DBE Utilization

The Department began its DBE race neutral program January 1, 2000. **Contract specific goals are not placed on Federal/State contracts**; however, the Department has an overall 8.18% DBE goal it must achieve. In order to assist contractors in determining their DBE commitment level, the Department has reviewed the estimates for this letting.

As you prepare your bid, please monitor potential or anticipated DBE utilization for contracts. When the low bidder executes the contract with the Department, information will be requested of the contractor's anticipated DBE participation for the project. While the utilization is not mandatory in order to be awarded the project, continuing utilization of DBE firms on contracts supports the success of Florida's Voluntary DBE Program, and supports contractors' Equal Employment Opportunity and DBE Affirmative Action Programs.

NOTE: Any project listed as 0% DBE availability does not mean that a DBE may not be used on that project. A 0% DBE availability may have been established due to any of the following reasons: limited identified subcontracting opportunities, minimal contract days, and/or small contract dollar amount. Contractors are encouraged to identify any opportunities to subcontract to DBEs.

If you have any questions regarding this information, please contact the Equal Opportunity Office at (850) 414-4747.

DBE Reporting

If you are the prime contractor on a project, complete the attached Anticipated DBE Participation Statement and submit the information at the pre-construction or pre-work conference for all federal and state funded projects. This **will not** become a mandatory part of the contract. It will assist the Department in tracking and reporting planned or estimated DBE utilization. During the contract, the prime contractor is required to report actual payments to **all** subcontractors through the web-based Equal Opportunity Reporting System (EORS), BizWeb.

All DBE payments must be reported whether or not you initially planned to utilize the company. In order for our race neutral DBE Program to be successful, your cooperation is imperative. If you have any questions concerning the completion or submission of this information, contact the FDOT EOO at (850) 414-4747.

Bid Opportunity List

The Federal DBE Program requires States to maintain a database of all firms that are participating or attempting to participate on FDOT-assisted contracts. The list must include all firms that bid on prime contracts or bid or quote subcontracts on FDOT-assisted projects, including **both DBEs and non-DBEs**.

A form is included to record bidders' information for **ALL** subcontractors or sub-consultants who quoted to you for specific projects for this letting.

If a contractor quoted to you for more than one project you only need list that contractor once. If you have submitted a bidder's list to the Department previously, you need only list new companies who have quoted to you or requested to be on specific projects. If you do not know the answers to numbers 2, 3, 4, or 5 you may leave them blank and the Department will complete them. This information should be returned with your bid package or proposal package or submitted to the Equal Opportunity Office within three days of your submission. It can be mailed or faxed.

Please reply to: **Florida Department of Transportation**
Equal Opportunity Office
605 Suwannee Street, MS 65
Tallahassee, FL 32399-0450
(850) 414-4747
(850) 414-4879

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

ANTICIPATED DBE PARTICIPATION STATEMENT ('ADBEPS')
LOCAL AGENCY PROGRAM

275-030-12
EQUAL OPPORTUNITY OFFICE
03/11

1. FDOT LAP AGREEMENT#	2. FDOT LAP AGREEMENT AMT ($)	3. LOCAL AGENCY'S CONTRACT # WITH PRIME	4. LOCAL AGENCY NAME

5. PRIME CONTRACTOR'S NAME	6. FEID NUMBER OF PRIME CONTRACTOR
7. CONTRACT DOLLAR AMOUNT WITH PRIME	**8. FEID NUMBER OF LOCAL AGENCY**

9. IS THE PRIME CONTRACTOR A FLORIDA CERTIFIED DISADVANTAGED BUSINESS ENTERPRISE (DBE)? ☐ YES ☐ NO	10. IS THE WORK OF THIS CONTRACT CONSTRUCTION ☐ MAINTENANCE ☐ OTHER? _____

11. IS THIS AN ADBEPS REVISION? ☐ YES ☐ NO If yes, revision number _____

12. ANTICIPATED DBE SUBCONTRACTS

	DBE SUBCONTRACTOR OR SUPPLIER COMPANY NAME AND FEID NUMBER	TYPE OF WORK AND FDOT SPECIALTY CODE(S)	DOLLAR AMOUNT	PERCENT OF CONTRACT DOLLARS
A	NAME: FEID:	WORK: SPEC CODE:		
B	NAME: FEID:	WORK: SPEC CODE:		
C	NAME: FEID:	WORK: SPEC CODE:		
D	NAME: FEID:	WORK: SPEC CODE:		
E	NAME: FEID:	WORK: SPEC CODE:		
			12F TOTAL DOLLARS TO DBE'S	12G TOTAL PERCENT OF CONTRACT
			$0.00	0.00%

