



Minnesota Department of  
**HUMAN RIGHTS**

# **WORKFORCE & CONTRACTING GOALS**

---

*Presented by: Michael Johnson*

*Minnesota Department of Human Rights*

# Background

## The Minnesota Human Rights Act

1. Investigate charges of discrimination
2. Ensure equal employment opportunities among contractors
3. Use education to reduce discrimination
  - Minn. Stat. §363A.06, Subd. 3

# Enforcement

## Increased Investigation Efficiency

In the last four years, the Department investigated approximately 2,400 cases.

- In the prior four years, MDHR investigated 1,080 cases.
- Between July 2012 and July 2015, the number of cases over a year old was reduced from 228 cases to 12 cases.
- As of Jan. 1, 2016, the average length of time to complete an investigation has now dropped to 254 days.

# Equal Employment

## Workforce Certificates

- The Department issues workforce certificates to contractors with more than 40 employees who execute contracts likely to exceed \$100,000.
- Contractors pay \$150 for a 4-year certificate.
- Streamlined Affirmative Action Plan processing will result in faster Workforce Certificate approvals with a one-page application form.

# Equal Employment

## Equal Pay Certificates

The Department is now responsible for ensuring that state contractors with contracts in excess of \$500,000 provide compensation to their female employees that complies with federal and state anti-discrimination and equal pay laws.

The Equal Pay program is similar to that of the Workforce Certificates with similar penalties for non-compliance.

# Equal Employment

## Good Faith Efforts

Contractors who do not exercise “good faith efforts” to ensure equal employment opportunities within their companies and comply with federal and state anti-discrimination and wage laws are subject to both losing their workforce certificate and having their state contracts terminated or amended.

# Equal Employment

## Construction Workforce Goals

The Commissioner sets workforce participation goals for the construction industry on contracts with:

- State Department
- State Agency
- Metropolitan Sports Facility Authority
- Metropolitan Council
- Metropolitan Airports Commission
- Metropolitan Mosquito Control Board

# Equal Employment

## Construction Workforce Goals

- The Department publishes the participation rates for women and people of color working on state construction projects over 10,000 hours.

## Equal Employment

For active state construction projects monitored as of Dec. 31, 2015:

- The participation rate for people of color working on the stadium project is 36.3%.
- The average participation rate for people of color working in Hennepin County is 32.32%, Ramsey County is 21.67%; the overall participation rate for people of color working statewide is 29.05%.

# Equal Employment

## Audits

The administrative rules by which the department determines whether a contractor has provided good faith efforts within their workplace is set forth in Minn. Admin. Rule 5000.

The commissioner seeks to audit the good faith efforts of *all* contractors, not only construction.

# Equal Employment

## Pipeline Development

- The National Governor's Association has created a talent pipeline policy academy.
- Minnesota is participating in the academy through the efforts of the following agencies: DEED, DLI, DOC, MDE, MDHR and OHE.
- The agencies are focused on creating talent pipelines in the following industry clusters: Construction, Health Care, Natural Resources, Professional/Technical Services and Manufacturing.

# Equal Employment

## Pipeline Development

The interagency task force is focused on creating employment opportunities for the following targeted populations:

- (1) people of color,
- (2) youth,
- (3) individuals with disabilities,
- (4) individuals without post secondary education or credential and
- (5) individuals with a criminal history.

# Equal Employment

## Pipeline Development

- The Construct Tomorrow program provides information about apprenticeship career training and opportunities in the construction industry.
- Organizers share hands-on construction experience with students who work side-by-side with apprentices and journey-level workers.

# Thank you

[www.mn.gov/mdhr](http://www.mn.gov/mdhr)

**Phone:** 651.539.1100

**Toll Free:** 800.657.3704

**Twitter:** @mnhumanrights

**Facebook:** [www.facebook.com/mnhumanrights](http://www.facebook.com/mnhumanrights)



# Affirmative Action Efforts: New Design to Grow Your Business

Maria M. Conley, JD  
MnDOT Office of Civil Rights  
Contract Compliance Supervisor

We all have a stake in **A**  **B**





Sometimes the questions  
are complicated and  
the answers are simple.  
Dr Seuss



