

## Appendix E: Diversity Forms

### 1. Overview

The Commission is committed to fostering an inclusive environment that deliberately seeks to expand opportunities for diverse companies, and invites all stakeholders to join the Commission in this endeavor as we work to break down barriers and build a more inclusive and prosperous future for businesses everywhere.

- ✓ **It is the responding company's responsibility to contact the certifying agency directly to locate certified companies or confirm that certifications are valid.**
- ✓ Certifications **must** be valid at the time of submission, contract execution, amendment, or extension, if any.
- ✓ Click [here](#) to learn how participation is counted towards the diversity goal (i.e., counting expenditures for materials or supplies from a manufacturer or regular dealer).
- ✓ Use the following links to visit our website for more information on the [Commission's Business Diversity Program](#) and [Good Faith Efforts](#).

### A. Federally Regulated Programs

**ONLY** Companies in this [ARDOT Directory](#) will count towards the goal for the following programs:

- a. Disadvantage Business Enterprise (DBE) Program
  - a. Federally Funded Projects (12%)
- i. Airport Concessionaires Disadvantage Business Enterprise (ACDBE) Program
  - a. Non-Car Rental (21%)
  - b. Car Rental (2%)

### B. Locally Regulated Programs

Certified Companies in the directories below will count towards the goal for locally funded projects (18%):

- a. [AEDC Directory](#)
- b. [Commission Online Bidding & Supplier Portal](#)
- c. [ARDOT Directory](#)
- d. [SBA Directory](#)
- e. [WBENC Directory](#)

### 2. Forms included in Appendix E: Diversity Forms:

- a. Diversity Goal Participation Statement
- b. Bidders List
- c. Letter of Intent
- d. Good Faith Efforts Guidance
- e. Good Faith Efforts Form

**Diversity Goal Participation Statement**

**12% Federal Funded Goal**

Project Name: \_\_\_\_\_

Project No. \_\_\_\_\_

The undersigned Company (Prime) has satisfied the requirements of the submission specifications in the following manner:  
( check the appropriate section):

- Prime is a certified diverse Company.**
  1. **Attach proof of certification**
  2. Submit a complete Bidders List (Appendix E: Diversity Forms, Pages 13-14), regardless of the gender or race of the owners.
    - a. Include the Prime and all Subcontractors regardless if the Prime decided to utilize the Subcontractor(s) or not, if applicable.
    - b. The yellow section should be the Prime on this project.
    - c. List both certified diverse and non-certified Subcontractors.
  3. Submit a Letter of Intent (Appendix E: Diversity Forms, Page 15) for all Subcontractors, if applicable.
    - a. This includes both certified diverse and non-diverse Companies.
  4. The Good Faith Efforts (GFE) form (Appendix E: Diversity Forms, Pages 17-20) is **not required** to be completed.
  
- The Prime is committed to a utilization of \_\_\_\_\_% on this contract that meets or exceeds the goal.**
  1. Submit a complete Bidders List (Appendix E: Diversity Forms, Pages 13-14), regardless of the gender or race of the owners.
    - a. Include the Prime and all Subcontractors regardless if the Prime decided to utilize the Subcontractor(s) or not, if applicable.
    - b. The yellow section should be the Prime on this project.
    - c. List both certified diverse and non-certified Subcontractors.
  2. Submit a Letter of Intent (Appendix E: Diversity Forms, Page 15) for all Subcontractors.
    - a. This includes both certified diverse and non-diverse Companies.
    - b. **Attach proof of certification** if the Subcontractor is certified.
  3. The Good Faith Efforts (GFE) form (Appendix E: Diversity Forms, Pages 17-20) is **not required** to be completed.
  
