

Call 01 Intersection Improvements on Hwy 43 at Texas Flat Road, Kiln-Delisle Road, Benville Road, & Kiln-Waveland Cutoff, known as State Project No. SP-0032-01(022) / 106247301 in Hancock County.

Q1. Will someone be at the pre-bid meeting to answer questions on Section 3 information?

A1. It is anticipated that a representative from MDA will be present to answer any questions regarding Section 3.

Q2. Section 904 - Notice to Bidders No. 646 Certified Employment Plan Form. Failure to sign and include this form with your bid will result in the bid being considered irregular. Section 904 - Notice to Bidders No. 863 Any and all submittals to MDA. Electronic submittals will not be accepted. Do we send this form in with the bid?

A2. Bids are to be submitted electronically using the EBS file. However, any additional documentation that is required by MDA must be submitted in paper form to Contract Administration prior to bid opening.

Q3. NTB No 647. 15 Section 3 Clause that Section 3 goals in one of the following two ways. (a) Section 3 Business concern or (b) Section 3 plan detailing how the bidder will meet the required Section 3 subcontracting goal to Section 3 business concerns not less than 10%. Section 3 Business Concern Certification is showing that if you subcontract in excess of 25% of the dollar amount to Section 3 Businesses you need to send in a Section 3 Subcontracting Plan. What is the difference between the two?

A3. In scenario (a), the Contractor is certifying themselves a Section 3 business concern and in scenario (b), the Contractor is certifying that they are not a Section 3 business concern but will meet the minimum Section 3 contracting goals. If certifying as a Section 3 Business Concern under the certification that the Contractor commits to subcontract in excess of 25% of the total dollar amount of all subcontracts to Section 3 businesses, then the Contractor must also submit the following: documentation to confirm total amount available for subcontracting; name of subcontract and amount of subcontract, copy of subcontract (draft form is acceptable at bid submission but must provide dollar amount); Section 3 business concern certification for each subcontractor including the Section 3 business concern certification and substantiating documentation depending on specific certification eligibility (30% of full-time employees are Section 3 residents or 51% of business is owned by Section 3 residents. If the Contractor is certifying that they are not a Section 3 business concern but will meet the Section 3 contracting goals (10% of the total contract amount will be awarded to Section 3 business concerns), then the Contractor will be required to submit the following: documentation to confirm total amount available for subcontracting; name of subcontract and amount of subcontract, copy of subcontract (draft form is acceptable at bid submission but must provide dollar amount); Section 3 business concern certification for each subcontractor including the Section 3 business concern certification and substantiating documentation depending on specific certification eligibility (30% of full-time employees are Section 3 residents or 51% of business is owned by Section 3 residents.

In summary, both scenario (a) and scenario (b) require that Section 3 documentation be submitted for both the Contractor and the Section 3 subcontractors being utilized. In scenario (a), the Contractor is certifying that they are a Section 3 business concern and providing documentation in support of that certification. Therefore, no Section 3 Subcontracting Plan is needed in narrative form. In scenario (b), however, the Contractor is certifying that they are not a Section 3 business concern; therefore, a detailed Section 3 subcontracting plan would need to be submitted in narrative form explaining how the Contractor intends to meet the Section 3 contracting goals for the project and provide the supporting documentation for that subcontracting plan.

- Q4. Please clarify Section 3 Business Concern: **1.** Does the roster need to include all employees at the time of bid? **2.** To qualify for a Section 3 Business Concern, is the 30% a total of all employees at the time of bid or 30% of employees that will be working on this specific project? **3.** If an employee qualified in 2017 as a section 3 residence, but did not qualify for section 3 residence on the 2018 form, can he be included in the 3 year look back?
- A4. **1.** The employee roster should include all employees who will be working throughout the life of the project. **2.** The 30% is based off of the employees listed on the employee roster. The number of employees reported on the employee roster is the same number that should be reported on the Section 3 Business Concern Certification form. **3.** Section 3 Resident Certification forms are valid for three years from the employee's original date of hire. If an employee qualified in 2017 as a Section 3 Resident, then their 2017 certification would be accepted for a bid due in 2018. They would not be required to submit a new 2018 form. Furthermore, hire dates MUST be included on the employee roster.