

Disadvantaged Business Enterprise (DBE)

AND

Equal Opportunity Compliance (EOC)

Phyllis Butler

DBE Compliance Specialist D-5

**The current Statewide Goal for Florida is 9.91%**

# DBE Program Objectives



- Ensure equal opportunity in the award and administration of DOT contracts
- Level the playing field to promote competitiveness
- Ensure FDOT's DBE program complies with appropriate laws
- Ensure the integrity of certifying DBE firms
- Remove barriers to DBE participation on DOT contracts
- Enable firms to successfully compete in the marketplace

# FDOT DBE Program Details



- Statewide DBE goal of 9.91%
- Project specific DBE availability
- 49 CFR Part 26
- FHWA 1273 (Section II.10)
- FDOT Standard Specification 7-24

# ***‘What Every Contractor Must know’***

## 49 CFR Part 26.13(b)



Each contract you sign with a contractor (and each subcontract the prime contractor signs with a subcontractor) must include the following assurance: The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.

# FDOT Standard Specification 7-24

- Disadvantaged Business Enterprise (DBE) Affirmative Action Program Plan
- Verify access to the Equal Opportunity Compliance (EOC) System
- Bid Opportunity Reporting
- DBE Records and Reports
  - Commitments entered into EOC
  - Monthly payments entered into EOC
  - Adjust commitments as new DBE firms are added



# Disadvantaged Business Enterprise (DBE)

- Availability goals are assigned to contracts, Individual goals are not.
- The Department encourages all contractors to review and implement their DBE/AA plan.



# HOW TO OBTAIN ACCESS TO THE EOC

Prime contractors/consultants need to apply for EOC userid(s) and password(s) will need to **complete 3 items**:

- (1) EOC access form
- (2) Security form
- (3) Complete computer security awareness CBT and send the certificate to the [EOOHelp@dot.state.fl.us](mailto:EOOHelp@dot.state.fl.us)

The forms can be accessed at the link below:

<http://www.dot.state.fl.us/equalopportunityoffice/eoc.shtm>



# Prime Contractor/Consultants Reporting into the EOC

- The Equal Opportunity Compliance (EOC) is a web based application designed to manage the DBE Program and ensure compliance of DBE/MBE reporting.
- The EOC contractor/consultant module is for **Prime contractors and consultants** statewide to report the following:
  - Bidder Opportunity List
  - DBE Commitments
  - DBE/MBE sub-payments



# Prime Contractor/Consultants Reporting into the EOC

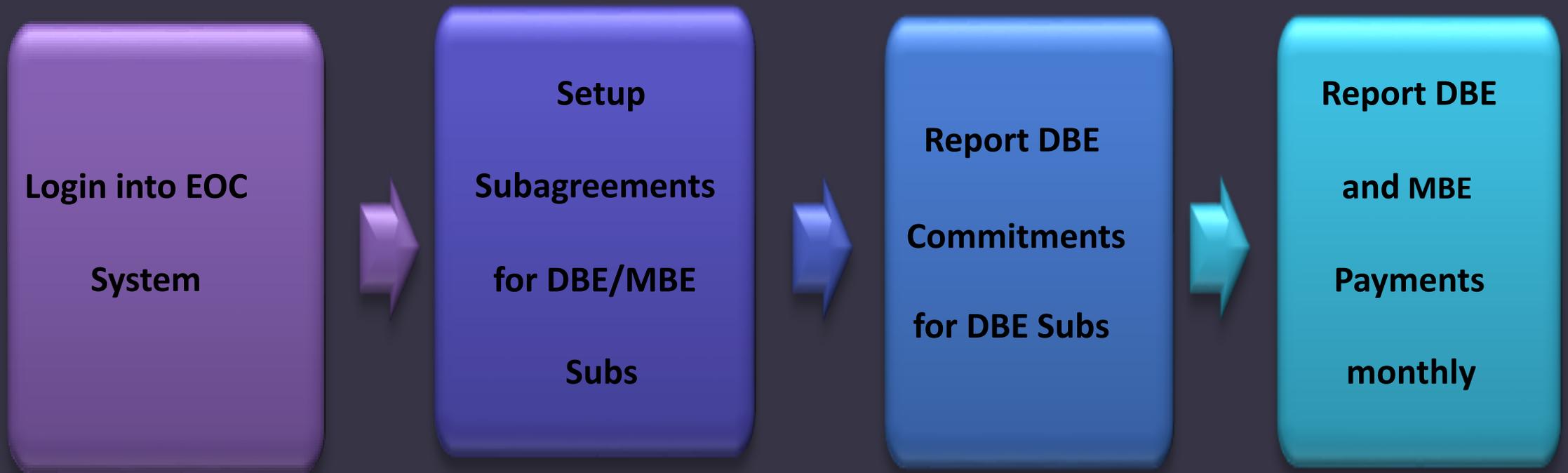
The Prime contractor/consultant is responsible for DBE/MBE reporting on the following type contracts:

- **Construction**
- **Maintenance**
- **Professional Services**
- **Local agency contracts**



# Prime Contractor/Consultants Reporting into the EOC

Once the Prime contractor/consultant is awarded a FDOT contract, the diagram below provides a quick snapshot of the sequence of steps they are required to perform in order to be compliant in EOC.



# Bidder Opportunity List

- Bidder Opportunity List is a list of vendors that you often get quotes for your bidding. Contractors/Consultants should complete the Bidder Opportunity list in EOC within **3 business days of submission of the bid proposal**.
- The Bidder Opportunity submission in EOC closes **90 days from contract execution**. EOC will not allow user to submit their Bidder Opportunity after 90 days from the time the contract was executed.
- Before setting up your bidder's opportunity list, you are required to submit your **Subcontractor contacts** list.
- The **Subcontractor contact** list is more like a black book or address book that allows the user to setup their Subcontractors or Sub-consultants for their Bidders list.
- **NOTE:** Once you setup your subcontractor contact list, you can reuse it for other bids in the future. You don't have to set them up again.

# DBE Commitments

- DBE Commitments are to be entered into the EOC System at or before the Pre-Construction meeting has taken place.
- Please make sure you enter a realistic commitment that you plan to achieve.
- If you need to make any adjustments (positive or negative) to the commitments, do so as quickly as possible.
- Monthly Payments must be posted in EOC.



# Actual DBE Commitment

Please make sure you enter a realistic commitment that you plan to achieve. The Department's reporting period is October 1 to September 30.

**NOTE:** DBE Commitment reporting is only applicable to DBE Subs and DBE Primes.

**Setup  
Sub agreement**



**Report DBE  
Commitment**

# DBE/SBE Participation Best Practices for Primes

- Review your DBE/AA plan and “**implement your plan**”
- Consider DBE/SBE firms during your bid process
- Document results from solicitations and requests for proposal
- Think outside of the typical construction box
- Pass along DBE/SBE availability in your sub-contractual agreements
- Contact the Department or CEI Supportive Services for assistance
- Refer DBE or potential DBE firms to the Department for assistance and Post a Aid in the Newspaper for DBEs



# Thank You!



- What questions do you have for me?????