

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

House Bill No. 1

BY: Committee

1 **Amend** by inserting the following paragraph after line 853:

2 (c) The company shall make commercially reasonable
3 efforts to place out for bid, such that Mississippi Contractors
4 and Mississippi Disadvantaged Business Enterprises ("DBEs") shall
5 have an equal opportunity to respond to such bid, any contract by
6 the company which (i) is subject to tax pursuant to Mississippi
7 Code Section 27-65-21 (i.e., contracts for constructing, building,
8 erecting, grading, excavating, etc.), and (ii) will be paid, or
9 payment thereunder by the company will be reimbursed, using any
10 portion of the grant proceeds or funds provided by the authority
11 to the company in accordance with this agreement. In carrying out
12 such efforts, in order to increase the pool of qualified DBE
13 bidders, the company will request that successful prime contract
14 bidders include in their response a commitment to (a) participate
15 in and/or host forums that highlight subcontract bidding



16 opportunities for DBEs; and (b) work with various trade
17 associations and the Mississippi Development Authority to promote
18 increased participation from DBEs. With respect to awarding any
19 contract placed out for bid, the company shall be allowed to award
20 such contract in the company's sole discretion (e.g., based upon
21 optimization of quality, cost and efficiency or on any other basis
22 as the company may see fit). MDA agrees that it will offer to
23 eligible contractor DBEs that have an opportunity to work on the
24 project assistance through its Minority Surety Bond Guaranty
25 Program.

