

**BUSINESS DEVELOPMENT INITIATIVE  
SMALL BUSINESS PROGRAM  
GUIDANCE FOR RESERVING CONTRACTS**

**1.** Districts are responsible for reviewing their work program and identifying candidate projects for the Business Development Initiative (BDI) Program. This review and identification process should occur during the project candidate selection process and be finalized prior to lockdown of the upcoming fiscal years District Letting Plan. Annually, prior to lockdown of the upcoming fiscal years District Letting Plan, the District Program Management Office should identify (through coordination with the appropriate District Offices of Construction and Maintenance) a comprehensive list of all Construction and/or Maintenance project to be reserved for the BDI program. Identifying a construction or maintenance project for the BDI means that:

- a.** The contract will be reserved for small businesses;
- b.** The contract will be \$1,500,000 or less;
- c.** Prequalification per Rule 14-22 F.A.C. is not required;
- d.** The requirement for a Performance Bond may be waived for contracts priced at \$250,000 or less when the Department has determined that the project is of a noncritical nature and that nonperformance will not endanger public health, safety, or property;
- e.** Bid bonds are \$500 for contracts over \$150,000 and may be in the form of a cashier's check, the BDI Bond form, or the standard Bid or Proposal Bond Form (Form No. 375-020-09); and
- f.** All subcontractors must be small businesses; and
- g.** The contract will be procured under Florida Statute 337.027.

In choosing candidate projects for the BDI, the districts should consider if the project is low risk and if there are sufficient small businesses available to bid on the contract. The Department has a small business listing for road and bridge construction, and maintenance contracts that is available at the following link:

<http://www2.dot.state.fl.us/sasweb/cgibin/broker.exe? service=default& program=inetprog.db2.smbusform.scl>

**2.** Once a comprehensive list of Construction and/or Maintenance BDI candidate projects has been identified, the District Program Management Office must request approval from Central Office to reserve the candidate projects for the BDI Program. The request shall be submitted to the Equal Opportunity Office Manager for review and approval. The request shall include a description of each project, project scope, estimated project cost, FPID number, Letting Month/Year, estimated Contract Execution Month/Year, and the source of funds (state or federal). The request shall be made and approval obtained prior to adding the appropriate BDI Group Identifier(s) to the WP03 Screen in the Financial Management System.

**3.** Once approval is obtained from Central Office, the District Program Management Office will forward Central Office approval to the District Work Program Office requesting that the appropriate BDI Group Identifier(s) be added to the WP03

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screen in the Financial Management System. Once approved, the project will be added to the Equal Opportunity Office - BDI Reserved Contracts webpage.

**4.** Project scope should be continually monitored to ensure that as the project plans are further developed, the project estimate does not increase beyond the financial limitations described in 1.b. above. Should increases in project scope cause the financial limitations described in 1.b. above to be exceeded, the District Program Management Office shall notify the Equal Opportunity Office and request that the project be removed from the BDI Program. Should any project be removed from the BDI Program, the District Program Management Office will request that the District Work Program Office remove all BDI Group Identifiers from the WP03 screen in the Financial Management System.

**5.** When the previously approved BDI project has moved to the specifications development stage, the District Specifications Office must request approval to use the BDI Special Provisions from the District Program Management Office. The Special Provisions needed are:

- a.** SP0020201BDI-“Proposal Requirements and Conditions”
- b.** SP0030201BDI-“Award and Execution of Contract”
- c.** SP0071302BDI-“Legal Requirements and Responsibility to the Public – Insurance”
- d.** SP00801000BDI- “Prosecution and Progress”

When submitting this request to the District Program Management Office for consideration, the District Specifications Office shall request and obtain the previously received approval which signifies the Equal Opportunity Office Manager has approved the project for the BDI program.

**6.** Prior to issuance of the bid document by the Department, the contractor must complete and notarize BDI Affidavit and Profile Form (Form 275-000-01).

**7.** All bid packages must include BDI Reference Sheet (Form #275-000-02) completed by the contractor and submitted with the bid. The contractor is not required to be prequalified by the Department, so this Reference Sheet is designed to help determine if the contractor has successfully performed similar work on other contracts. The Construction or Maintenance Office (Central or District), whichever is appropriate, is responsible for approving the reference sheet depending on where the project is let. The contractor’s experience must be similar to the scope of work outlined in the intent and scope of the project.

**8.** Prior to using a subcontractor, the prime must obtain a notarized Affidavit and Profile Form from the subcontractor and submit the form with the Request to Sublet and obtain approval from the Department.

**9.** The advertisement must contain the following information:

- a.** Bidders must be a “Small Business” as defined by the Department.

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Prequalification per Rule 14-22 is not required.

**b.** Bidders must complete and submit the BDI Affidavit and Profile (Form No. 275-000-01) for approval prior to receipt of bid documents.

**c.** Bid Bonds of \$500 are required for bids over \$150,000 and may be in the form of a certified check, cashier's check, trust company treasurer's check, bank draft of any national or state bank made payable to the Florida Department of Transportation, the BDI Bid or Performance Bond (Form No. 375-020-16), or the standard Bid or Proposal Bond form (Form No. 375-020-09).

**d.** Bidders must submit the BDI Reference Sheet (Form No. 275-000-02) with the bid.

**e.** The requirement for a Performance Bond may be waived for contracts priced at \$250,000 or less when the Department has determined that the project is of a noncritical nature and that nonperformance will not endanger public health, safety, or property.

