



# REQUEST FOR WAIVER

FORM B

Niagara Falls Water Board  
 Michael C. O' Laughlin Municipal Water Plant  
 Attention: Abderrahman Zehraoui, Executive Director  
 5815 Buffalo Ave.  
 Niagara Falls, NY 14304

<b>INSTRUCTIONS: See page 2 of this attachment for requirements and document submission instructions.</b>								
Contractor's Name, Address and Telephone No.  Federal Identification No.	<b>Contract No.:</b> <b>Contract Description</b> (Construction, Construction Consultant, Commodities or Services/Technologies) & Location (Region):	<b>MWBE/SDVOB Goals In Contract</b> <table style="width:100%; border: none;"> <tr> <td style="text-align: right;">MBE</td> <td style="text-align: right;">%</td> </tr> <tr> <td style="text-align: right;">WBE</td> <td style="text-align: right;">%</td> </tr> <tr> <td style="text-align: right;">SDOV</td> <td style="text-align: right;">%</td> </tr> </table>	MBE	%	WBE	%	SDOV	%
MBE	%							
WBE	%							
SDOV	%							

Contractor is requesting a:

**MBE Waiver** – A waiver of the MBE Goal for this procurement is requested.  Total  Partial

**WBE Waiver** – A waiver of the WBE Goal for this procurement is requested.  Total  Partial

**SDVOB Waiver** – A waiver of the SDVOB Goal for this procurement is requested.  Total  Partial

**IF UNABLE TO FULLY MEET THE MBE AND WBE GOALS SET FORTH IN THE CONTRACT, CONTRACTOR MUST SUBMIT GOOD FAITH EFFORTS (GFE) DOCUMENTATION and A REQUEST FOR WAIVER FORM C UPON COMPLETION OF CONTRACT.**

Submission of this form constitutes the contractor's acknowledgement and agreement to comply with the M/WBE requirements set forth under NYS Executive Law, Article 15-A and 5 NYCRR Part 142. Failure to submit complete and accurate information may result in a finding of noncompliance or rejection of the bid/proposal and/or suspension or termination of the contract.

Prepared By (Signature)	Email Address	
Name and Title of Preparer (Print or Type)	Telephone No.	Date

**FOR AGENCY USE ONLY**

Reviewed By	Date
Waiver Granted: <input type="checkbox"/> Yes <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> SDOV <input type="checkbox"/> No	Date
* Comments:	

### REQUIREMENTS AND DOCUMENT SUBMISSION INSTRUCTIONS

**When completing the Request for Waiver Form, please check all boxes that apply. To be considered, the Request for Waiver Form must be accompanied by documentation for items 1-11, as listed below. If box #3 has been checked above, please see item 11. Copies of the following information and all relevant supporting documentation must be submitted along with the request:**

1. A statement setting forth your basis for requesting a partial or total waiver.
2. The names of general circulation, trade association, and M/WBE/SDVOB-oriented publications in which you solicited certified M/WBE/SDVOBs for the purposes of complying with your participation goals.
3. A list identifying the date(s) that all solicitations for certified M/WBE/SDVOB participation were published in any of the above publications.
4. A list of all certified M/WBE/SDVOBs appearing in the NYS Directory of Certified Firms that were solicited for purposes of complying with your certified M/WBE/SDVOB participation levels.
5. Copies of notices, dates of contact, letters, and other correspondence as proof that solicitations were made in writing and copies of such solicitations, or a sample copy of the solicitation if an identical solicitation was made to all certified M/WBE/SDVOBs.
6. Provide copies of responses made by certified M/WBE/SDVOBs to your solicitations.
7. Provide a description of any contract documents, plans, or specifications made available to certified M/WBE/SDVOBs for purposes of complying with the certified M/WBE/SDVOB participation goals.
8. Provide documentation of any negotiations between you, the Offeror/Contractor, and the M/WBE/SDVOBs undertaken for purposes of complying with the certified M/WBE/SDVOB participation goals.
9. Provide any other information you deem relevant which may help us in evaluating your request for a waiver.
10. Provide any other information you deem relevant which may help us in evaluating your request for a waiver.
11. Copy of notice of application receipt issued by Niagara Falls Water Board (NFWB).

**NOTE: Unless a Total Waiver has been granted, Offeror/Contractor will be required to submit all reports and documents pursuant to the provisions set forth in the Contract, as deemed appropriate by NFWB, to determine M/WBE/SDVOB compliance.**