
Urban
County
Government



SCOTTY BAESLER, Mayor

M E M O R A N D U M

TO: LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

FROM: MAYOR SCOTTY BAESLER

DATE: MARCH 19, 1991

SUBJECT: ESTABLISHMENT OF A 10% "MINIMUM GOAL" FOR DISADVANTAGED BUSINESS ENTERPRISES' PARTICIPATION IN GOVERNMENT CONTRACTS

I have attached to this memorandum the plan for implementation of the Lexington-Fayette Urban County Government's proposed 10% minimum goal program for Disadvantaged Business Enterprise(s) (DBE) in the construction and professional service areas.

In practice, the plan for putting the "10% Minimum DBE Goal "in operation is intentionally simple for several reasons:

- A. To eliminate creating a cumbersome bureaucratic process;
- B. To utilize the existing administrative procedures and requirements to the greatest extent possible; and
- C. To make it easy for both divisions and contractors to comply with the requirements of the plan.

The major features of the plan are:

- 1. Pre- and post-award elements for both construction contracts and professional services;
- 2. Use of contract language and processes developed by the Department of Public Works for the locally funded West Hickman project;

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL
PAGE 2

3. Including modified language in the bid and contract documents to establish the "10% Minimum DBE Goal" as a formal contract element;
4. Utilizing the existing Equal Opportunity/Affirmative Action Plan Review process to evaluate goal attainment;
5. To provide necessary technical assistance to contractors in locating and utilizing DBEs;
6. Establishing a "good faith effort" standard against which to judge contractor achievements in using DBEs;
7. Using a two tiered competitive selection process for the selection of all professional service providers;
8. Establishing a "good faith effort" standard for divisions to follow in competitively selecting professionals;
9. Utilizing a "line number" approach for all DBE expenditures to assist in evaluating a division's performance.
10. Requiring a short DBE report to be submitted to the EEO Officer on a quarterly basis; and
11. Maintaining the Mayor as the point of review and approval for all major professional service procurements through the administrative review process.

The proposed "10% Minimum DBE Goal" plan has been reviewed by all commissioners and division directors.

I propose that the "10% Minimum DBE Goal" be formally adopted by Council and established by resolution. Upon Council approval, the administrative process necessary to implement the plan will begin.

Scotty Baesler
Mayor

SB:DRH:saw
Attachment
1360-091

PROPOSED ADMINISTRATIVE PLAN FOR
IMPLEMENTATION OF DBE 10% MINIMUM GOAL FOR
CONSTRUCTION CONTRACTS AND PROFESSIONAL SERVICES

The first step in the process of implementing a 10% minimum DBE goal is the development of an administrative plan for Council approval.

The plan is divided into two elements, one for construction and one for professional services. The greatest changes come in the professional services area. In addition, the administrative plan contains requirements for both pre-award and post-award phases.

In large part, the construction contract provisions come from the locally funded West Hickman project which had a 10% minimum goal requirement.

The contract requirements which are presented for your review are only those items which are new or specifically relate to the 10% minimum DBE goal. After a two year trial period the program will be evaluated to determine its success and the need for its continuation.

L.F.U.C.G. DEFINITIONS

For the purpose of this plan the following definitions shall supplement the general uniform terminology of the subject.

1. Disadvantaged Business Enterprise (DBE)

Disadvantaged Business Enterprise - A business enterprise legally constituted under the laws of Kentucky, including but not limited to an individual, partnership, corporation, joint venture, association or cooperative, which enterprise is not an affiliate or a subsidiary of a business dominant in its field of operation and has employees identified in its own payroll records, working specifically for such entity and which entity is majority owned and controlled by an individual or a combination of individuals who are disadvantaged and legal residents of the United States.

2. Disadvantaged Individual

a. Disadvantaged Individual - Any legal resident of the United States having ethnic origin in the Black racial groups of Africa or any legal resident of the USA who is a member of an economic, religious, ethnic, cultural, racial, or national origin group which has a history of nonparticipation in government contracts.

- b. Disadvantaged Individual - May also be a handicapped person defined as a resident of the United States with a physical or mental disability caused by birth defect, bodily injury, illness, or other reason or as certified by a physician, and while constituting a physical or mental impairment is not otherwise related to a person's ability, either individually or as a participant in a partnership, corporation, joint venture, or other business enterprise, to engage in contractual relations with the Lexington-Fayette Urban County Government.
- c. Disadvantaged Individual - May also be a female resident of the United States whose sexual status does not otherwise relate to a person's ability, either individually or as a participant in a partnership, corporation, joint venture, or other business enterprise, to engage in contractual relations with the Lexington-Fayette Urban County Government.

