periodically, and modifications will be made as needed.

- (a) Each office, including sales centers, shall make every effort to raise MWOB participation in accordance with the RTC's objectives.
- (b) Contractors are strongly encouraged to utilize joint ventures and subcontracting arrangements with MWOBs to increase MWOB participation. Bonus considerations shall be given to contractors that, through joint ventures or subcontracting, achieve specified levels of MWOB participation.
- (c) Within six months of the date of conservatorship, each conservatorship must bring its contracting activity into compliance with the RTC's DMWP policies and procedures.
- (d) Evaluation of performance of contractors shall include their efforts and success in meeting RTC's DMWP goals, including mandatory MWOB and MWOLF subcontracting. The DMWP will conduct periodic visits or reviews of contractors to assess their compliance with RTC policies.
- (e) RTC contractor's failure to comply with RTC rules and regulations, including DMWP policies and procedures, particularly with respect to certification, joint venture and subcontracting requirements, may result in adverse actions against the MWOB, prime contractor, or joint venture partners including, but not limited to, withholding of fees, contract termination, and/or referral to the Office of Ethics, which may result in suspension or exclusion from the RTC contracting program pursuant to 12 CFR part 1618, with appropriate referrals to the Office of the Inspector General.

## §1617.11 Program components.

- (a) The DMWOB coordinates with the Contracts, Program and Sales Offices to ensure the inclusion of minority and women owned businesses to the maximum extent possible in RTC contracting activities. DMWOB monitors RTC private contractors to ensure that they are aware of, adopt and adhere to, all RTC policies and procedures for contracting with MWOBs.
- (b) The DMWOB shall be a non-voting member of the Technical Evaluation Panel (TEP) and shall participate directly in the contract award process to ensure that the evaluation of proposals from MWOBs for potential awards is fair and follows RTC's policies and procedures, and that technical and cost bonus points are applied appropriately and correctly. After the technical evaluation, scoring material shall be available for review and concurrence by

the Program Office, Legal Division, and the DMWP.

(c) The DMWOB shall concur on the assignment of technical and cost bonus points prior to selection of offerors in competitive range.

(d) The DMWOB staff shall develop and maintain a direct relationship with the Contract, Program and Sales Offices, Oversight Managers and Conservatorship staff in order to increase the number of non-legal contracts and fees awarded, as well as sales transactions, to MWOBs.

(e) *Outreach*. A continuing effort of the RTC involves identifying MWOBs capable of providing contracting services to the RTC. This effort is nationwide in scope and focuses on networking and training.

(1) Networking. Washington and field office staff will network with Federal, State and local governments, non-profit organizations, professional and trade organizations; and participate in conventions and seminars sponsored and widely attended by minorities and women. Promotional campaigns will be developed to inform the minority and women owned business community of the Corporation's needs and its commitment to involve such firms in its contracting activities; and information on purchasing RTC assets and thrifts shall be disseminated. MWOB firms shall be assisted in understanding and meeting the RTC's contracting needs, especially as they shall be represented in various Solicitations of Services (SOSs), and these firms shall be placed on appropriate source lists for SOSs. MWOB firms shall also be informed about RTC's regulations governing ethical responsibilities, conflicts of interest, confidentiality, and the certification process for eligibility as a MWOB.

(2) Training. The Washington Office shall coordinate training initiatives, workshops, and seminars for MWOBs and RTC staff. These activities are designed to increase awareness and to ensure the inclusion of minorities and women, and firms owned by minorities and women, in the RTC's contracting process, regulations, and special initiatives, as well as ensure that all RTC staff who interact with the contracting and investment community are knowledgeable of and support the program. Technical training needs of MWOB contractors shall be identified and materials and training modules shall be developed to increase MWOB participation. In addition, DMWP policies, directives and program goals and objectives shall be incorporated into training modules for an internal education program for all RTC staff to

promote RTC's commitment to the full participation of MWOBs in all contracting and sales activities.

(3) Database review. The DMWP field staff shall enhance the efforts of the outreach program through their ongoing review of the MWOB database and the Contracting Activity Reporting System (CARS) identifying geographic and service categories in which firms are under represented. The outreach program shall target its efforts in areas where the MWOB database indicates MWOBs are under represented.

(4) Special events. Special events shall be developed to meet the needs or concerns of MWOBs. These events may include: subcontracting, teaming, joint venture fairs or seminars, open houses with Standard Asset Management and Disposition Agreement (SAMDA) contractors, investor forums, and coordination of events with the Minority Business Development Agency, Small Business Administration, other governmental entities, and private and non-profit organizations.

## §1617.12 Program promotion.

(a) The DMWOB shall conduct seminars and workshops for MWOB firms. The focus of these events shall be to provide information regarding the program, its goals and objectives, and companies qualified to participate in the program; to facilitate interaction between RTC and these firms; and to manifest RTC's commitment to doing business with these groups.

(b) Contract opportunities for MWOBs shall be expanded by encouraging both minority and women owned firms to form joint venture arrangements and cooperative agreements with other larger firms.

## §1617.13 Certification.

- (a) Each firm claiming status as a MWOB shall be required to provide certification of that status. To preserve the integrity and foster the objectives of the program, RTC must satisfy itself that the ownership or control requirements of the program are fulfilled. On-site visits shall be performed by the DMWOB and may include the Office of Contract Oversight and Surveillance (OCOS).
- (b) RTC has implemented a certification policy and procedures designed to prevent fraudulent representations. Procedures have been established by which the DMWP shall review, evaluate, and approve notarized certification forms and accompanying documents from MWOBs, prior to submission of the firm for a source list, or prior to participation in the contracting process.