MEMO TO: Consultant Engineers

FROM: Chad Taylor | Consultant Administration Services | ETS Division

SUBJECT/DATE: RFP CE Hwy 85 23483, 23484, Addendum 1, 10/08/2025

This is an addendum to the RFP CE Hwy 85 23483, 23484 that was posted Friday, October 3, 2025. The following has been **removed** from this solicitation:

Page 7 last bullet point of the weighted criteria.

* 05% ix. DBE: Up to 5 points for utilizing DBE’s in case of tied scores

Page 7 the last sentence of the second paragraph through the third paragraph.

Five additional points may be awarded for good faith efforts to utilize DBE’s in the event of a tie.

Consultants are strongly encouraged to use DBE subconsultant services where applicable. The proposal must contain a list of any tasks that may be let to subconsultants should the consultant be awarded the contract. If no DBE firms are included on the proposed consultant team, the proposal must include the specific good faith efforts made by the consultant to achieve DBE participation in the areas intended for subconsultants. See 49 CFR Part 26, Appendix A: Guidance Concerning Good Faith Efforts, Paragraph IV. A-H. DBE participation will be a consideration during the selection and negotiation of each contract.

Page 8 the second paragraph

If the prime consultant has a Disadvantaged Business Enterprise (DBE) as a subconsultant, they shall submit [SFN 61412, Prime Consultant Request To Sublet, DBE Consultant – Commercially Useful Function (CUF) Certification](https://www.dot.nd.gov/dot/view/forms.aspx).

Page 7 fourth paragraph.

**Disadvantaged Business Enterprise (DBE)**

49 Code of Federal Regulations Part 26 (CFR) states that the consultant, subrecipient, or subconsultant shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. Consultants shall carry out applicable requirements of 49 CFR Part 26 in the solicitation, award, and administration of USDOT-assisted contracts.  Failure by the consultant, to carry out these requirements is a material breach of the contract, which may result in the termination of the contract or such other remedy as the recipient deems appropriate. **For information regarding the DBE Program, see the DBE Program Manual at** [DISADVANTAGED BUSINESS ENTERPRISE PROGRAM](https://www.dot.nd.gov/sites/www/files/documents/civil-rights/DBE-Program-Manual-Update_10082024_New-Rule-Updates.pdf)

These changes will be reflected in the RFP at the time of this addendum posting (approx. 5:00pm 10/08/2025).

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