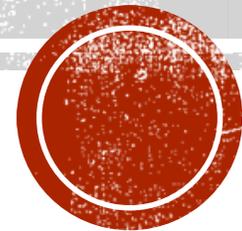




DBE SPECIAL PROVISIONS

Liaison Meeting February 22, 2016





RESPONSIVENESS VS. RESPONSIBILITY

- **Matter of Responsiveness**

- All documentation must be submitted at the time of bid with initial proposals

- **Matter of Responsibility**

- All documentation must be submitted within 7 days
 - January 1, 2017 - 7 days is reduced to 5 days.



RACE/GENDER CONSCIOUS SP

REQUIREMENTS

- I, II, III, V - REQUIRED - ALL BIDDERS
- I, II, III, IV, V - REQUIRED - ALL SUBCONTRACTORS OVER \$500,000
- III, IV - REQUIRED - ALL PROVIDING QUOTES OVER/UNDER \$500,000
- I, II - WAIVED IF THE BIDDER MEETS THE PROJECT DBE GOAL





PRE-BID OPENING

All Bidders & All Subcontractors over \$500K MUST:

- **I. Advertise (SP I – p. 2)**

- DBE Newsletter - Advertisement System – 15 days prior to Bid Opening

OR

- Directly contact all DBEs in specific work types – 7 days prior to Bid Opening

- **II. Sign In (SP II – p. 3)**

- Online Sign In System – open 8 days prior to bid opening and closes 11 a.m. the day before bid opening
- Sign In list viewable during this period





PRE-BID OPENING

- **III. Receive & Evaluate all Quotes Offered (SP III – p. 3)**
 - Time frames for dollar values of work outlined in SP
 - DOT will only consider timeframes in bid differential process
 - Subcontractors over \$500K must Submit Form a with quote to Bidder
- **IV. Submit Bid or Quote & Form A – (SP p. 4)**
- **V. Submit Forms in 7 days from bid opening (SP V – p. 4)**
 - Form A (if corrected or amended)
 - Form B or copies of ALL Quotes received





PRE-AWARD

If Goal is Met at the time of bid OR within 7 days of the bid opening:

- In addition to Forms A & B/quote copies:
 - ALB must also submit SFN 52160 – Form C
- Job is sent to Director for consideration of award





IF GOAL IS NOT MET WITHIN 7 DAYS:

- **Advertised or contacted DBEs prior to bid opening – NOT WAIVED**
- **Signed In prior to bid opening – NOT WAIVED**
- **Submitted**
 - **Form A with BidEx – SFN 52750 (with any revisions)**
 - **Form B or quote copies – SFN 52013**
 - **Form C – SFN 52160**
 - **Contractor's Good Faith Efforts Documentation – SFN 60829**
- **Job is sent to DBE Participation Review for determination of GFE**





GOOD FAITH EFFORTS DOCUMENTATION

- Submit – SFN 60829 – required items listed
 - Detail bid differentials between:
 - DBE & non-DBE **AND**
 - **DBE & Prime intending to self-perform**
- Contractor's Good Faith Efforts Determination
 - Committee reviews GFE Documentation
 - Evaluation of GFE – (SP p. 5)





ADMINISTRATIVE RECONSIDERATION

- Contractor notified of Committee's Good Faith Efforts Determination
- Contractor may request Administrative Reconsideration





UPDATED TOOLS

- DBE Directory – p.1

Download all DBE contact information by type of work

Links: SPs, Civil Rights, Plans & Proposals, & Construction/Engineering

- Bid Opening Sign In System – (p. 3 SP)

Added - subcontractors, suppliers, vendors, brokers, regular dealers

Report available for download throughout the Sign In period

- DBE Advertisement System – (p.2 SP)

Submit advertisements online – same location as Sign In System

Your ad will be placed in the DBE Newsletter

- Definitions – back of SP's, before the forms





UPDATED FORMS

Sample forms in SPs – Use forms from NDDOT website

- Form A submitted through Bid Ex at time of bid
 - Submit SFN 52750 – for any additions or revisions
- Form B or quote copies – SFN 52013 (for RGC or RGN)
 - Copies or list of ALL quotes – subcontractor, supplier, vendor, broker, regular dealer, other.
 - Mark those quotes being used on the job
- Form C – SFN 52160 (for RGC or RGN)
 - ALL DBEs or non-DBEs to be used in Bid Differential
- Good Faith Efforts – SFN 60829 *New Form





RECAP - APPARENT LOW BIDDERS

- If goal is met at time of bid or within 7 days:
 - Submit Form B or quote copies
 - Form C for ALL DBES used– SFN 52160
 - Submit revised FORM A if goal met after time of bid
- IF GOAL IS NOT MET:
 - Submit Form B/quotes & Form Cs – SFN 52160
 - Submit GFE Documentation – SFN 60829
 - INCLUDE INFO LISTED IN INSTRUCTIONS



RECAP — ALL BIDDERS

- Advertise
- Sign in
- Receive & evaluate all quotes given
- Submit Bid
- Submit Quotes or Form B
 - Mark which quotes are being used



ALL SUBCONTRACTORS OVER \$500K

- Advertise
- Sign in
- Submit quotes to NDDOT prior to 8 p.m. before bid opening
- Receive & evaluate all quotes given
 - Submit FORM A with quote to prime
 - Identify DBE participation
- Submit quotes received or Form B
 - Required for either RGC & RGN projects





ALL PROVIDING QUOTES UNDER \$500K

- Must submit quotes to NDDOT by 8 PM day before
 - Required for either RGC & RGN projects
- (Optional) Sign In & indicate type of work sought



RACE/GENDER NEUTRAL SP

BID OPENING RESPONSIBILITIES

- IV- *REQUIRED* - All Providing Quotes Over/Under \$500K
- V - *REQUIRED* - All Bidders & All Subcontractors over \$500K
- I, II, III - *STRONGLY ENCOURAGED* - All Bidders & All Subcontractors over \$500K
- II - *STRONGLY ENCOURAGED* - All Providing Quotes Over/Under \$500K



RACE/GENDER NEUTRAL SP

All Bidders & All Subcontractors over \$500K MUST SUBMIT:

- **Forms within 7 days (SP V – p. 4)**
 - Form A – SFN 52012 (with additional participation)
 - Form B – SFN 52013 or quote copies
- **Quotes to NDDOT by 8 PM day before (SP IV – p. 3)**

All Apparent Low Bidders MUST also SUBMIT:

- **Form C – SFN 52160 with DBEs used on the project**





RACE/GENDER NEUTRAL SP

All Bidders & All Subcontractors over \$500K are STRONGLY encouraged to:

- **Advertise (SP I – p.2)**
- **Sign In (SP II – p. 3)**



THANK YOU

NDDOT Contact Information

Civil Rights Division 3 rd Floor – Transportation Building	General inquiries: 701-328-2637 - or - civilrights@nd.gov
Contractor Sign In & Submit Advertisements at: https://apps.nd.gov/dot/cr/csi/login.htm	Denise G. Spanjer, DBE Program Administrator 701-328-3116 - or - dgspanjer@nd.gov
Submit quotes to: subquotes@nd.gov or Fax: 701-328-0343	Ramona Bernard, Civil Rights Division Director 701-328-2576 - or - rbernard@nd.gov
DBE Directory https://dotnd.diversitycompliance.com/	All times are stated in Central Time. “Days” refers to calendar days, unless otherwise stated.