L.F.U.C.G. FUNDED CONSTRUCTION CONTRACTS WILL BE MODIFIED TO REFLECT THE FOLLOWING:

1. ADVERTISEMENT FOR BID LANGUAGE:

NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION TO ENSURE EQUAL EMPLOYMENT OPPORTUNITIES AND DBE CONTRACT PARTICIPATION

The Lexington-Fayette Urban County Government has set a goal that not less than ten percent (10%) of the total value of this contract be subcontracted to DBEs. The goal for the utilization of certified DBEs as subcontractors are recommended goals. Contractors who fail to meet such goals will be expected to provide written explanations to the EEO Officer and the Director of the Division of Purchasing of efforts they have made to accomplish the recommended goals and the extent to which they are successful in accomplishing the recommended goals will be a consideration in the procurement process.

For assistance in locating DBE Subcontractors contact Mr. Jimmy Williams. He can be reached by telephone at (606) 258-3070 or by writing to the address listed below:

Mr. Jimmy Williams, Grants Administrative Aide
Division of Housing and Community Development
Lexington-Fayette Urban County Government
200 East Main Street, 6th Floor
Lexington, Kentucky 40507

2. MODIFIED CONTRACT LANGUAGE

A. Qualifications of Bidder:

The OWNER may make such investigations as he/she deems necessary to determine the ability of the bidder to perform the Work, and the bidder shall furnish to the OWNER all such information and data for this purpose as the OWNER may request. The OWNER reserves the right to reject any bid if the evidence submitted by, or investigation of, such bidder fails to satisfy the OWNER that such bidder is properly qualified to carry out the obligations of the Contract and to complete the Work contemplated therein. Conditional bids will not be accepted. The award will be made to the lowest qualified, responsible and responsive bidder.

In determining the lowest qualified bidder, the following elements will be considered: (1) Does the bidder involved maintain a permanent place of business; (2) Does the bidder have adequate plant and equipment to perform the work properly and expeditiously; (3) Does he/she have suitable financial resources to meet obligations incidental to the work; (4) Does he/she have sufficient and appropriate technical experience; (5) Has he/she performed satisfactorily on previously awarded projects; (6) The percentage of DBE and the value of DBE subcontracts in relation to the total amount; (7) The quality of the Bidders Affirmative Action Plan; and (8) Documentation of "good faith" efforts to achieve 10% minimum DBE goal.

B. Affirmative Action Plan:

All Bidders shall submit as part of the Bid Package the following items to the Urban County Government:

1. Affirmative Action Plan for his/her firm;
2. Current Work Force Analysis Form;
3. List of DBE subcontractors and the dollar value of each subcontract;
and
4. Good faith effort documentation.

Bidders who frequently bid on Urban County Government projects may file a copy of their firm's Affirmative Action Plan with the Urban County Government. If an Affirmative Action Plan is on file with the Urban County Government, additional submissions will not be required unless said plan is revised.

A Work Force Analysis Form and DBE list shall be submitted for each Contract.

Failure to submit these items as required herein may result in disqualification of the Bidder from award of the Contract.

All submissions should be directed to:

Director, Division of Central Purchasing
Lexington-Fayette Urban County Government
200 East Main Street, 3rd Floor
Lexington, Kentucky 40507

Parties who require assistance in developing an Affirmative Action Plan are encouraged to contact the Lexington-Fayette Urban County Government Equal Employment Opportunity (EEO) Officer at (606) 258-3115.

C. Introductory Remarks to Form of Proposal/Bid Schedule:

The Bidder agrees to perform all the work described in the Specifications as shown on the plans for the following lump sum and/or unit prices which shall include the furnishing of all labor, materials, supplies, services, all items of cost, overhead, taxes (federal, state, local), and profit for the Contractor and any Subcontractor involved. The Bidder must make the extensions and additions showing the total amount of bid.

Additionally, the Bidder agrees to perform all work herein described adhering to the labor force goals and 10% minimum goals for DBE Subcontractors as stated in this contract to the best of his or her ability, using the "good faith effort" approach as listed in this Contract.

D. Statement of Bidder's Qualifications/Form of Proposal:

The following statement of the Bidder's qualifications is required to be filled in, executed and submitted with the Proposal:

STATEMENT OF BIDDERS QUALIFICATIONS

1. Name of Bidder:_____
2. Permanent Place of Business:_____
3. When Organized:_____
4. Where Incorporated:_____
5. Construction Plant and Equipment Available for this Project:_____

(Attach Separate Sheet if Necessary)

6. Financial Condition:

The apparent low Bidder is required to submit its latest three years audited financial statements to the OWNER'S office of Central Purchasing within seven calendar days following the bid opening.

