

State of Connecticut - Department of Public Health
Drinking Water State Revolving Fund (DWSRF)
MBE/WBE (DBE) Utilization
Semi-Annual Reporting Form Instructions

Drinking Water State Revolving Fund (DWSRF) loan recipients are required, as a condition of funding, to make good faith efforts to utilize MBE and WBE firms (collectively also known as “Disadvantaged Business Enterprise – DBE). This is achieved by the prime contractor making good faith efforts to utilize MBE and WBE subcontractors whenever procuring construction, equipment, services, and supplies. The MBE and WBE Fair Share Goals are periodically adjusted and are set by the Department of Energy and Environmental Protection (DEEP). As a reminder, only first-tier subcontracts to a prime contract may be counted towards the MBE/WBE goals.

A loan recipient must report all MBE and WBE procurements to the Department of Public Health (DPH) in order for DPH to process payment requests. The DPH has developed a form to make it easier to report this information. These instructions are intended to help DWSRF loan recipients complete the “MBE/WBE Semi-Annual Reporting Form”.

The form must be completed and submitted to DPH every 6 months, at the intervals noted below, regardless of whether there is any MBE or WBE procurement or not. If there were no MBE or WBE procurements to report during a particular semi-annual period, there is space available to indicate that on the form.

Semi-annual reporting periods & due dates to submit completed form:

October – March is due by April 12th

April – September is due by October 12th

I. Definitions

1. **Procurement:** is the acquisition through contract, order, purchase, lease, or barter of supplies, equipment, construction or services needed to accomplish the project for which you are receiving DWSRF funding.
2. **Contract:** is a written agreement between a sub-recipient and another party (also considered “prime contracts”) and any lower tier agreement (also considered “subcontracts”) for equipment, services, supplies, or construction necessary to complete the project. This definition excludes written agreements with another public agency. This definition includes personal and professional services, agreements with consultants, and purchase orders.
For purposes of MBE/WBE utilization, only subcontracts may be counted towards the goal.
3. **Minority Business Enterprise (MBE):** is a business concern that is (1) at least 51 percent owned by one or more minority individuals, or, in the case of a publicly owned business, at least 51 percent of the stock is owned by one or more minority individuals; and (2) whose daily business operations are managed and directed by one or more of the minority owners. In order to qualify and participate as an MBE subcontractor for loan recipients, an entity must be properly certified.

U.S. citizenship is required. Recipients shall presume that minority individuals include Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans, or other groups whose members are found to be disadvantaged by the Small Business Act or by the Secretary of Commerce under section 5 of Executive order 11625. The reporting contact at EPA can provide additional information.

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4. **Woman Business Enterprise (WBE):** is a business concern that is, (1) at least 51 percent owned by one or more women, or, in the case of a publicly owned business, at least 51 percent of the stock is owned by one or more women and (2) whose daily business operations are managed and directed by one or more of the women owners. In order to qualify and participate as a WBE subcontractor for loan recipients, an entity must be properly certified.

Business firms which are 51 percent owned by minorities or women, but are in fact managed and operated by non-minority individuals do not qualify for meeting MBE/WBE procurement goals. U.S. Citizenship is required.

5. **Good Faith Efforts:**

A loan recipient is required to make the following good faith efforts whenever procuring construction, equipment, services, and supplies under a loan agreement. These good faith efforts for utilizing MBEs and WBEs must be documented. Such documentation is subject to review upon request:

- a. Include of MBEs/WBEs on solicitation lists.
- b. Assure that MBEs/WBEs are solicited once they are identified.
- c. Divide total requirements into smaller tasks to permit maximum MBE/WBE participation, where feasible.
- d. Establish delivery schedules which will encourage MBE/WBE participation, where feasible.
- e. A loan recipient is encouraged to use of the services of the U.S. Department of Commerce's Minority Business Development Agency (MBDA) and the U.S. Small Business Administration to identify MBEs/WBEs.

More detailed information on these Good Faith Efforts can be found by visiting the EPA Disadvantaged Business Enterprise (DBE) website: <https://www.epa.gov/grants/disadvantaged-business-enterprise-program-under-epa-assistance-agreements-dbe-program>

II. Instructions for completing the form

1. Reporting Period – please check the appropriate box for the time period that is being reported. Year – please note the calendar year corresponding to the end date of the reporting period (September or March). Example: for the October 2018 to March 2019 reporting period, the year is 2019.
Indicate if this is the final report for the project by checking the box.
Please note the due dates for each reporting period.
2. If making a revision to a previously submitted report, check “yes” and describe the revision.
3. Include the name, title, and contact phone number of the person completing the form.
4. If there were no MBE/WBE accomplishments this reporting period, please briefly explain what specific steps you are taking to achieve the MBE/WBE goals specified in the terms and conditions of the Loan Agreement.
5. MBE/WBE procurements made during this reporting period (If more space is needed, please use an additional sheet).
 - A. Type – MBE or WBE: Indicate whether the subcontractor is an MBE or WBE. If a firm is both an MBE and WBE, the recipient may choose to count the entire procurement towards EITHER its MBE or WBE accomplishments. The recipient may also divide the total amount of the procurement (using any ratio it so chooses) and count those divided amounts toward its MBE and WBE accomplishments. If the recipient chooses to divide the procurement amount and

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count portions toward its MBE and WBE accomplishments, please split into two entries. **The combined MBE and WBE amounts for that MBE/WBE contractor must not exceed the total value of the contract.**

- B. Dollar value of the procurement.
 - C. Date of procurement, shown as month, day, year. Date of procurement is defined as the date the contract or procurement was awarded, **not** the date the contractor received payment under the awarded contract or procurement, unless payment occurred on the date of award. **(Where direct purchasing is the procurement method, the date of procurement is the date the purchase was made).**
 - D. Using codes at the bottom of the form, identify type of product or service acquired through this procurement.
 - i. enter 1 if construction, 2 if supplies, 3 if services, 4 if equipment
 - E. Name, address, and telephone number of MBE/WBE firm.
 - F. Indicate whether or not (by Yes or No) a copy of the contract or purchase order has been submitted to DPH. If No, a copy must be submitted with this form. As a condition of the Loan Agreement, an executed copy of each MBE and WBE sub-agreement must be submitted.
 - G. Indicate whether or not (by Yes or No) the procurement identified on this form is part of a change order to the prime contract. If "Yes", note the number of the executed Change Order.
6. Name and title of official administrator or designated reporting official.
7. Signature, month, day, and year report submitted.

Please do not write in the shaded area.

Please note: The Loan Agreement Exhibit Disadvantaged Business Enterprise Payment Report-Contractor/Consultant, which summarizes actual amounts paid, must still be submitted following completion of the project, in addition to the semi-annual reporting.

Submit completed reports to:

DPH.CTDWSRF@ct.gov

Or by mail to:

Connecticut Department of Public Health
Drinking Water Section
DWSRF Program
410 Capitol Avenue, MS# 12DWS
P.O. Box 340308
Hartford, CT 06134-0308

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If you have any questions, please contact the Drinking Water Section at (860) 509-7333 and ask to speak with a DWSRF Program representative.