- The Prime is unable to meet the goal and will submit documentation demonstrating Good Faith Efforts consistent with the Commission’s program.**
  1. Submit a complete Bidders List (Appendix E: Diversity Forms, Pages 13-14), regardless of the gender or race of the owners.
    - a. Include the Prime and all Subcontractors regardless if the Prime decided to utilize the Subcontractor(s) or not, if applicable.
    - b. The yellow section should be the Prime on this project.
  2. List both certified diverse and non-certified Subcontractors.
  3. Submit a Letter of Intent (Appendix E: Diversity Forms, Page 15) for all Subcontractors.
    - a. This includes both certified diverse and non-diverse Companies.
    - b. **Attach proof of certification** if the Subcontractor is certified.
  4. Submit the Good Faith Efforts (GFE) form (Appendix E: Diversity Forms, Pages 17-20) with all supporting documentation.
    - a. The GFE form **is required** to be completed.
    - b. Review the Good Faith Efforts Guidance for assistance, if needed.

Company (Prime): \_\_\_\_\_

Preparer’s Name: \_\_\_\_\_

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

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

Project Name: \_\_\_\_\_

Project No. \_\_\_\_\_

**Bidders List**

Pursuant to 49 CFR Parts 26 and 23, the Commission maintains bidding statistics regarding **ALL** Companies submitting responses for federal and locally funded projects. This information will be used for statistical purposes. This requirement applies to **ALL** Subcontractors, regardless of the gender or race of the owners, who submit a bid to the Prime (whether the Prime decided to utilize the Subcontractor or not). **The yellow section should be the Prime on this project.** All the requested information **must** be reported.

Consistent with the federally regulated requirements, this information is also collected on locally regulated solicitations.

You may use Attachment B – Bidders List in lieu of pages 3 – 4. However, when submitting, you should upload Attachment B as a PDF and place it in the same order sequence as the Bidders List falls currently.

Prime's Name Address, City, State, Zip	Prime's Phone Number/Email Address	Prime or Joint Ventures	How did you find out about this opportunity?	Certified Diverse Company	Prime's Majority Owner Gender	Prime's Majority Owner Ethnicity	Age of Company
		<input type="checkbox"/> Prime <input type="checkbox"/> Joint Venture	<input type="checkbox"/> Email <input type="checkbox"/> Phone <input type="checkbox"/> B2GNow <input type="checkbox"/> Newspaper <input type="checkbox"/> Other: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Female <input type="checkbox"/> Male		
NAICS Codes	Description of Work		Gross Receipts				
			<input type="checkbox"/> Less than \$1 million <input type="checkbox"/> \$1 – 3 million <input type="checkbox"/> \$3 – 6 million <input type="checkbox"/> \$6 – 10 million				

Subcontractor Name Address, City, State, Zip	Subcontractor Phone Number/Email Address	Subcontractor	How did you notify this subcontractor about this opportunity?	Certified Diverse Company	Subcontractor's Majority Owner Gender	Subcontractor's Majority Owner Ethnicity	Age of Company
		<input type="checkbox"/> Subcontractor	<input type="checkbox"/> Email <input type="checkbox"/> Phone <input type="checkbox"/> B2GNow <input type="checkbox"/> Newspaper <input type="checkbox"/> Certifying Agency: _____ <input type="checkbox"/> Other: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Female <input type="checkbox"/> Male		
NAICS Codes	Description of Work		Gross Receipts				
			<input type="checkbox"/> Less than \$1 million <input type="checkbox"/> \$1 – 3 million <input type="checkbox"/> \$3 – 6 million <input type="checkbox"/> \$6 – 10 million				

**Ethnicity Section:** A. Black American   B. Hispanic American   C. Native American   D. Subcontinent Asian American   E. Asian Pacific American   F. Non-Minority   G. Other

Subcontractor Name Address, City, State, Zip	Subcontractor Phone Number/Email Address	Subcontractor	How did you notify this subcontractor about this opportunity?	Certified Diverse Company	Subcontractor's Majority Owner Gender	Subcontractor's Majority Owner Ethnicity	Age of Company
		<input type="checkbox"/> Subcontractor	<input type="checkbox"/> Email <input type="checkbox"/> Phone <input type="checkbox"/> B2GNow <input type="checkbox"/> Newspaper <input type="checkbox"/> Certifying Agency: _____ <input type="checkbox"/> Other: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Female <input type="checkbox"/> Male		

