



Unavailability of SBE/Cons Firm Due to Competitiveness SMALL BUSINESS ENTERPRISE - CONSTRUCTION PROGRAM

Pursuant to Implementing Order 3-22, bidders may establish a SBE/Cons firm as unavailable if its bid is not reasonably competitive with comparable bids of non-SBE/Cons firm for the same scope of work. To establish a SBE/Cons firm as unavailable, the prime bidder must furnish SBD with copies of all bids received from **both SBE/Cons and non-SBE/Cons** firms, for each specific scope of work for which they are claiming that the bid is not reasonably competitive (over 25%). A SBE/Cons firm's bid will be considered reasonably competitive if its bid for the same scope of work is within 25% of the bid from a comparably sized non-SBE/Cons firm. **SBD Forms 305A and 305B must be completed and submitted by the Prime Contractor to the Contracting Officer on the bid submission due date.**

Project No.: _____ Project Name: _____

I, _____, Title _____ of _____, certify that I contacted the
Prime/Bidder Prime/Bidder Firm Name

following firm(s) to obtain a bid for the following scope(s) of work: _____.

Listed below are bids received from SBE/Cons firms and comparably sized non-SBE/Cons firms for the above scope of work.

Name of Firm	SBE/Cons (Y/N)	Date Contacted	Bid for above scope of work	Annual Gross Revenues(\$)	Number of Employees
FOR MORE THAN 6 FIRMS, PLEASE COMPLETE A NEW FORM.					

Each non-SBE/Cons firm(s) identified on this form that will fulfill scopes of work in which a SBE/Cons firm is unavailable due to non-competitiveness must be listed on Form SBD 305B. **SBD Forms 305A and 305B must be submitted by the Prime Contractor to the Contracting Officer on the bid submission due date.** Firms that fail to submit completed forms may be deemed not in compliance with requirements.

Signature: _____ Print Name: _____ Date: _____
Prime/Bidder