SECTION TO BE FILLED BY PRIME CONTRACTOR

13. NAME OF SUBMITTER	14. DATE	15. TITLE OF SUBMITTER

16. EMAIL ADDRESS OF PRIME CONTRACTOR SUBMITTER	17. FAX NUMBER	18. PHONE NUMBER

SECTION TO BE FILLED BY LOCAL AGENCY

19. SUBMITTED BY	20 .DATE	21. TITLE OF SUBMITTER

22. EMAIL ADDRESS OF SUBMITTER	23. FAX NUMBER	24. PHONE NUMBER

NOTE: THIS INFORMATION IS USED TO TRACK AND REPORT ANTICIPATED DBE PARTICIPATION IN ALL FEDERALLY FUNDED FDOT CONTRACTS. THE ANTICIPATED DBE AMOUNT IS VOLUNTARY AND WILL NOT BECOME A PART OF THE CONTRACTUAL TERMS. THIS FORM MUST BE SUBMITTED AT THE PRE CONSTRUCTION. FDOT STAFF FORWARDS THE FORM TO THE EQUAL OPPORTUNITY OFFICE.

THE FOLLOWING SECTIONS ARE FOR FDOT LAP USE

DISTRICT	LAP NAME	DATE TO EO OFFICE (ELECTRONICALLY)	EXECUTED DATE (LAP AGREEMENT)	EXECUTED DATE (BETWEEN LOCAL AGENCY AND PRIME)	PRE-CONSTRUCTION CONFERENCE DATE

Equal Opportunity Reporting System Information

To comply with changes in the Disadvantaged Business Enterprise (DBE) Program, the Department is collecting both actual payments made to subcontractors and sub-consultants, and DBE commitment amounts. Actual payments will be collected through the web-based Equal Opportunity Reporting System (EORS) and commitments will be collected through the Anticipated DBE Participation Statements.

It is extremely important that you continue to submit the Anticipated DBE Participation Statement at the pre-construction conference for all federal and state funded projects. This primary information is used by the State and Federal Government to evaluate our performance in the DBE Program.

In addition, for federal and state funded projects, you must also report actual payments in the Equal Opportunity Reporting System. Revisions were made to the specifications beginning with the October 2000 letting that states in section 9-6.7:

> The Contractor is required to report monthly, through the Department's Equal Opportunity Reporting System on the Internet at www.dot.state.fl.us, actual payments, retainage, minority status, and the work type of all subcontractors and suppliers.

Since the specifications were revised, we have made some additional modifications to ease the burden on the contractor. We will pursue making the permanent modifications to the specifications. In the interim, each month you must report actual payments to all DBE subcontractors, sub-consultants and suppliers. Payments to all non-DBE subcontractors and sub-consultants will need to be reported either monthly or at the end of the project. Payments to non-DBE suppliers need not be reported at all. This information can be submitted in hard copy form, if necessary.

Instructions for accessing the EORS are included. If you have any questions, please contact the Equal Opportunity Office at (850) 414-4747.

INSTRUCTIONS FOR ACCESSING THE EQUAL OPPORTUNITY REPORTING SYSTEM

Purpose

The Florida Department of Transportation, Equal Opportunity Office has been charged with requirements of reporting Disadvantaged Business Enterprise Information to the U.S. Department of Transportation, Federal Highway Administration (FHWA) according to the new 49 Code of Federal Regulations Part 26. The Equal Opportunity Reporting system was developed as a solution to collect this information.

Objective

The Equal Opportunity Reporting system will collect information of actual payments and retainage paid to the Prime Consultant/Contractor by the Department of Transportation and the Prime Consultant/Contractor's actual payments and retainage paid to their subs and suppliers, by the type of work they performed. The reporting of this information will be performed by the Prime on a monthly basis for an invoice or estimate number per contract.