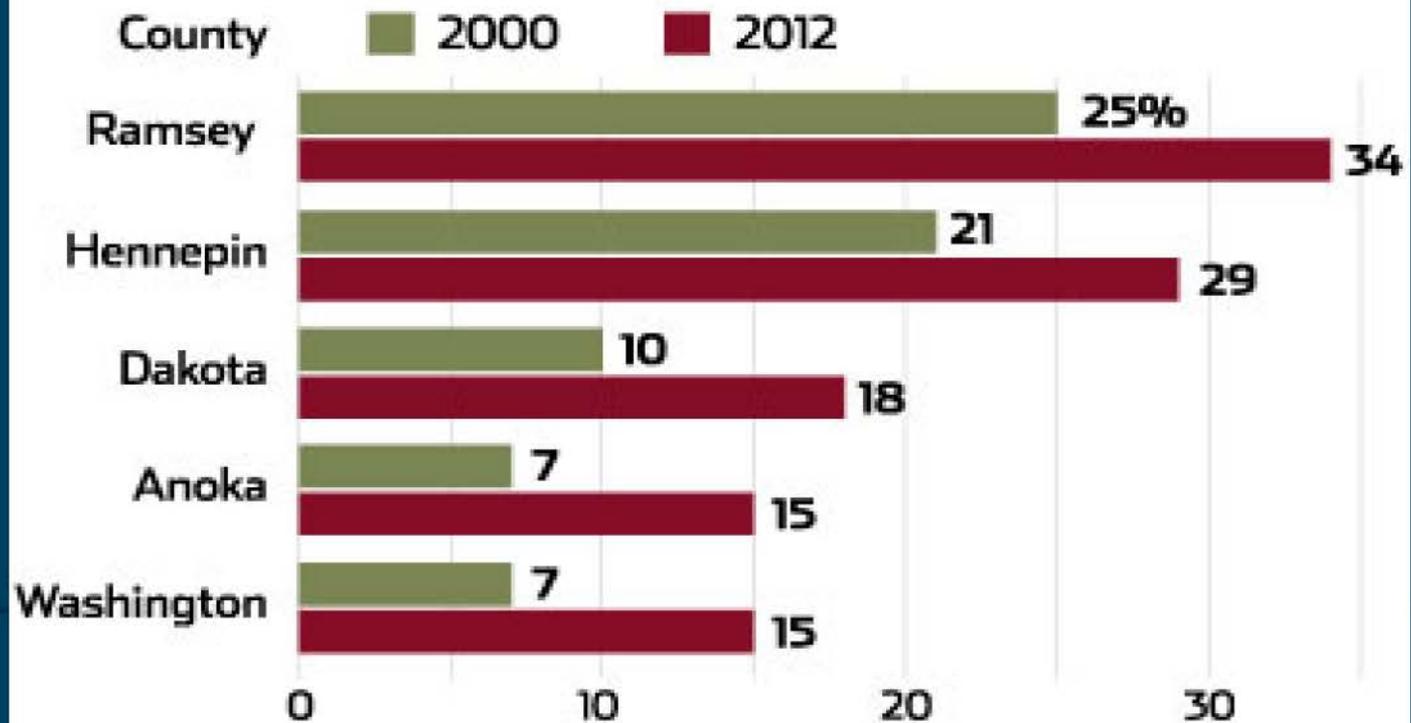
# Demographic facts:

- ✓ Minorities make up 18% of the state's population.
- ✓ The state's Asian population increased 7%, black population increased 6% and Hispanic population increased 5% between 2010 and 2012.
- ✓ Ramsey County has the 3<sup>rd</sup> highest minority population rate in the state at 34%, Hennepin County follows at 29%.



# Minority populations growing in metro

The percentage of each county's population that were minorities (either Hispanic or identifying their race as something other than white) in 2000 and 2012:



Source: U.S. Census Bureau

PIONEER PRESS



# Why Good Faith Efforts?

- ✓ EEO Special Provisions
  - ✓ 41 CFR Part 60-4
  - ✓ Executive Order 11246
  - ✓ 23 CFR Part 230
- 
- ✓ Efforts should both **EXIST** and be **EFFECTIVE**.
  - ✓ Efforts should be well defined and planned, proactive and implemented, and measured for success.