NAICS Codes	Description of Work	Gross Receipts
		<input type="checkbox"/> Less than \$1 million <input type="checkbox"/> \$1 – 3 million <input type="checkbox"/> \$3 – 6 million <input type="checkbox"/> \$6 – 10 million

Subcontractor Name Address, City, State, Zip	Subcontractor Phone Number/Email Address	Subcontractor	How did you notify this subcontractor about this opportunity?	Certified Diverse Company	Subcontractor's Majority Owner Gender	Subcontractor's Majority Owner Ethnicity	Age of Company
		<input type="checkbox"/> Subcontractor	<input type="checkbox"/> Email <input type="checkbox"/> Phone <input type="checkbox"/> B2GNow <input type="checkbox"/> Newspaper <input type="checkbox"/> Certifying Agency: _____ <input type="checkbox"/> Other: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Female <input type="checkbox"/> Male		

NAICS Codes	Description of Work	Gross Receipts
		<input type="checkbox"/> Less than \$1 million <input type="checkbox"/> \$1 – 3 million <input type="checkbox"/> \$3 – 6 million <input type="checkbox"/> \$6 – 10 million

Subcontractor Name Address, City, State, Zip	Subcontractor Phone Number/Email Address	Subcontractor	How did you notify this subcontractor about this opportunity?	Certified Diverse Company	Subcontractor's Majority Owner Gender	Subcontractor's Majority Owner Ethnicity	Age of Company
		<input type="checkbox"/> Subcontractor	<input type="checkbox"/> Email <input type="checkbox"/> Phone <input type="checkbox"/> B2GNow <input type="checkbox"/> Newspaper <input type="checkbox"/> Certifying Agency: _____ <input type="checkbox"/> Other: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Female <input type="checkbox"/> Male		

NAICS Codes	Description of Work	Gross Receipts
		<input type="checkbox"/> Less than \$1 million <input type="checkbox"/> \$1 – 3 million <input type="checkbox"/> \$3 – 6 million <input type="checkbox"/> \$6 – 10 million

**Ethnicity Section:** A. Black American B. Hispanic American C. Native American D. Subcontinent Asian American E. Asian Pacific American F. Non-Minority G. Other

\*Copy and paste this list as needed.

## Letter of Intent

(Complete one Letter of Intent for each Subcontractor, supplier, or manufacturer that will perform on the contract, if awarded.)

Project Name: \_\_\_\_\_ Project No: \_\_\_\_\_

Prime  Joint Venture: \_\_\_\_\_

Subcontractor: \_\_\_\_\_

Subcontractor Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Subcontractors Contact Person: \_\_\_\_\_ Subcontractor Telephone Number: \_\_\_\_\_

State relationship, if any, between Prime & Subcontractor/Subconsultant: \_\_\_\_\_

Owners/Partners/Corporate Directors/Principal Stockholders (>5% stock holdings:)

Names	%

Is this company certified?  Yes  No Certifying Agency: \_\_\_\_\_  
*(If yes, certification must be attached)*

Classification (please select one):     Subcontractor     Manufacturer     Regular Dealer     Reseller     Broker

NAICS	SUMMARY OF WORK TO BE PERFORMED BY SUBCONTRACTOR:

The Prime is committed to utilizing the above-named Subcontractor to perform \_\_\_\_\_% of the contracted dollar amount using the services described above.

**Affirmation:** *(Signatures are required)*

The above-named Company affirms that the Subcontractor will perform the portion of the contract for the percentage stated above.

By: \_\_\_\_\_ (Signature of Subcontractor's representative)                      \_\_\_\_\_ (Title)

By: \_\_\_\_\_ (Signature of Prime's representative)                      \_\_\_\_\_ (Title)

**If the Prime does not receive the contract award, any and all representations in this Letter of Intent and Affirmation shall be null and void.**

➤ **Submit a Letter of Intent for each Subcontractor performing on the contract (certified and non-certified).**

**The Company must utilize the Subcontractor as shown on this Letter of Intent. Any changes after submission must be sent to [procurement@clintonairport.com](mailto:procurement@clintonairport.com) for the DBE Liaison Officer (LO)/ACDBE LO to review for approval.**

## Good Faith Efforts Guidance

If the Company (Prime) cannot fully meet the diversity goal, the Prime **must** complete the Good Faith Efforts (“GFE”) form and attach documentation demonstrating the GFE. A Prime’s GFE will be determined on a case-by-case basis.