To establish access to the new Equal Opportunity Reporting System (BizWeb),
contact Business Innovations Plus toll-free at 1-877-249-8725.
The site location is http://www.bipincwebapps.com/bizwebflorida/

INSTRUCTIONS FOR COMPLETING DBE/AA PLAN

NOTE: THE DBE/AA PLAN MUST BE APPROVED BY THE EQUAL OPPORTUNITY OFFICE AND COMPLETED IN ACCORDANCE WITH CHAPTER 14-78, FLORIDA ADMINISTRATIVE CODE

DBE/AA PLANS

DBE/AA Plans must be submitted by the prime contractor, be submitted on company letterhead (first page only), signed by a company official, dated and contain all elements of an effective DBE/AA Plan (sample enclosed).

Plans that do not meet these mandatory requirements may not be approved. Approvals are for a (3) three year period and should be updated at anytime there is a change in the company's DBE Liaison Officer and/or President.

DBE/AA Plans must be received with the contractors bid or received by the Equal Opportunity Office prior to the award of the contract.

MAIL PLANS TO:

Florida Department of Transportation
Equal Opportunity Office
605 Suwannee Street, MS 65
Tallahassee, Florida 32399-0450

Questions concerning the DBE/AA Plan may be directed to the Contract Compliance Section by calling (850) 414-4747.

DBE AFFIRMATIVE ACTION PLAN

POLICY STATEMENT

It is the policy of _____ that disadvantaged businesses, as defined by 49 CFR **Part 26, Subpart D** and implemented under Rule Chapter 14-78, F.A.C., shall have the **opportunity** to participate as subcontractors and suppliers on all contracts awarded by the Florida Department of Transportation.

The requirements of Rule Chapter 14-78, F.A.C., shall apply to all contracts entered into between the Florida Department of Transportation and _____ . Subcontractors and/or suppliers to _____ will also be bound by the requirements of Rule Chapter 14-78 F.A.C.

_____, and it's subcontractors shall take all necessary and reasonable steps in accordance with Chapter 14-78, F.A.C., to ensure that disadvantaged businesses have the **opportunity** to compete and perform work contracted with the Florida Department of Transportation.

_____, and its subcontractors shall not discriminate on the basis of race, color, religion, national origin, disability, sex, or age in the administration of contracts with the Department of Transportation.

_____, has designated and appointed a Liaison Officer to develop, maintain, and monitor the DBE Affirmative Action Plan implementation. The Liaison Officer will be responsible for disseminating this policy statement throughout _____ and to disadvantaged controlled businesses. The statement is posted on notice boards of the Company.

X _____
, President

X _____
Date

I. DESIGNATION OF LIAISON OFFICER

_____ will aggressively recruit disadvantaged businesses as subcontractors and suppliers for all contracts with the Florida Department of Transportation. The Company has appointed a Liaison Officer to develop and maintain this Affirmative Action Plan in accordance with the requirements of Rule Chapter 14-78, F.A.C.

The Liaison Officer will have primary responsibility for developing, maintaining, and monitoring the Company's utilization of disadvantaged subcontractors in addition to the following specific duties:

(1) The Liaison Officer shall aggressively solicit bids from disadvantaged business subcontractors for all Florida Department of Transportation contracts;

(2) The Liaison Officer will submit all records, reports, and documents required by the Florida Department of Transportation, and shall maintain such records for a period of not less than three years, or as directed by any specific contractual requirements of the Florida Department of Transportation.

The following individual has been designated Liaison Officer with responsibility for implementing the Company's affirmative action program in accordance with the requirements of the Florida Department Transportation.

(Liaison Officer's Name)
(Your Company's Name)
(Your Company's Address)
(Phone Number for Liaison Officer)
(Enter FEIN or Tax Id Number)

II. AFFIRMATIVE ACTION METHODS

In order to formulate a realistic Affirmative Action Plan, _____ has identified the following known barriers to participation by disadvantaged subcontractors, before describing its proposed affirmative action methods:

1. Lack of qualified disadvantaged subcontractors in our specific geographical areas of work;
2. Lack of certified disadvantaged subcontractors who seek to perform Florida Department of Transportation work;
3. Lack of interest in performing on Florida Department of Transportation contracts;
4. Lack of response when requested to bid;
5. Limited knowledge of Florida Department of Transportation plans and specifications to prepare a responsible bid.