# The Business Case for Workforce Diversity:

- ✓ Competitive advantage.
- ✓ Productivity, efficiency, effectiveness.
- ✓ Broader applicant pool.
- ✓ Ability to leverage skills in growth markets.
- ✓ Helps to capture new clients.
- ✓ Generates innovation.
- ✓ Range of experience and background.
- ✓ Fosters creativity and encourages out of the box thinking.



STRENGTH  
LIES IN  
DIFFERENCES,  
NOT IN  
SIMILARITIES.

- STEPHEN R. COVEY -

[WWW.EKATERINAWALTER.COM](http://WWW.EKATERINAWALTER.COM)

@EKATERINAW



# Effective Efforts Through Planning, Implementing, and Measuring

- ✓ Begin when seeking bids for subcontracting.
- ✓ At pre-construction conference reiterate the project goals.
- ✓ Have a workforce planning strategy. Review your affirmative action plan.



# Planning, continued:

- ✓ Develop clear policy regarding roles and responsibilities for achieving diversity goals.
- ✓ Annual recruitment plan that identifies key projects and personnel needed, identify gaps in your existing workforce.
- ✓ Internal accountability and oversight.



# Proactive Implementation

- ✓ Address multigenerational workforce management issues.
- ✓ Provide diversity and cultural awareness training in your workplace.
- ✓ Make effective use of social media.
- ✓ Offer financial incentives to existing employees who refer successful candidates.



# Implementation, continued:

- ✓ To address the challenge of the need for specialized skills sets for various crafts, partner with local high schools and trade schools to offer pre-apprentice mentorship.
- ✓ Help OJT supportive service agencies to interview potential candidates for their training programs.
- ✓ Sponsor new apprentices into the unions. Recruit via attendance at OJT program graduations.



# Implementation, continued:

- ✓ Request additional workforce from union in writing.
- ✓ Form employee affinity groups and employee resource groups.
- ✓ Offer female employees who travel for projects a financial incentive to help with the cost of lodging if there are insufficient females on your workforce to share a room or travel expenses.



# Implementation, continued:

- ✓ Invest in retention.
- ✓ Flexible scheduling, childcare subsidies, indicate willingness to accommodate cultural and religious holidays.
- ✓ Assign company mentors to new employees.



# Measurement

- ✓ Have thorough applicant tracking mechanisms.
- ✓ Evaluate your onboarding program.
- ✓ Ensure your affirmative action plan with the State of Minnesota is up to date and reviewed for underutilization and disparities.



# Measurement, continued:

- ✓ Identify what metrics you will use.
- ✓ Learn from your mistakes. Be willing to make changes.
- ✓ Acknowledge and identify what your company barriers are to achieving a diverse workforce.



# Keys to success

- ✓ Have a well defined workforce planning strategy
- ✓ Be proactive in implementation
- ✓ Evaluate and measure, refine accordingly



**THE ROAD TO SUCCESS  
IS ALWAYS  
UNDER CONSTRUCTION**





# MnDOT's Small Business Programs

Sean Skibbie  
MnDOT Office of Civil Rights  
Small Business Contracting Supervisor

We all have a stake in **A  B**





# MnDOT's Small Business Programs

Sean Skibbie  
MnDOT Office of Civil Rights  
Small Business Contracting Supervisor

We all have a stake in **A  B**



# Contacts

Sean Skibbie

Small Business Contracting Supervisor

651-366-3331: [sean.skibbie@state.mn.us](mailto:sean.skibbie@state.mn.us)

DeLores Aguirre (Perez)

Team Lead

651-366-3151:

[delores.ann.perez@state.mn.us](mailto:delores.ann.perez@state.mn.us)



# Contacts (DBE Specialists)

Andrea Robinson

Districts 1-4

651-366-3353

[Andrea.robinson@state.mn.us](mailto:Andrea.robinson@state.mn.us)

Adrienne Hennen

East Metro

651-366-3015

[adrienne.hennen@state.mn.us](mailto:adrienne.hennen@state.mn.us)

Alvin Hopson

West Metro

651-366-3076

[Alvin.hopson@state.mn.us](mailto:Alvin.hopson@state.mn.us)

Adrien Carretero

Districts 6-8

651-366-3352

[adrien.carretero@state.mn.us](mailto:adrien.carretero@state.mn.us)