7. In the event the Contract is awarded to the undersigned, surety bonds will be furnished by:

_____ (Surety)

Signed:_____
(Representative of Surety)

8. The following is a list of similar projects performed by the bidder: (Attach separate sheet if necessary.)

NAME	LOCATION	CONTRACT SUM

(STATEMENT OF BIDDERS QUALIFICATIONS - PAGE 2)

9. The Bidder has now entered under Contract and bonded the following projects:

NAME	LOCATION	CONTRACT SUM

10. DBE Participation on current bonded projects under contract:

SUBCONTRACTORS (LIST)	PROJECT	DBE (SPECIFIC TYPE)	MAJORITY

(use additional sheets if necessary)

11. List key Bidder personnel who will work on this project:

[illegible]

(STATEMENT OF BIDDERS QUALIFICATIONS - PAGE 3)

12. We knowledge that if we are the apparent low Bidder, we will submit to the OWNER within seven calendar days following the Bid Opening, the required three years audited financial statements, our latest three year loss history for all insurance claims, including losses arising from coverages required by this Contract, a sworn statement on the OWNER'S form regarding all current work on hand and under Contract, and a statement on the OWNER'S form of the experience of our officers, office management, and field management personnel, all in accordance with the special conditions of the Project Specifications and Bid Documents.

Respectfully Submitted,

(Name of Contracting Firm)

By:_____

Title:_____

Date:_____, 1991

E. List of Proposed Subcontractors/Form of Proposal

The following list of proposed Subcontractors is required by the OWNER to be executed, completed, and submitted with the BIDDER'S FORM OF PROPOSAL. All Subcontractors are subject to approval of the Lexington-Fayette Urban County Government. Failure to submit this fully completed list may be cause for rejection of the subject Bid.

LIST OF PROPOSED SUBCONTRACTORS

BRANCH OF WORK - LIST EACH MAJOR ITEM - Such as: grading, bituminous paving, concrete, seeding, protection and construction staking, etc.

BRANCH OF WORK	DBE (SPECIFIC TYPE)	SUBCONTRACTOR	ADDRESS	PHONE
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				

STATEMENT OF EXPERIENCE

Name of Individual:* _____

Position/Title:_____

Statement of Experience:_____

Name of Individual:* _____

Position/Title:_____

Statement of Experience:_____

Name of Individual:* _____

Position/Title:_____

Statement of Experience:_____

Name of Individual:* _____

Position/Title:_____

Statement of Experience:_____

(STATEMENT OF EXPERIENCE - PAGE 2)

Respectfully Submitted,

(Name of Contracting Firm)

By: _____

Title: _____

Date: _____, 1991

*Include all officers, office management, Affirmative Action officials, and field management personnel. Attach separate sheets if necessary.

F. Preconstruction Conference

Before Contractor starts the work at the proposed site, a conference attended by the Contractor, Engineer, EEO-Affirmative Action Officer, and other appropriate parties will be held to discuss the following issues: (1) The scheduling of the work to be completed; (2) The procedures for handling shop drawings and other submittals; (3) The processing of applications for payment; (4) The establishment of an understanding among the involved parties in regard to the proposed project; and (5) The establishment of procedures for effectively implementing the LFUCG's 10% minimum DBE goals.

G. Documents Required of Contractor

(1) A sworn statement signed by the President or Owner of the Contractor regarding all current work in progress anywhere; (2) A document showing the percent of completion of each project and the total worth of each project; and (3) Documentation showing the percentage of the DBE employment levels on each project of the Bidder's current work force, and DBE participation levels for Subcontractors.

H. Optional Owner Requirements

The Owner, at its discretion, may require the Contractor to provide: (1) financial security in amounts and kind deemed necessary by the Owner or require other financial security to meet the financial responsibility requirements of the Contractor to indemnify the Owner; (2) Additional information and/or DBE work force data, as well as DBE participation data.

3. ASSISTANCE TO BE OFFERED TO DBE CONTRACTORS

I. Outreach

A. The Lexington-Fayette Urban County Government (LFUCG) maintains a mailing list of DBE contractors and organizations. When a LFUCG construction project is advertised for bidding, notices are sent to the entire mailing list. The notices describe the project, indicate the deadline for submitting bids, and review the bonding assistance which is available.