In view of the barriers to disadvantaged businesses stated above, it shall be the policy of _____ to provide opportunity by utilizing the following affirmative action methods to ensure participation on the contracts with the Florida Department of Transportation. _____ will:

1. Provide written notice to all certified DBE subcontractors in the geographical area where the work is to be subcontracted by the Company;
2. Advertise in minority focused media concerning subcontract opportunities with the Company;
3. Select portions of work to be performed by DBEs in order to increase the likelihood of meeting contract goals (including, where appropriate, breaking down contracts into economically feasible units to facilitate DBE participation);

4. Provide adequate information about the plans, specifications, and requirements of the contract, not rejecting subcontractors without sound reasons based on a thorough investigation of their capabilities;

5. Waive requirements of performance bonds where it is practical to do so;

6. Attend pre-bid meetings held by the Florida Department of Transportation to apprise disadvantaged subcontractors of opportunities with the Company;

7. Follow up on initial solicitations of interest to DBE subcontractors to determine with certainty whether the DBE company is interested in the subcontract opportunity.

_____ understands that this list of affirmative action methods is not exhaustive and will include additional approaches after having established familiarity with the disadvantaged subcontracting community and/or determined the stated approaches to be ineffective.

III. IMPLEMENTATION

On contracts with specific DBE goals, _____ will make every effort to meet contract goals as stated by utilizing its affirmative action methods. On projects with no specific goals, the Company will, as an expression of good faith, seek to utilize DBE subcontractors where work is to be subcontracted.

IV. REPORTING

_____ shall keep and maintain such records as are necessary to determine the Company's compliance with its DBE Affirmative Action Plan.

The Company will design its record keeping system to indicate:

1. The number of DBE subcontractors and suppliers used by the Company, identifying the items of work, materials and services provided;

2. The efforts and progress being made in obtaining DBE subcontractors through local and community sources;

3. Documentation of all contracts, to include correspondence, telephone calls, newspaper advertisements, etc., to obtain DBE participation on all Florida Department of Transportation projects;

4. **The Company shall comply with Florida Department of Transportation's requirements regarding payments to subcontractors including DBEs for each month (estimate period) in which the companies have worked.**

V. DBE DIRECTORY

_____ will utilize the DBE Directory published by the Florida Department of Transportation.

The Company will distribute Form Number 275-030-01, Schedule A Certification Form Number 1, to potential DBE contractors and assist in their completion.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

CONSTRUCTION CONTRACTORS BID OPPORTUNITY LIST

Please complete and mail or fax to:
Equal Opportunity Office
605 Suwannee St., MS 65
Tallahassee, FL 32399-0450
TELEPHONE: (850) 414-4747
FAX: (850) 414-4879

This information may also be included in your bid or proposal package.

Prime Contractor/Consultant: _____

Address/Telephone Number: _____

Bid/Proposal Number: _____

Quote Submitted MM/YR: _____

49 CFR Part 26.11 requires the Florida Department of Transportation to develop and maintain a "bid opportunity list." The list is intended to be a listing of all firms that are participating, or attempting to participate, on DOT-assisted contracts. The list must include all firms that bid on prime contracts, or bid or quote subcontracts and materials supplies on DOT-assisted projects, including both DBEs and non-DBEs. For consulting companies this list must include all subconsultants contacting you and expressing an interest in teaming with you on a specific DOT assisted project. Prime contractors and consultants must provide information for Nos.1, 2, 3 and 4 and should provide any information they have available on Numbers 5, 6, 7, and 8 for themselves, and their subcontractors and subconsultants.

1. Federal Tax ID Number: _____
2. Firm Name: _____
3. Phone: _____
4. Address: _____
5. Year Firm Established: _____

6. ☐ DBE
   ☐ Non-DBE
7. ☐ Subcontractor
   ☐ Subconsultant

8. Annual Gross Receipts
   ☐ Less than $1 million
   ☐ Between $1 - $5 million
   ☐ Between $5 - $10 million
   ☐ Between $10 - $15 million
   ☐ More than $15 million

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1. Federal Tax ID Number: _____
2. Firm Name: _____
3. Phone: _____
4. Address: _____
5. Year Firm Established: _____

6. ☐ DBE
   ☐ Non-DBE
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   ☐ Subconsultant

8. Annual Gross Receipts
   ☐ Less than $1 million
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2. Firm Name: _____
3. Phone: _____
4. Address: _____
5. Year Firm Established: _____

6. ☐ DBE
   ☐ Non-DBE
7. ☐ Subcontractor
   ☐ Subconsultant

8. Annual Gross Receipts
   ☐ Less than $1 million
   ☐ Between $1 - $5 million
   ☐ Between $5 - $10 million
   ☐ Between $10 - $15 million
   ☐ More than $15 million