# Contacts (TGB & Vet Programs)

Joyce Brown–Griffin

Districts 4, 6, 7, 8, & the Metro

651–366–3350

[Joyce.brown-griffin@state.mn.us](mailto:Joyce.brown-griffin@state.mn.us)

Megan Solberg

Districts 1–3

651–366–3074

[Megan.solberg@state.mn.us](mailto:Megan.solberg@state.mn.us)



# Making Good Faith Efforts on MnDOT Small Business Programs

Disadvantaged Business Enterprise (DBE)

Targeted Group Business (TGB)

Veterans Preference (Vet)



# Good Faith Efforts – Forms

- Narrative: a letter explaining in detail the efforts the ALB made to meet the DBE goal
- Exhibit As
- Certificate of Good Faith Efforts Consolidated Form
  - Bidders List
  - Good Faith Efforts Affidavit
  - Rejected bids from small businesses and the bids used in their place
- GFE Materials must be submitted within five (5) business days after notification of being the Apparent Low Bidder (ALB)



# GFE Analysis: what does MnDOT review?

- ▶ 5 Key Factors:
  - I. Solicitation
  - II. Negotiation
  - III. Assistance (Materials, Supplies, Plans, Bonding, etc.)
  - IV. Breaking out Portions of Work Being Self-performed
  - V. Unbundling



# GFE Analysis: what does MnDOT review?

## 1) Solicitation

- Did the ALB use the correct directory?
- How many firms did the ALB solicit?
- How much time did the ALB give firms to respond?
- How many scopes did the ALB solicit?
- Did the ALB give a deadline, and give firms enough time?
- Were the solicitations merely pro forma?



# GFE Analysis: what does MnDOT review?

## 2) Negotiation

- Did the ALB negotiate in good faith on scopes of work to be performed?
- Did the ALB reject bids based on cost?
  - Rules: Cost alone not sufficient unless the cost is unreasonably high. Document the circumstances.
- Did the ALB reject bids deeming them as unqualified?



# GFE Analysis: what does MnDOT review?

- ▶ 5 Key Factors:

- 3) Assistance (Materials, Supplies, Plans, Bonding, etc.)

- Did the bidder offer assistance to DBEs with bonding, insurance, equipment, project requirements, etc.?



# GFE Analysis: what does MnDOT review?

## ▶ 5 Key Factors:

- 4) Breaking out Portions of Work Being Self-performed
  - Did the ALB give opportunities to perform work that it would normally or prefer to perform?
  - Again: cost alone is not a sufficient factor for bid rejection.



# GFE Analysis: what does MnDOT review?

## ▶ 5 Key Factors:

### 5) Unbundling

- Did the ALB break out portions of scopes of work so that smaller firms have the capacity to perform?
- Did the ALB consider multiple quotes when one quoter could have performed all of the scopes in question?



# Best Practices

- ▶ Use the right program directory
- ▶ Start Early: solicit small business firms early;
  - Yields more bids, more competition, more time to negotiate
- ▶ Show your work: document all actions taken
  - Solicitations
  - Negotiations
  - Any bids received by DBEs, and any bids used in lieu of DBE bids



# Best Practices

- ▶ Submit the GFE packet early: MnDOT's OCR can work with an ALB to get clarifying information within the 5 business day period
- ▶ Contact MnDOT OCR with questions.



# *Remember!*

- ▶ It is a bidder's burden to demonstrate, through documentation, that it made adequate GFE.
- ▶ The bidder's GFE to meet or exceed the goal extend through the life of the contract (including replacements and substitutions).
- ▶ A bidder always has an opportunity for an administrative reconsideration if its bid is rejected for failure to demonstrate GFE.
- ▶ Contact OCR with questions.





TARGETED GROUP BUSINESS  
AND  
GOOD FAITH EFFORTS

## PRESENTED BY:

- Sheila Scott
- Vendor Management Specialist
- Office of Equity in Procurement
- Minnesota Department of Administration
  - 50 Sherburne Avenue
  - Suite 112
- Saint Paul, Minnesota 55155
  - 651-201-2428
  - [Sheila.Scott@state.mn.us](mailto:Sheila.Scott@state.mn.us)



# AUTHORITY

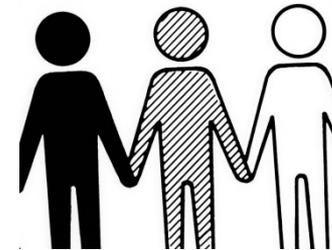
- **Minnesota Statutes 16C**
- **Minnesota Rules 1230**
- **Caselaw/Courts**



# 2009 DISPARITY STUDIES\*

<http://www.mmd.admin.state.mn.us/mn02002.htm>

- What barriers exist
- Availability of TG businesses
- Recommendations to
  - Remedy effects of disparities
  - Reduce/eliminate barriers



\* A new study has been funded by the 2015 legislature.