If you wish to be added to the LFUCG DBE contractor mailing list, please complete the attached form and mail it to:

Division of Purchasing
Lexington-Fayette Urban County Government
200 East Main Street, 3rd Floor
Lexington, Kentucky 40507

- B. In all construction projects' advertisements for bid, a special notice is included which states that bonding assistance is available to DBE contractors who wish to bid on the project.
- C. The distribution of plans and specifications to DBE potential bidders is administered by:

Jimmy Williams, Grants Administrative Aide
Division of Housing & Community Development
Lexington-Fayette Urban County Government
200 East Main Street, 6th Floor
Lexington, Kentucky 40507

II. Bid Bond Assistance

For those DBE contractors who wish to bid on LFUCG projects, bid bond assistance is available. This bid bond assistance is in the form of a "Letter of Certification" which is accepted by the LFUCG's Division of Purchasing in lieu of a bid bond. The "Letter of Certification" must be included in the bid package when it is submitted to the Division of Purchasing. The "Letter of Certification" will reference the specific project for which the bid is being submitted and the time and date on which the bid is due. Bid bond assistance must be requested from the LFUCG's Division of Purchasing and/or Division of Housing and Community Development at least 48 hours prior to the bid opening.

III. Performance and Payment Bond Assistance

For DBE contractors who are successful bidders on construction projects, the LFUCG's Division of Purchasing and Division of Housing and Community Development make 0% interest loans available for purchase of a Performance and Payment Bond. Upon receipt of an invoice for the Performance and Payment Bond premium and the signing of a loan agreement and promissory

note, the LFUCG will loan an amount equal to the amount of the bond premium. The loan will be made at 0% interest and is to be repaid through deductions from contract draws. This loan does not in any way relieve the DBE contractor of the obligation of furnishing a performance bond.

IV. Eligibility for Bonding Assistance

In order to be eligible for any bonding assistance, bid bond and/or performance and payment bond, a DBE construction company must be owned or controlled at the level of 51% or more, by a member or members of a minority group or females. Prior to receiving assistance, a statement providing evidence of ownership and control of the company by a member or members of a minority group or females must be signed by the owner or corporate officer and by an attorney or accountant and submitted to:

Mr. Dan Abner
Division of Purchasing
Lexington-Fayette Urban County Government
200 East Main Street, 3rd Floor
Lexington, Kentucky 40507

V. Subcontractors

The LFUCG will, upon request, assist prime contractors in the procurement of eligible DBE subcontractors in an effort to achieve the 10% minimum DBE goal.

VI. Questions

If you have any questions or wish to have additional information, please contact:

Jimmy Williams, Grants Administrative Aide
Division of Housing & Community Development
Lexington-Fayette Urban County Government
200 East Main Street, 6th Floor
Lexington, Kentucky 40507
(606) 258-3070

Lexington-Fayette Urban County Government
DBE Contractor
Mailing List Application

To: Mr. Dan Abner
Division of Purchasing
Lexington-Fayette Urban County Government
200 East Main Street, 3rd Floor
Lexington, Kentucky 40507
(606) 258-3320

Name of Company:_____

Owner's Name:_____

Company Address:_____

Phone Number: (_____)_____

Fax Number: (_____)_____

DBE Status (specify): _____

Type of Work Performed:_____

Authorized Signature:_____

Date:_____

4. CONTRACT AWARD

No major changes are anticipated. The Contractor will be required to submit to the LFUCG's Equal Employment Opportunity (EEO) Officer the following documents:

- A. Affirmative Action Plan
- B. Work Force Analysis
- C. List of DBE Subcontractors
- D. "Good Faith Effort" documentation

5. POST AWARD MONITORING

- A. Field visits
- B. Contractor will be required to submit monthly reports of work force composition and DBE Subcontractor status.

6. GOOD FAITH EFFORTS

The "Good Faith Effort" includes supportive data for all efforts taken to secure DBE participation on LFUCG construction projects. This information should include as many of the following as are appropriate:

- A. Documentation showing that the work to be subcontracted was segmented to the extent consistent with the size and capability of DBEs in order to provide reasonable subcontracting opportunities.
- B. Copies of solicitation letters inviting quotes or proposals from DBE, segmenting portions of the work and specifically describing, as accurately as possible, the portions of the work for which quotes or proposals are solicited, and encouraging inquiries for further details.
- C. Documentation of whether any bids or other forms of offers were made by DBE firms.
- D. Documentation of "Good Faith" negotiations with those DBEs from whom bids were received in an effort to reach a mutually acceptable price. Where the DBE negotiation was unsuccessful due to failure to agree on price, submission of documentation showing that the Subcontractor selected for the work segment was lower than the DBE, and that the work segment so contracted was the same work segment under negotiation with the DBE, and not a reduced portion thereof.

