

**HENNEPIN COUNTY**  
**CONSTRUCTION DIVERSITY AND INCLUSION REQUIREMENTS**

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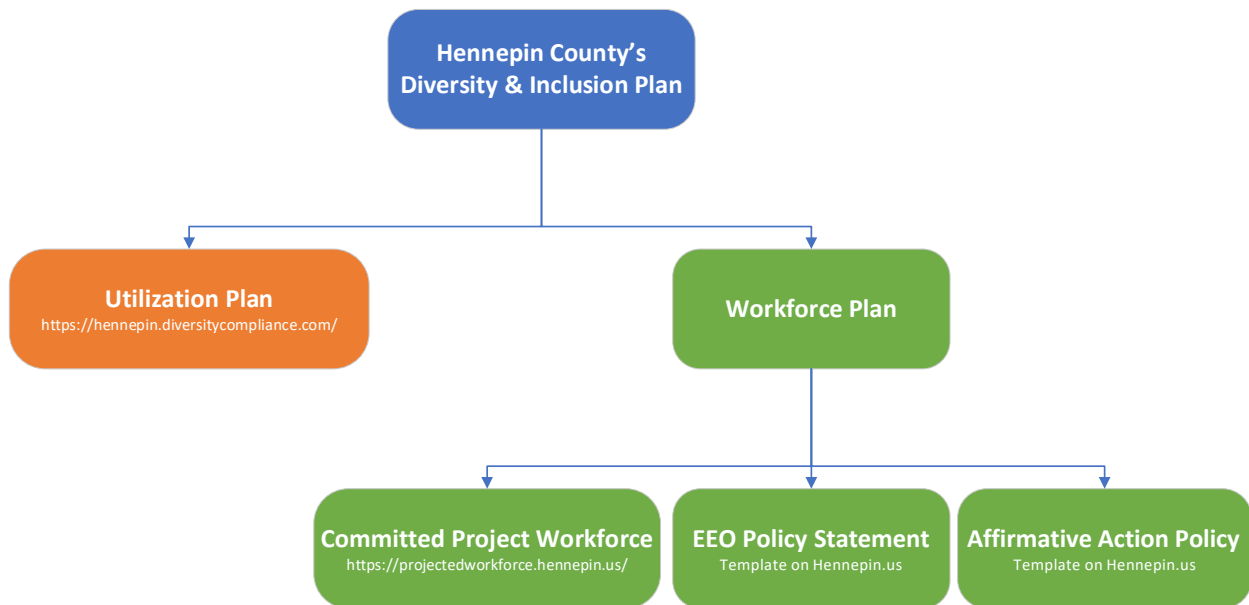
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## Introduction

Hennepin County is committed to advancing equity in our community. To help with disparity reduction, Hennepin County requires contractors to have a diversity and inclusion plan (D&I Plan) in place before they are awarded a construction project. The D&I Plan consists of a **Utilization Plan** (for businesses) and a **Workforce Plan** (for workforce).



## Completing the Utilization Plan

### What is a Utilization Plan?

A Utilization Plan demonstrates the prime contractor's intention to hire diverse subcontractors and suppliers to meet the county's contract goals. Prime contractors are required to submit their Utilization Plans in the county's [Contract Compliance System](https://hennepin.diversitycompliance.com) (<https://hennepin.diversitycompliance.com>) upon notification that they are the low bidder or one of the shortlisted firms in an RFP. The request to submit a Utilization Plan will be issued via email through the [Contract Compliance System](#).

If your proposed utilization falls below the goals listed in the solicitation, you must request a waiver and submit documentation of your good faith efforts to meet the goals. Review the county's [good faith efforts guidelines](#) for required actions and documentation. If the county agrees that you have made good faith efforts, the county will approve the Utilization Plan.