**STATE OF MINNESOTA  
DEPARTMENT OF ADMINISTRATION**

**TABLE OF GROUPS EXPERIENCING DISPARITY  
IN STATE OF MINNESOTA PURCHASING & CONTRACTING  
CONDUCTED UNDER MINN. STAT. CHAPTER 16C**

(Based on the 2009 Disparity Study)

	Construction Prime Contracts	Construction Subcontracts	Professional Services	Other Services*	Goods & Supplies
<b>African American</b>	X	X			X
<b>American Indian</b>	X	X	X		X
<b>Asian American</b>	X		X		X
<b>Hispanic American</b>	X	X	X	X	X
<b>Nonminority Women</b>	X	X	X	X	X
<b>Disabled</b>	X	X	X	X	X

March 16, 2010

# TARGETED GROUP CERTIFICATION

## ELIGIBILITY REQUIREMENTS

- **Must be a for profit small business**
- **Principal place of business in Minnesota**
- **The TG owner(s) must have the expertise to control the management and operation of the business**



# TARGETED GROUPS (TG)

- **51% owned, operated and controlled by:**
  - **Non-minority women**
  - **Ethnic minorities**
    - **Black American**
    - **Hispanic American**
    - **Asian Pacific American**
    - **Subcontinent Asian American**
    - **Indigenous American**
  - **Persons with a substantial physical disability**



# GOALS

- Goals are set based on original contract estimate
- Goal is applied to final total project value including
  - Original work
  - Change orders
  - Work added to this project
  - Supplies added to this project

# REQUEST FOR BIDS

## SECTION 00 41 73, 1.01

- D. This Project has a ## % Targeted Group Business (TGB) subcontracting goal.
- See Division 00-7339 for requirements.
- The TGB subcontracting goal will not be a consideration in the Contract Award

# WHO IS TARGETED GROUP (TG)

All TG subcontractors/suppliers on project:

- 1<sup>st</sup> tier subcontractor/supplier
- 2<sup>nd</sup> tier subcontractor/supplier
- 3<sup>rd</sup> tier subcontractor/supplier
- Etc.

# SECTION 00 73 39: Verification

- MUST be certified by the Materials Management Division at the time of the subcontractor's work on the construction project.
- MUST Verify eligible (TGB) subcontractors
  - MMD web site
  - NAICS Code 1500001= eligible TGB
- Vendor Management Team at
  - 651.296.2600
  - [MMD.TGBReporting@state.mn.us](mailto:MMD.TGBReporting@state.mn.us)

# SECTION 00 73 39: TG credit

## TG CREDIT IS GIVEN :

- 100 % for labor (including the materials and supplies for that labor)
- 60 % for supplies and materials only (no labor)
- 75% of subcontract awarded to the TG must be performed by a TGB business.

# SECTION 00 73 39: Reporting

- Reporting NOT required at bid time.
- MUST submit the TGB Subcontracting Report
  - quarterly – within 14 days of end of quarter
    - January 1 to March 31
    - April 1 to June 30
    - July 1 to September 30
    - October 1 to December 31
- MUST submit the FINAL TGB Subcontracting Report at the time of their final payment request.