- E. In each subcontract area in which a DBE bid was received, a statement concerning whether the subcontract was awarded to the DBE firm, including the dollar amount of the subcontract.
- F. Any additional documentation supporting compliance with the DBE participation goal.

The following are examples of supportive documentation:

1. Copies of memorandums/letters to DBEs requesting their participation.
2. Copies of memorandums/letters from DBEs making inquiries and/or providing quotes or related activities.
3. Copies of media announcements/public notices, etc. regarding your "Good Faith Efforts" to recruit the target population.
4. Copies of all quotes and estimates received to date in regard to the proposed project.
5. Copies of telephone logs involving conversations or requests/inquiries to and from DBEs.
6. Contact with the DBE Coordinator to request assistance in procuring DBE participation.
7. The Government reserves the right to request additional information and documentation should discrepancies and conflicts arise.

L.F.U.C.G. FUNDED PROFESSIONAL SERVICE CONTRACTS

Professional services are defined as services provided by Attorneys, Appraisers, CPAs, Engineers, Architects, and similar professionals which are exempt from formal competitive bidding requirements.

CONTRACTS OVER \$10,000 FOR PROFESSIONAL SERVICES

1. The Division desiring professional services will publish an advertisement in the Sunday Herald Leader legal section announcing the services requested and indicating that proposals will be accepted from all interested and qualified professionals. The

public notice will also provide a deadline date and will inform interested professionals how to obtain a "Request for Proposals" document.

2. The Division, with concurrence and involvement of its Commissioner, will establish a Review Committee to evaluate fairly and objectively the proposals received on such factors as interest in the project, quality of the proposal, and capability to successfully complete the work in the allotted time frame. Cost may either be included as an evaluation factor or negotiated after the evaluation process with the professional selected by the Review Committee.
3. The steps listed above constitute the "Good Faith Effort" which is the obligation of all divisions in attempting to achieve the 10% minimum goal for DBE professionals for work whose cost exceeds \$10,000.
4. The Division will forward the names of the top three (3) rated professionals through their Commissioner to the Mayor and the Equal Employment Opportunity (EEO) Officer for review and concurrence prior to initiating the administrative review process for the contract or notifying the selected professional services provider.
5. At the end of each quarter, a copy of each professional service selection report is to be submitted to the Urban County Government's EEO Officer in the Mayor's Office.

CONTRACTS FOR PROFESSIONAL SERVICES UNDER \$10,000

1. The Division should contact known professionals as identified in the Urban County Government's DBE mailing list and other sources. Contact should be in writing if time permits and the DBE and non-DBE professionals invited to submit a quote, if interested.
2. The Division should fairly and competitively evaluate the quotes or proposals received and select the professional to perform the service.
3. For professional service purchases over \$5,000, the Division will forward the name of the selected professional to the Mayor and the Equal Employment Opportunity (EEO) Officer for review prior to initiating the administrative review process for the contract or notifying the selected professional services provider.
4. At the end of each quarter, a copy of each professional service selection report is to be submitted to the Urban County Government's EEO Officer in the Mayor's Office.

ALL L.F.U.C.G. PROFESSIONAL SERVICES CONTRACTS

1. In addition to the purchase requisition, a "Professional Services" form must be submitted to the Division of Purchasing for all Detail Account #410 expenditures.
2. The Division of Purchasing will identify all DBE purchases by assigning a specific line number. The line number will be used to identify at any given time, the amount of Detail Account #410 funds being paid to DBEs.
3. There will be no budget set-aside for the DBE Detail Account #410 line number. The line number will only be used to monitor the progress of each Division.
4. Divisions/Departments should keep on file a copy of all "Professional Services" forms submitted to the Division of Purchasing for occasional audits.

PROFESSIONAL SERVICES SELECTION REPORT

Department:_____

Division:_____

Type of Service:_____

Person(s)/Firm(s) contacted (list):

NAME	DBE (SPECIFIC TYPE)	MAJORITY

Recommended:_____

Prepared By:_____

NameTitle

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT SUMMARY REPORT
QUARTERLY DBE PROCUREMENT

K-167-91

DIVISION: _____ DATE: _____ REPORTER: _____

AGENCY/FIRM	TYPE OF SERVICE (DESCRIPTION)	AWARD OF CONTRACT DATE	AMOUNT	STATUS DBE/OTHER