

Special Provision to Item 000

Notice of Requirement for Affirmative Action to Ensure Equal Employment Opportunity (Executive Order 11246)

# General

In addition to the affirmative action requirements of the Special Provision titled “Standard Federal Equal Employment Opportunity Construction Contract Specifications” as set forth elsewhere in this proposal, the Bidder's attention is directed to the specific requirements for use of minorities and females as set forth below.

# Goals

Goals for minority and female participation are hereby established in accordance with 41 CFR 60-4.

The goals for minority and female participation expressed in percentage terms for the Contractor’s aggregate workforce in each trade on all construction work in the covered area are as follows:

|  |  |
| --- | --- |
| **Goals for Minority Participation in Each Trade (%)** | **Goals for Female Participation  in Each Trade (%)** |
| See Table 1 | 6.9 |

These goals are applicable to all the Contractor’s construction work (whether it is federal or federally assisted or not) performed in the covered area. If the Contractor performs construction work in a geographical area located outside the covered area, it will apply the goals established for such geographical area where the work is actually performed. Regarding this second area, the Contractor also is subject to the goals for both its federally involved and non-federally involved construction. The Contractor’s compliance with the Executive Order (EO) and the regulations in 41 CFR 60-4 will be based on its implementation of the Standard Federal Equal Employment Opportunity Construction Contract Specifications Special Provision and its efforts to meet the goals. The hours of minority and female employment and training must be substantially uniform throughout the length of the Contract, and in each trade, and the Contractor must make a good faith effort to employ minorities and women evenly on each of its projects. The transfer of minority and female employees or trainees from Contractor to Contractor or from project to project for the sole purpose of meeting the Contractor’s goals will be a violation of the Contract, the EO, and the regulations in 41 CFR 60-4. Compliance with the goals will be measured against the total work hours performed.

The overall good performance of other Contractors and subcontractors toward a goal in an approved plan does not excuse any covered Contractor’s or subcontractor’s failure to make good faith efforts to achieve the goals contained in these provisions. Contractors or subcontractors participating in the plan must be able to demonstrate their participation and document their compliance with the provisions of this plan.

# Subcontracting

The Contractor must provide written notification to the Owner within 10 working days of award of any construction subcontract more than $10,000 at any tier for construction work under the Contract resulting from this solicitation pending concurrence of the Owner in the award. The notification will list the names, address, and telephone number of the subcontractor; employer identification number; estimated dollar amount of the subcontract; estimated starting and completion dates of the subcontract; and geographical area in which the Contract is to be performed.

# Covered Area

As used in this Special Provision, and in the Contract resulting from this solicitation, the geographical area covered by these goals for female participation is the State of Texas. The geographical area covered by these goals for other minorities comprises the counties in the State of Texas as indicated in Table 1.

# Reports

The Contractor is hereby notified that he may be subject to the Office of Federal Contract Compliance Programs (OFCCP) reporting and recordkeeping requirements as provided for under EO 11246 as amended. OFCCP will provide direct notice to the Contractor as to the specific reporting requirements that it will be expected to fulfill.

Table 1

Goals for Minority Participation

| **County** | **Participation, %** | **County** | **Participation, %** |
| --- | --- | --- | --- |
| Anderson | 22.5 | Chambers | 27.4 |
| Andrews | 18.9 | Cherokee | 22.5 |
| Angelina | 22.5 | Childress | 11.0 |
| Aransas | 44.2 | Clay | 12.4 |
| Archer | 11.0 | Cochran | 19.5 |
| Armstrong | 11.0 | Coke | 20.0 |
| Atascosa | 49.4 | Coleman | 10.9 |
| Austin | 27.4 | Collin | 18.2 |
| Bailey | 19.5 | Collingsworth | 11.0 |
| Bandera | 49.4 | Colorado | 27.4 |
| Bastrop | 24.2 | Comal | 47.8 |
| Baylor | 11.0 | Comanche | 10.9 |
| Bee | 44.2 | Concho | 20.0 |
| Bell | 16.4 | Cooke | 17.2 |
| Bexar | 47.8 | Coryell | 16.4 |
| Blanco | 24.2 | Cottle | 11.0 |
| Borden | 19.5 | Crane | 18.9 |
| Bosque | 18.6 | Crockett | 20.0 |
| Bowie | 19.7 | Crosby | 19.5 |
| Brazoria | 27.3 | Culberson | 49.0 |
| Brazos | 23.7 | Dallam | 11.0 |
| Brewster | 49.0 | Dallas | 18.2 |
| Briscoe | 11.0 | Dawson | 19.5 |
| Brooks | 44.2 | Deaf Smith | 11.0 |
| Brown | 10.9 | Delta | 17.2 |
| Burleson | 27.4 | Denton | 18.2 |
| Burnet | 24.2 | DeWitt | 27.4 |
| Caldwell | 24.2 | Dickens | 19.5 |
| Calhoun | 27.4 | Dimmit | 49.4 |
| Callahan | 11.6 | Donley | 11.0 |
| Cameron | 71.0 | Duval | 44.2 |
| Camp | 20.2 | Eastland | 10.9 |
| Carson | 11.0 | Ector | 15.1 |
| Cass | 20.2 | Edwards | 49.4 |
| Castro | 11.0 | Ellis | 18.2 |