# TG REPORTING FORMS

Project No. [Enter Project Number](#)

[Click here to enter Project Title.](#)

## QUARTERLY TGB SUBCONTRACTING REPORT

MINNESOTA DEPARTMENT OF ADMINISTRATION  
MATERIALS MANAGEMENT DIVISION

Return Form To: MMD Vendor Management Specialist  
Materials Management Division  
112 Administration Building  
50 Sherburne Avenue  
St. Paul, MN 55155  
[MMD.TGBReporting@state.mn.us](mailto:MMD.TGBReporting@state.mn.us)  
FAX: 651.297.3996

Date: \_\_\_\_\_ Reporting Period: \_\_\_\_\_

Prime Contractor: \_\_\_\_\_

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

CONTRACT # \_\_\_\_\_

**\*Definitions:**

- A 1st Tier Subcontractor is a subcontractor to the Prime Contractor
- A 2nd Tier Subcontractor is a subcontractor to the 1st Tier Subcontractor

GOAL \_\_\_\_\_%

**List of TGB Subcontractors/Suppliers to be used:**

1st Tier TGB Subcontractor	Description of Work / Supplies	\$ Value of 1st Tier Contract	2nd Tier TGB Subcontractor	\$ Value of 2nd Tier Contract
1			a.	
			b.	
2			a.	
			b.	
3			a.	
			b.	
4			a.	
			b.	
5			a.	
			b.	

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEET**

# TG REPORTING FORMS

## FINAL TGB SUBCONTRACTING REPORT

MINNESOTA DEPARTMENT OF ADMINISTRATION  
MATERIALS MANAGEMENT DIVISION

Return Form To: MMD Vendor Management Specialist  
Materials Management Division  
112 Administration Building  
50 Sherburne Avenue  
St. Paul, MN 55155  
[MMD.TGBReporting@state.mn.us](mailto:MMD.TGBReporting@state.mn.us)  
FAX: 651.297.3996

Date: \_\_\_\_\_ Reporting Period: \_\_\_\_\_

Prime Contractor: \_\_\_\_\_

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

CONTRACT # \_\_\_\_\_

**\*Definitions:**

- A 1st Tier Subcontractor is a subcontractor to the Prime Contractor
- A 2nd Tier Subcontractor is a subcontractor to the 1st Tier Subcontractor

GOAL \_\_\_\_\_ %

**List of TGB Subcontractors/Suppliers to be used:**

1st Tier TGB Subcontractor	Description of Work / Supplies	\$ Value of 1st Tier Contract	2nd Tier TGB Subcontractor	\$ Value of 2nd Tier Contract
1			a.	
			b.	
2			a.	
			b.	
3			a.	
			b.	
4			a.	
			b.	
5			a.	
			b.	

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEET

## SECTION 00 73 39: Waiver

- May request a waiver at any time
  - Bid opening to final application for payment
  - Provide documentation of good faith efforts
  - Provide forms listed in this section
- Good Faith Efforts apply all the time
- Case-by-case basis

# SECTION 00 73 39: GOOD FAITH EFFORTS

## GOOD FAITH EFFORTS (GFE)

- steps by their scope, intensity, and appropriateness to the objective, could reasonably be expected to obtain sufficient TGB participation. The awarded contractor may submit documentation of good faith steps at any time from bid opening to its final application for payment.

# SECTION 00 73 39: Soliciting

1. Soliciting through all reasonable and available means within sufficient time
  - attendance at pre-proposal/pre-bid meetings,
  - Advertising and/or written notices
  - Notify all eligible TGBs who have the capability
  - Follow up on the initial solicitations

## SECTION 00 73 39: Work Selection

2. Selecting portions of the work to be performed by TGBs in order to increase the likelihood that the TGB subcontracting goal will be achieved.

- breaking out contract work items into economically feasible units to facilitate TGB participation
- even when the prime might otherwise self-perform

# SECTION 00 73 39: Information

3. Timely provide TGBs with information about
  - plans,
  - specifications, and
  - requirements of the contract

## SECTION 00 73 39: Negotiate

4. Negotiate in good faith with responsive TGBs

Document:

- Evidence of discussions of the work/supplies
- Names, addresses, telephone numbers and emails of TGBs that were considered
- Information provided regarding the plans and specifications for the subcontracting work
- evidence as to why TGB was/was not chosen for the contract

# SECTION 00 73 39:

## Good Business Judgment

5. Consider a number of factors
  - TGB quote, compared to non TGB quote
    - Some additional reasonable costs
  - TGBs capabilities
  - Prime self-performance does not relieve the awarded contractor of the responsibility to make good faith efforts.
  - Not required to accept unreasonable higher quotes from TGBs