The following is a list of types of actions that you should consider as part of your GFE to obtain diverse participation. It is not intended to be a mandatory checklist, nor is it intended to be exclusive or exhaustive. Other factors or types of efforts may be relevant in appropriate cases.

- Conducting market research to identify small business contractors and suppliers and soliciting through all reasonable and available means the interest of all certified Diverse Subcontractors that have the capability to perform the work of the contract. This may include attendance at pre-response and business matchmaking meetings and events, advertising and/or written notices, posting of Notices of Sources Sought and/or Requests/or Proposals, written notices or emails to all Diverse Companies listed in the certifying agencies accepted by the Commission.
- The Prime should solicit this interest as early in the acquisition process as practicable to allow Diverse Subcontractors to respond to the solicitation and submit a timely offer for the subcontracting opportunity. The Prime should determine with certainty if the Diverse Subcontractor is interested in taking appropriate steps to follow up on initial solicitations. The efforts must be documented as applicable, including call logs, posted advertisements, printed emails, attendance logs of pre-response meetings, and records of negotiation.
- Selecting portions of the work to be performed by a Diverse Subcontractor to increase the likelihood that the goal will be achieved. This includes, where appropriate, breaking out contract work items into economically feasible units (for example, smaller tasks or quantities) to facilitate Diverse participation, even when the Prime contractor might otherwise prefer to perform these work items with its own forces.
- Providing interested Diverse Subcontractors with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to Prime with their offer for subcontracting.
- Making efforts to assist interested Diverse Subcontractors in obtaining bonding, lines of credit, or insurance as required by the recipient or contractor.
- Making efforts to assist interested Diverse Subcontractors in obtaining necessary equipment, supplies, materials, or related assistance or services.
- A Prime, using good business judgment, would consider a number of factors in negotiating with Subcontractors, including Diverse Subcontractors, and would take price and capabilities as well as contract goals into consideration. However, the fact that there may be some additional costs involved in finding and using Diverse Subcontractors is not in itself a sufficient reason for Prime’s failure to meet the contract goal, as long as such costs are reasonable.
- The ability or desire of a Prime to perform the work of a contract with its own organization does not relieve the submitter of the responsibility to make good faith efforts. Prime contractors are not, however, required to accept higher quotes from Diverse Subcontractors if the price difference is excessive or unreasonable.
- Not rejecting Diverse Subcontractors as being unqualified without sound reasons based on a thorough investigation of their capabilities: The Prime’s standing within its industry, membership in specific groups, organizations, or associations, and political or social affiliations (for example, union vs. non-union status) are not legitimate causes for the rejection or non-solicitation of bids in the contractor’s efforts to meet the project goal.

**Good Faith Efforts Form**

This form and supporting documentation of Good Faith Efforts (“GFE”) made by all Companies submitting this solicitation to subcontract with diverse companies. The Company’s demonstration of GFE will prove that the Company actively and deliberately sought out Diverse Subcontractors to participate in the responsibilities of the contract if awarded. All information provided should be accurate, complete, and inclusive of the efforts to obtain diverse participation. The Commission will review this form and **all** supporting documentation to confirm that good faith efforts were performed.