## What makes up this plan:

- Details on all subcontractors and suppliers **that will perform work on the project**
- CERT certified subcontractors and suppliers confirmation of participation
- A waiver request **IF** the Utilization Plan falls below the goals listed in the bid or RFP

## How to complete the requirement:

### Submit your Utilization Plan

- Review the county goals in the bid or RFP documents.
  - Hennepin County sets narrowly tailored contract-specific goals based on availability in the marketplace.
  - Goal types may include:
    - Small business goals (SBE)
    - Emerging small business goals (ESBE)
    - Minority owned business goals (SBME)
    - Women owned business goals (SWBE)
- Identify and enter all subcontractors at all tiers (including suppliers, manufacturers, and trucking/hauling) into the county's [Contract Compliance System](#).
- Only CERT certified subcontractors and suppliers will receive notification from the compliance system to confirm participation. **All CERT certified subcontractors must confirm before you can submit the utilization plan.**
- Submit [good faith efforts](#) if you are not meeting the goals.
- Sign and submit the Utilization Plan after ALL subcontractors and suppliers have confirmed.

## Completing the Workforce Plan

### What is a Workforce Plan?

A Workforce Plan includes goal-oriented policies and procedures to eliminate barriers to employment and increase retention of people of color and women. It also requires that you submit committed workforce details that show how you will attain the county's workforce goals on a project prior to contract award. This plan is submitted with your Utilization Plan in the

[Contract Compliance System](#) and is required to move forward with contract award. The county will monitor the plan during the life of the contract and may perform on-site visits to ensure compliance.

If your proposed project workforce falls below the county's goals, you must request a waiver and submit documentation of your good faith efforts to meet the goals. Review the county's [good faith efforts guidelines](#) for required actions and documentation. If the county agrees that you have made good faith efforts, the county will approve.

### **What makes up this plan:**

- Your firm's **Affirmative Action Policy** – see [template](#)
- Your firm's **Equal Employment Opportunity Policy Statement** – see [template](#)
- Your firm and subcontractors' estimated **Committed Project Workforce** – submitted in the [Project Workforce System](#)

### **How to complete the requirement:**

#### **1. Submit your committed workforce hours**

- Hennepin County has construction goals as follows:
  - Of the total project hours, 20% are expected to be female labor hours; and
  - Of the total project hours, 32% are expected to be BIPOC labor hours.
- A project may also have goals for the [Workforce Entry Program \(WEP\)](#) and/or the [Community Productive Day Program](#).
- Submit your project workforce participation hours in the [Project Workforce System](#) by the due date.
- Ensure your subcontractors submit their project workforce participation hours in the [Project Workforce System](#) by the due date.
- Review the total project hours and submit [good faith efforts](#) if you are not meeting the goals.
- Once your project workforce submissions are complete, the system will email you a pdf of your committed project workforce (Committed Project Workforce Form).
- Attach the document to your Utilization Plan in the county's [Contract Compliance System](#) and submit to the Compliance Specialist for review.

#### **2. Adopt an Affirmative Action Policy**

- The county requires your company to adopt and implement an Affirmative Action Policy
- You can use the county's [template](#) or you may use your own, so long as it is approved by another public entity
- Make it a part of your company policy for the project
- You do not need to submit your Affirmative Action Policy to the county, but it may be subject to review upon county request

### **3. Post the Equal Employment Opportunity Policy Statement (EEO Policy)**

- Complete the [EEO Policy](#) by having it signed by the CEO/President
- Post the EEO Policy at all worksites.

## What happens if I don't comply?

If you don't comply prior to award, you will not be awarded a contract. After the contract is awarded, we will monitor your performance.

If you are found in non-compliance after contract award, you may be required to take corrective actions and/or be subject to sanctions. The county, in its sole discretion, will consider a contractor not in compliance if it does one or more of the following:

- Fails to demonstrate good faith efforts to meet requirements
- Fails to implement corrective action(s) approved by the county
- Makes false representations
- Impedes or refuses county access to its facilities or employees for onsite reviews and related activities

The county, in its sole discretion, can withhold up to 15% of the contract sum until you have taken corrective action.

## Questions?

Our staff have experience with helping contractors meet goals. If you have questions or need assistance meeting goals, please reach out to us.

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