# SECTION 00 73 39: Rejection

- 6. Sound reasons for rejection must be articulated and may include:
  - A thorough investigation of their capabilities
  - Excessive/unreasonable costs
  - Not legitimate reasons for rejection: Membership in specific groups, organizations, or associations and political or social affiliations, including union vs. non-union status

# SECTION 00 73 39: Assistance

- 7. Assist TGBs in obtaining required:
  - bonding
  - lines of credit
  - insurance

# SECTION 00 73 39: Assistance

8. Assist interested TGBs in obtaining

- Necessary equipment
- Supplies/materials
- Related assistance or services
- Subcontractors

# SECTION 00 73 39: Resources

- 9. Resources: Minority, Women, Disability
- Minority contractor organizations
  - National Association of Minority Contractors (NAMC)
- Women contractors organizations
  - Association of Women Contractors (AWC)
- Government Business Assistance offices
  - MN DEED Small Business Office

- Contractors' groups
  - Associated General Contractors (AGC)
  - National Electric Contractors Association (NECA)
  - Minnesota Mechanical Contractors Association (MMCA)
- Referrals for certification to the TGB or DBE program
- Educational outreach to potential minority, women and disability owned businesses

# SECTION 00 73 39: Best GFE

10. The best Good Faith Effort is Meeting or exceeding TGB goal

# 1.02 PROCEDURES FOR REQUESTING A WAIVER

Complete forms:

- Certificate of Good Faith Efforts
- Non-TGB Accepted Quotes
- Good Faith Efforts Affidavit
- Documentation of all good faith efforts

Submit to Vendor Management Team

## 1.02 WAIVER: Review

The agency will review evidence of:

- Written notification of solicitations to TGBs
- Good faith negotiations for specific subcontracts
- A listing of the names and contact information
- Logs of contact dates and results of that contact
- Good faith reasons why TGBs who quoted the project were not awarded subcontracts
- Responsiveness of TGBs

## 1.02 WAIVER: Substitutions

- Solicitations of TGBs to replace a TGB subcontractor who cannot or will not fulfill an awarded subcontract
- Solicitations of TGBs for additional work and change order work
- Communication with Vendor Management Team regarding substitutions

# 1.02 PROCEDURES FOR REQUESTING A WAIVER

**MINNESOTA DEPARTMENT OF ADMINISTRATION  
SMALL BUSINESS PROCUREMENT PROGRAM**

**CERTIFICATE OF GOOD FAITH EFFORTS**

Date: \_\_\_\_\_

Contract No. \_\_\_\_\_

Contract Dollar Amount: \$ \_\_\_\_\_

TGB Subcontracting Goal Established For Contract \_\_\_\_%

Total dollar amount of Contract met by using eligible TGB subcontractors who provide labor, materials and supplies \$ \_\_\_\_\_

Total dollar amount of Contract met by using eligible TGB subcontractors who provide supplies and materials only \$ \_\_\_\_\_

**SOLICITATION OF TGB QUOTES**

TGB Contractor	Phone	Dates TGB Contacted		Description of Work	TGB Quote (if no response state NONE)	If TGB was not used Dollar amt of non-TGB quote
		Letter	Phone			
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
13.						
14.						

# 1.02 PROCEDURES FOR REQUESTING A WAIVER

**MINNESOTA DEPARTMENT OF ADMINISTRATION  
SMALL BUSINESS PROCUREMENT PROGRAM**

**NON-TGB ACCEPTED QUOTES**

Date: \_\_\_\_\_

Contract No. \_\_\_\_\_

Prime Contractor: \_\_\_\_\_

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

**IF TGB QUOTE IS NOT USED PROVIDE THE FOLLOWING INFORMATION**

NAME OF NON-TGB CONTRACTOR	DESCRIPTION OF WORK	SUBCONTRACT DOLLAR AMOUNT
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		

# 1.02 PROCEDURES FOR REQUESTING A WAIVER

Project No. [Enter Project Number](#)

[Click here to enter Project Title.](#)

## GOOD FAITH EFFORTS AFFIDAVIT

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, do hereby acknowledge the following:  
(Full Name)

1. I am the \_\_\_\_\_ of \_\_\_\_\_  
(Title) (Name of Individual, Company, Partnership, or Corporation)  
that has been identified as the awarded contractor of State Project \_\_\_\_\_.
2. I have the authority to make this affidavit for and on behalf of the awarded contractor.
3. The information provided in the attached Certificate of Good Faith Efforts is true and accurate to the best of my belief.

