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
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**
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

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<thead>
<tr>
<th>NDDOT Contact Information</th>
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<tbody>
<tr>
<td><strong>Civil Rights Division</strong> 3&lt;sup&gt;rd&lt;/sup&gt; Floor – Transportation Building</td>
</tr>
<tr>
<td>Contractor Sign In &amp; Submit Advertisements at: <a href="https://apps.nd.gov/dot/cr/csi/login.htm">https://apps.nd.gov/dot/cr/csi/login.htm</a></td>
</tr>
<tr>
<td>Submit quotes to: <a href="mailto:subquotes@nd.gov">subquotes@nd.gov</a> or Fax: 701-328-0343</td>
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<td>DBE Directory <a href="https://dotnd.diversitycompliance.com/">https://dotnd.diversitycompliance.com/</a></td>
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