

MINORITY BUSINESS ENTERPRISE PARTICIPATION TO INCLUDE PROOF OF A CERTIFIED MINORITY BUSINESS ENTERPRISE COMMITMENT BY STATING:

(I) THE POTENTIAL SUBCONTRACT OPPORTUNITIES AVAILABLE IN THE PRIME PROCUREMENT CONTRACT; AND

(II) THE NUMBER OF MINORITY BUSINESS ENTERPRISES THAT HAVE CERTIFIED, UNDER THE PENALTIES OF PERJURY, THAT THE MINORITY BUSINESS ENTERPRISE HAS ENTERED INTO AN AGREEMENT WITH THE BIDDER TO PROVIDE GOODS OR SERVICES UNDER SPECIFIC TERMS OUTLINED IN THE CERTIFICATION BEFORE THE BID IS ACCEPTED;

(12) REQUIRE EACH GENERAL CONTRACTOR TO SUBMIT MONTHLY REPORTS OF THE NUMBER OF MINORITY BUSINESS ENTERPRISES EMPLOYED BY THE GENERAL CONTRACTOR TO THE WSSC;

(13) REQUIRE EACH GENERAL CONTRACTOR TO PROVIDE PROMPT NOTIFICATION TO THE WSSC IF A CONTRACT WITH A MINORITY BUSINESS ENTERPRISE IS TERMINATED; AND

(14) REQUIRE EACH GENERAL CONTRACTOR TO MAINTAIN A PARTICIPATION LEVEL FROM MINORITY BUSINESS ENTERPRISES THAT IS CONSISTENT WITH THE PARTICIPATION LEVEL REFERENCED UNDER ITEM (11)(II) OF THIS SUBSECTION OR PROVIDE JUSTIFICATION FOR THE GENERAL CONTRACTOR'S INABILITY TO MAINTAIN THAT PARTICIPATION LEVEL.

(D) BEFORE ACCEPTING A CERTIFICATION PROGRAM UNDER SUBSECTION (C)(2) OF THIS SECTION, THE WSSC SHALL EXAMINE THE PROGRAM TO ENSURE THAT:

(1) IT ADHERES TO THE GUIDELINES SET FORTH IN § 3-102(F)(4) OF THIS SUBTITLE; AND

(2) THE PRINCIPAL OWNER OF AN ELIGIBLE MINORITY BUSINESS ENTERPRISE IS IN NOT MORE THAN ONE CERTIFIED BUSINESS THAT IS PARTICIPATING IN THE WSSC MINORITY BUSINESS ENTERPRISE PROGRAM UNDER THIS SECTION.

(E) (1) THE SHELTERED MARKET PROGRAM ESTABLISHED IN SUBSECTION (C)(5) OF THIS SECTION MAY NOT BE USED UNTIL ALL LESS RESTRICTIVE REMEDIES UNDER SUBSECTION (C) OF THIS SECTION AND RACE-NEUTRAL REMEDIES SUCH AS ASSISTANCE WITH BONDING