Signed: \_\_\_\_\_  
Bidder or authorized representative

Subscribed and sworn to before me

this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public \_\_\_\_\_

My commission expires \_\_\_\_\_, 20\_\_.

# PENALTY

- Penalty of up to six percent (6%) of the contract, not to exceed \$60,000, will be invoked At final contract payment IF:
  - TGB subcontracting goal has not been met
  - Waiver has not been issued
- Penalty is proportionate to the actual underuse of TGB subcontractors.

# www.mmd.admin.state.mn.us

Materials Management Division

minnesota north star

About MMD | Contact Us | Admin Home

Home Acquisitions Construction Professional/Technical Contracting Vendor Information Cooperative Purchasing MMCAP

**What's New**  
[Site Map](#)  
[Cooperative Purchasing Opportunities](#)  
[Customer Survey](#)  
[International Trade](#)  
[MMCAP](#)  
[Agency Rulemaking](#)  
[MMD Staff Directory](#)

## Welcome to Minnesota's Materials Management Division Website

The mission of the Materials Management Division is to facilitate the strategic acquisition of goods and services for the State of Minnesota and other governmental entities. The division aspires to meet its customers' reasonable expectations while upholding the highest legal and ethical standards of responsible business and procurement practices.

**Attention State Agencies & Cooperative Purchasing Venture (CPV) Members:**

**Flu and Other Health-Related Resources**  
We have many **contracts** that could be a source of materials, equipment and services to assist governmental entities during a major flu outbreak or for other health-related procurement. These **contracts** provide State agencies and eligible Cooperative Purchasing Venture members an efficient way to order goods and services without issuing a solicitation. When buying from State

**Information for Vendors:**  
[Solicitation Announcements](#)  
[Online Vendor Registration](#)  
[E-Verify](#)  
[FAQs for Vendors](#)  
[Prevailing Wage Reporting](#)  
[Veterans Preference](#)

**State Agencies & CPV Members:**  
[Secure Area Sign-In](#)

- [Contract Information](#)
- [Purchasing Forms](#)
- [Contract Forms](#)
- [Expiring Contracts](#)
- [MINNCOR Contracts](#)



# Materials Management Division

## TG/ED List (Directory)



About MMD   Contact Us   Admin Home						Search North Star	
Home	Acquisitions	Construction	Professional/Technical Contracting	Vendor Information	Cooperative Purchasing	MMCAP	

### TG/ED List (Directory)

This form is provided to allow easy retrieval of the State's certified Targeted Group (TG) and Economically Disadvantaged (ED) Vendors. Enter the information in one of the fields below and submit the query. You can search any of the following categories:

You may download the current database as a plain text or Microsoft Excel file. [Go to Download Page](#)

**NOTE:** We have converted from the Standard Industrial Classification (SIC) Code System to the North American Industrial Classification System (NAICS) Code. More information about NAICS can be found at <http://www.census.gov/eos/www/naics/>.

[NAICS Code Master List](#)

Please enter the **Company** name you are searching for here:

Search company product descriptions by keyword  
Please enter the **Keyword** you are searching for here:

Please enter the **Commodity** you are searching for here:  
(Note: This searches NAICS Code titles only.)

Please enter the **NAICS Code** you are searching for here:

**UPDATED: This information is updated daily.**

#### Targeted Groups

- Minorities
  - (A) Asian/Pacific Islander
  - (B) African-American
  - (H) Hispanic
  - (I) American Indian
  - (E) Alaska Native
  
- (D) Disabled
- (W) Women

#### Economically Disadvantaged

- (L) Labor Surplus Area
- (M) Low Median Income County
- (R) Rehab. Facility/Work Activity



# CONTACT INFORMATION

- For information regarding the Minnesota Small Business Procurement Programs:

- Call the MMD HELPLINE

651.296.8100

e-mail: [mmdhelp.line@state.mn.us](mailto:mmdhelp.line@state.mn.us)



- Contact Sheila Scott, Vendor Management Specialist

651-201-2428

E-mail: [Sheila.Scott@state.mn.us](mailto:Sheila.Scott@state.mn.us)