CERTIFIED MBE UTILIZATION AND FAIR SOLICITATION AFFIDAVIT

This document MUST BE included with the bid or offer. If the Bidder or Offeror fails to complete and submit this form with the bid or offer as required, the procurement officer shall deem the bid non-responsive or shall determine that the offer is not reasonably susceptible of being selected for award.

In conjunction with the bid or offer submitted in response to Project Name _________________, Solicitation No. ________, I affirm the following:

1. ☐ I acknowledge and intend to meet the overall certified Minority Business Enterprise (MBE) participation goal of ____ percent and, if specified in the solicitation, subgoals of:
   - ____ percent for MBEs classified as African American-owned,
   - ____ percent for MBEs classified as Asian American-owned,
   - ____ percent for MBEs classified as Hispanic American-owned,
   - ____ percent for MBEs classified as Woman-owned.
   Therefore, I will not be seeking a waiver pursuant to COMAR 21.11.03.11

   OR

☐ I conclude that I am unable to achieve the MBE participation goal and/or subgoals. I hereby request a waiver, in whole or in part, of the overall goal and/or subgoals. Within 10 business days of receiving notice that our firm is the apparent awardee, I will submit all required waiver documentation in accordance with COMAR 21.11.03.11.

2. I understand that if I am notified that I am the apparent awardee, I must submit the following additional documentation within 10 working days of receiving notice of the potential award or from the date of conditional award (per COMAR 21.11.03.10), whichever is earlier.
   • Outreach Efforts Compliance Statement (Attachment C)
   • MBE Subcontractor Project Participation Statement of Intent to Subcontract (Attachment D)
   • MBE Waiver Request (if applicable) (Attachment E)
   • MBE Unavailability Form (if applicable) (Attachment F)
   • Any other documentation, including waiver documentation, if applicable, required by the Procurement Officer to ascertain bidder or offeror responsibility in connection with the certified MBE participation goal.
I understand that if I fail to return each completed document within the required time, the
Procurement Officer may determine that I am not responsible and therefore not eligible
for contract award. If the contract has already been awarded, the award is voidable.

3. In the solicitation of subcontract quotations or offers, MBE subcontractors were provided
not less than the same information and amount of time to respond, as were non-MBE
subcontractors.

I solemnly affirm under the penalties of perjury that the contents of this Affidavit are true to the
best of my knowledge, information, and belief.

____________________________________
Bidder/Offeror Firm Name

____________________________________
Address

____________________________________
City, State, Zip

____________________________________
Signature of Affiant

____________________________________
Signature of Affiant

____________________________________
Printed Name, Title

____________________________________
Phone

____________________________________
Fax

____________________________________
E-Mail

____________________________________
Date

Submit this MBE Affidavit with Bid or Offer