| **County** | **Participation, %** | **County** | **Participation, %** |
| --- | --- | --- | --- |
| El Paso | 57.8 | Kenedy | 44.2 |
| Erath | 17.2 | Kent | 10.9 |
| Falls | 18.6 | Kerr | 49.4 |
| Fannin | 17.2 | Kimble | 20.0 |
| Fayette | 27.4 | King | 19.5 |
| Fisher | 10.9 | Kinney | 49.4 |
| Floyd | 19.5 | Kleberg | 44.2 |
| Foard | 11.0 | Knox | 10.9 |
| Fort Bend | 27.3 | Lamar | 20.2 |
| Franklin | 17.2 | Lamb | 19.5 |
| Freestone | 18.6 | Lampasas | 18.6 |
| Frio | 49.4 | LaSalle | 49.4 |
| Gaines | 19.5 | Lavaca | 27.4 |
| Galveston | 28.9 | Lee | 24.2 |
| Garza | 19.5 | Leon | 27.4 |
| Gillespie | 49.4 | Liberty | 27.3 |
| Glasscock | 18.9 | Limestone | 18.6 |
| Goliad | 27.4 | Lipscomb | 11.0 |
| Gonzales | 49.4 | Live Oak | 44.2 |
| Gray | 11.0 | Llano | 24.2 |
| Grayson | 9.4 | Loving | 18.9 |
| Gregg | 22.8 | Lubbock | 19.6 |
| Grimes | 27.4 | Lynn | 19.5 |
| Guadalupe | 47.8 | Madison | 27.4 |
| Hale | 19.5 | Marion | 22.5 |
| Hall | 11.0 | Martin | 18.9 |
| Hamilton | 18.6 | Mason | 20.0 |
| Hansford | 11.0 | Matagorda | 27.4 |
| Hardeman | 11.0 | Maverick | 49.4 |
| Hardin | 22.6 | McCulloch | 20.0 |
| Harris | 27.3 | McLennan | 20.7 |
| Harrison | 22.8 | McMullen | 49.4 |
| Hartley | 11.0 | Medina | 49.4 |
| Haskell | 10.9 | Menard | 20.0 |
| Hays | 24.1 | Midland | 19.1 |
| Hemphill | 11.0 | Milam | 18.6 |
| Henderson | 22.5 | Mills | 18.6 |
| Hidalgo | 72.8 | Mitchell | 10.9 |
| Hill | 18.6 | Montague | 17.2 |
| Hockley | 19.5 | Montgomery | 27.3 |
| Hood | 18.2 | Moore | 11.0 |
| Hopkins | 17.2 | Morris | 20.2 |
| Houston | 22.5 | Motley | 19.5 |
| Howard | 18.9 | Nacogdoches | 22.5 |
| Hudspeth | 49.0 | Navarro | 17.2 |
| Hunt | 17.2 | Newton | 22.6 |
| Hutchinson | 11.0 | Nolan | 10.9 |
| Irion | 20.0 | Nueces | 41.7 |
| Jack | 17.2 | Ochiltree | 11.0 |
| Jackson | 27.4 | Oldham | 11.0 |
| Jasper | 22.6 | Orange | 22.6 |
| Jeff Davis | 49.0 | Palo Pinto | 17.2 |
| Jefferson | 22.6 | Panola | 22.5 |
| Jim Hogg | 49.4 | Parker | 18.2 |
| Jim Wells | 44.2 | Parmer | 11.0 |
| Johnson | 18.2 | Pecos | 18.9 |
| Jones | 11.6 | Polk | 27.4 |
| Karnes | 49.4 | Potter | 9.3 |
| Kaufman | 18.2 | Presidio | 49.0 |
| Kendall | 49.4 | Randall | 9.3 |

| **County** | **Participation, %** | **County** | **Participation, %** |
| --- | --- | --- | --- |
| Rains | 17.2 | Reagan | 20.0 |
| Real | 49.4 | Throckmorton | 10.9 |
| Red River | 20.2 | Titus | 20.2 |
| Reeves | 18.9 | Tom Green | 19.2 |
| Refugio | 44.2 | Travis | 24.1 |
| Roberts | 11.0 | Trinity | 27.4 |
| Robertson | 27.4 | Tyler | 22.6 |
| Rockwall | 18.2 | Upshur | 22.5 |
| Runnels | 20.0 | Upton | 18.9 |
| Rusk | 22.5 | Uvalde | 49.4 |
| Sabine | 22.6 | Val Verde | 49.4 |
| San Augustine | 22.5 | Van Zandt | 17.2 |
| San Jacinto | 27.4 | Victoria | 27.4 |
| San Patricio | 41.7 | Walker | 27.4 |
| San Saba | 20.0 | Waller | 27.3 |
| Schleicher | 20.0 | Ward | 18.9 |
| Scurry | 10.9 | Washington | 27.4 |
| Shackelford | 10.9 | Webb | 87.3 |
| Shelby | 22.5 | Wharton | 27.4 |
| Sherman | 11.0 | Wheeler | 11.0 |
| Smith | 23.5 | Wichita | 12.4 |
| Somervell | 17.2 | Wilbarger | 11.0 |
| Starr | 72.9 | Willacy | 72.9 |
| Stephens | 10.9 | Williamson | 24.1 |
| Sterling | 20.0 | Wilson | 49.4 |
| Stonewall | 10.9 | Winkler | 18.9 |
| Sutton | 20.0 | Wise | 18.2 |
| Swisher | 11.0 | Wood | 22.5 |
| Tarrant | 18.2 | Yoakum | 19.5 |
| Taylor | 11.6 | Young | 11.0 |
| Terrell | 20.0 | Zapata | 49.4 |
| Terry | 19.5 | Zavala | 49.4 |