- A. Review “Section 1: Good Faith Efforts Guidance” for assistance what may be considered a good faith effort.
- B. For Federally Regulated Programs, contacting certified Disadvantaged Business Enterprises (DBEs) in the Arkansas Department of Transportation (ARDOT) directory **is required**.
- C. Logs should list only Diverse Companies that were directly solicited.
  - a. Do not list mass e-mailings performed.
  - b. Outreach should be narrowly focused, targeted, and result-oriented.
  - c. *Mere pro forma* efforts are not good faith efforts to meet the goal.
- D. We encourage you to contact as many Diverse Companies as possible and attach **all** supporting documentation.
- E. All efforts must be made prior to the Submission Due Date.
- F. If you have questions regarding GFEs, diversity opportunities, locating diverse companies, or need help completing your form during the solicitation process, contact Procurement at [procurement@clintonairport.com](mailto:procurement@clintonairport.com) before the Deadline for Questions.

Project Name: \_\_\_\_\_ Project Number: \_\_\_\_\_

Company (Prime) Name: \_\_\_\_\_

GFE Preparer: \_\_\_\_\_ GFE Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

- The Prime is unable to meet the contract goal; however, it is committed to a \_\_\_\_\_ % utilization on this contract and has completed and submitted the GFE form along with all required supporting GFE documentation.

This executed form, along with all required documentation, **must** be submitted at the time of submission. The information provided in the GFE form will be evaluated to determine if the Prime is responsive. If the Prime fails to comply with this request, or the GFE submitted is not considered acceptable, the submission will be considered non-responsive and disqualified.

**The Prime certifies that all efforts have been made and submitted in their solicitation.**

Please Sign Below (Signature is Required)

\_\_\_\_\_  
**Signature of Responding Company’s Representative**

\_\_\_\_\_  
**Date**

<b>Did your Company attend the Pre-Response meeting scheduled by the Commission?</b>	<b>Yes</b> ___ <b>No</b> ___
For potential Diverse Subcontracting opportunities, you can access the Pre-Response Meeting attendance log by logging into B2GNow and viewing documents under the proposal.	

**SPECIFIC PORTIONS OF WORK IDENTIFIED FOR DIVERSE SUBCONTRACTORS:** You **MUST** list all selected scopes or portions of work to be performed by Diverse Subcontractors to increase the likelihood of meeting the contract goal for this project and the estimated value of each scope or portions of work identified. Use additional pages if needed.

Scope or Portions of Work Identified for Diverse Participation	Estimated Value	% of Contract Value
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

**ADVERTISING SUBCONTRACTING OPPORTUNITIES:** You **MUST** identify publications in which announcements were placed and published. Included a copy of each announcement or notification.

A. Did your Company advertise in a general circulation, trade associations, or minority-focused media outlet? a. If <b>Yes</b> , complete the boxes below and attach <u>all</u> supporting documentation	<b>Yes</b> ___ <b>No</b> ___
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Adverting/Outreach Agency	Method of Announcement/Notification	Date Sent to Agency to Advertising	Date of Announcement/Notification	DBELO/ACDBELO Verification
<i>Arkansas Democrat-Gazette</i>	<i>Email</i>	<i>01/01/24</i>	<i>01/04/24</i>	

If **No**, explain why not.







**CERTIFYING AGENCY ASSISTANCE:** You **MUST** identify certifying agencies or organizations (i.e., ARDOT, SBA, APEX) that assist in recruiting and placement of Diverse Companies.

A. Did your Company notify any agencies or organizations that assist in recruiting and placement of Diverse Companies?

Yes \_\_\_ No \_\_\_

a. If **Yes**, complete the boxes below and attach **all** supporting documentation

Adverting/Outreach Agency	Method of Announcement/Notification	Date of Announcement/Notification	Results of Initial Communication	DBELO/ACDBELO Verification
ARDOT	Email	01/01/24	ARDOT Emailed Directory	

If **No**, explain why not.

**NEGOTIATE IN GOOD FAITH:** You **MUST** provide an explanation for any rejected bid or price quotation unless another diverse company is accepted for the same work.

You must complete all fields below and provide a copy of the written rejection notice, including the reason for rejection, to the rejected DBE firm.

Subcontractor	Scope	Date of Rejection	Reason	DBELO/ACDBELO Verification

If needed, use additional sheets in the provided format to document all efforts taken. All documentation **must** be submitted at the time of submission.