



**SECTION 00005  
NOTIFICATION TO BIDDER**

This Notification to Bidder is to alert Bidder that there has been a change in KUB Standard Specifications or procedures. This Notification to Bidder is being extended as a courtesy, and does not relieve Bidder from otherwise having full knowledge of the bid package, and project conditions and requirements as set forth in the bid documents.

**Title: Declaration of Minority and Women Owned Business Subcontractor  
Spending on Prime Contractor Invoices**

**Posting Date of Notification to Bidder: April 3, 2017**  
**Posting Removal Date: October 1, 2017**

**Effective Date of Changes: April 3, 2017**  
**Termination Date of Changes: None, (to continue until further notice)**

**Summary of Changes:**

KUB encourages minority and women owned businesses (MBE/WBE) to participate in its bidding process and KUB tracks and records its spend on firms in these classifications. To better capture the spend of the Prime Contractor's Subcontractor MBE/WBE firms used on KUB projects, as of April 3, 2017, KUB requires the Prime Contractor to submit a declaration of MBE/WBE spend with each invoice. The form contained in Specification 00487 may be used for this purpose. The Prime contractor's invoice will not be considered complete if this submittal is absent. Submitting this information is a condition of contract.

**Documents and Locations of Changes Related to this Posting:** (All Revised April 3, 2017 or later)

Section 00514 Agreement: Revised Article 5.

Section 00700 General Conditions of the Contract: Revised 14.02 A. 1., and 14.07 A. 2.

Section 01290 Applications for Payment: Added 1.3 F.

Section 01770 Contract Closeout: Revised 1.07 A., and Process Flow Diagram page 5

**FAQ:**

**1. Responsible Party:** Prime Contractor to submit a statement (00487) attached to invoice for each MBE/WBE sub who performed work or invoiced Prime for the period of Prime contractor's monthly invoice. **If None, then the 00487 form must be submitted with "NONE" indicated, or "No MBE/WBE spend applicable" must be written on the invoice.**



2. Prime Contractor is MBE/WBE: If Prime itself is an MBE/WBE firm it must still comply with the submittal requirement for any MBE/WBE subcontractors it uses. KUB will take measures to make sure any reported spend is not counted more than once. (Prime and Sub both MBE/WBE)

3. Subcontractor Tiers: All tiers of sub-contractors must be reported through the Prime's invoice. Provide documentation or explanation if 3<sup>rd</sup> tier or greater for clarity.

4. Material or Other Suppliers: Include 1<sup>st</sup> tier MBE/WBE material suppliers that are providing core infrastructure materials or services such as pipe, fittings, manholes, valves, wire, conduit, aggregate stone, concrete, rental equipment, traffic control (including traffic control professional services for stamped plans), and any other purchases that directly roll up into, or are itemized into the specific project. Miscellaneous items such as tooling, fuel, expendable and disposable items do not need to be considered. Long term leased equipment or other purchases that are not solely made for or used up on the specific project do not apply.

5. Review and Acceptance: The KUB Project Manager will be primarily responsible for ensuring that the required documentation is attached to each invoice submittal prior to approval. KUB Accounting will confirm the presence of the documentation during the processing of the invoice. A final check by KUB Accounting is to confirm each invoice has the documentation attached prior to project close out and retainage release.

6. Use: This change is applicable to Capital Construction and select Service Work bids being advertised after April 3, 2017, and will be applicable to projects with contract documents containing the revised specifications. Existing contracts and projects bid or executed prior to April 3, 2017, may be addressed and amended upon agreement of both parties on a case by case basis as needed. Prime contractors are encouraged to adopt the revised reporting standards and specifications for any projects in process, but are not required to do so unless the specific project Agreement is amended.

END