



Letter of Intent (LOI) Common Errors

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Division of Small Business Opportunity
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Examples of Common Errors Regarding MWBE Participation

Be careful NOT to commit the common errors listed below. These examples are not inclusive of all errors that could be made.

- **Do Not** round up percentages to meet the MWBE goal at any decimal place. **(Example: 9.9% rounded up to 10%).**
- **Do Not** submit "Letters of Intent (LOI)" **late**, or **incomplete** or that are **not signed** by both the bidder and MWBE firm.
- **Do Not** forget to complete a "LOI" for yourself if you are a MWBE Prime Contractor self-performing.
- **Do Not Forget** that all MWBE Prime Contractors must list themselves on the MWBE participation pages in the Bid documents.
- **Do Not** submit "LOI's" which do not match the dollar amount and percentage level listed in the bid document at bid time.
- **Do Not** list an MWBE firm who is not currently certified with the Division of Small Business Opportunity (DSBO) www.denvergov.org/dsbo then click on "find a certified firm" on the right side.
- **Do Not** list an MWBE firm for a scope of work or supply that is not identified in the DSBO Directory.
- **Do Not Forget** if bid is Five Million Dollars or more, Suppliers can be counted for only 60% of their participation. If bid is less than Five Million Dollars, Suppliers can be counted for 100%.
- **Do Not Forget** MWBE firms listed in the DSBO Supplier Directory as Brokers and as Manufacturer's Representatives can only count the fees or commissions earned for providing the materials. **Do Not** include the cost of the materials or supplies toward meeting the MWBE goal.
- **Do Not Forget** that MWBE Truckers are considered Brokers if hauling materials to the site, and can only charge for delivery fees. If hauling off, they can charge 100% of trip total. If using a Trucker for hauling both ways, list them twice (for each kind of hauling) on participation page and fill out two "Letters of Intent".
- **Do Not** list a dollar range or percentage range of participation for an MWBE firm on the DSBO participation page in the bid documents. **Be Specific. (Example: \$2,560.00, not "approximately \$3,000.00" OR 11.8% not "10 to 12%").**
- **Do Not Forget** when performing a good faith effort, the bidder must identify all areas of work they intend to self-perform and what portions of work/supply they will solicit. **All portions not self-performed must be solicited for MWBE participation.**