**10.** Once the contract has been executed, update the project information on the BDI Project Sheet and send the information to the Business Development Specialist within the Equal Opportunity Office. The Business Development Specialist will update the information on the master list and update the website.

**Professional Services/Consultant Contracts**

**1.** Districts are responsible for reviewing their list of projects and identifying contracts that are good candidates for the Business Development Initiative (BDI). Identifying a professional services contract for the BDI means that:

**a.** The contract will be reserved for small businesses;

**b.** The contract will be \$1,500,000 or less;

**c.** Current guidance is that no preference points are used for the contract;

**d.** Teams must still be technically prequalified in all listed professional services work types; and

**e.** An overhead audit is required for any contracts equal to or greater than \$500,000. The Department is offering a one-time job cost accounting system (JCAS) review to small business firms who are interested in competing for work \$500,000 and above. The requirements for the JCAS review are found at the following link: <http://www.fdot.gov/procurement/prequalification.shtm>. For questions about the JCAS review, please contact the Procurement Office, at (850)414-4539.

In making the decision for candidate projects, the districts should consider if there are sufficient small businesses that are qualified in the advertised work type(s) available to submit a proposal. The Department has a small business listing for professional services contracts; this is available at the following link:

<http://www2.dot.state.fl.us/procurement/ProfessionalServices/lppc/listmenu.htm>

**2.** Districts should email a request to use the BDI to the Business Development Specialist. The Business Development Specialist will forward the request to the

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State Professional Services Engineer, and copy the Equal Opportunity Office Manager. The request should have a description of the project, estimated cost, Fiscal Year FPID number, the source of funds (state or federal), and advertisement/response date. The State Professional Services Engineer will either approve or disapprove the request by responding to the email.

3. If approved, the following is an excerpt of the advertisement Standard Note 7 that must be used for the BDI contract:

This project has been reserved for competition among only small businesses in accordance with the Department's Business Development Initiative (BDI) Program. Letters of Response for this project will only be accepted from firms that meet the definition of a small business set forth by section 337.027, Florida Statutes. The prime consultant submitting a Letter of Response must meet the small business definition of section 337.027, Florida Statutes at the time of submittal of the Letter of Response and must maintain this status as a small business through final selection. All subconsultants utilized for the project, including lower-tier and non-professional services vendors, must also be small businesses pursuant to section 337.027, Florida Statutes at the time of submittal of the Letter of Response and must also maintain this status as a small business through final selection. Note: Any professional services consultant firm prequalified under Rule 14-75, F.A.C., that is shown as a Small Business on the Professional Services Prequalified Small Business Report is not required to supply the Small Business Affidavit Certification for Prequalified Professional Services Firms form with the Letter of Response.

**SMALL BUSINESS ELIGIBILITY CRITERIA:**

- a. The prime firm and subconsultants proposed for this project must meet the small business definition set forth by section 337.027, Florida Statutes. They are also required to submit a notarized copy of the Small Business Affidavit Certification Form with the Letter of Response. Firms who have previously submitted the Small Business Affidavit Certification Form, and appear in the Department's Small Business listings are not required to resubmit the form. Please refer to the advertisement for other submittal requirements
- b. Submitting firms that are small businesses must completely comply with the professional services prequalification process as described in the Florida Administrative Code Chapter 14-75. Additional instructions can be found in the BDI Program Guidelines.

Small Business listing for Professional Services:

<http://www2.dot.state.fl.us/procurement/ProfessionalServices/lppc/listmenu.htm>

4. Under-Utilization Goal for DBEs and Small Businesses - The goal of the Department's Under-utilization strategy is to encourage and promote use of Disadvantaged Business Enterprises (DBE) and Small Businesses in areas of work where they have been under-used. Under-utilization is defined by FDOT as 25% or less utilization level in a Work Group, which may vary by district. The specific Under-utilized Work Groups are identified in the advertisement. Consultants are strongly encouraged to propose a DBE or Small Business to perform services for each under-utilized work group identified in the advertisement. DBEs or Small Businesses can be proposed at either the Prime or Sub-level for the Under-utilized Work Group(s). Use of under-utilized

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DBEs or Small Businesses for Consultant teaming is a shortlist consideration factor for projects referencing this Standard Note. Consultants are requested to indicate your firm's proposed use of DBEs and/or Small Business primes or subconsultants to meet under-utilization goals on the table within the Professional Services Letter of Response form (as designated in the advertisement) by checking the box under the underutilization (UU) column. Failure to list DBEs and/or Small Business prime or subconsultants on the response form shall indicate no proposed utilization. Please refer to the advertisement for other submittal directions. Reports are available at the following locations to validate status of firms as Small Businesses and DBEs:

DBE listing for Professional Services:

<http://www2.dot.state.fl.us/procurement/ProfessionalServices/lppc/listmenu.htm>

Small Business listing for Professional Services:

<http://www2.dot.state.fl.us/procurement/ProfessionalServices/lppc/listmenu.htm>

**5.** Once the contract has been executed, update the project information on the BDI Project Sheet and send the information to the Business Development Specialist. The Business Development Specialist will update the information on the master list and update the website.

**FLORIDA DEPARTMENT OF TRANSPORTATION  
SMALL BUSINESS SIZE STANDARDS**

Construction/Maintenance **\$15.0**

PROFESSIONAL SERVICES **\$6.5**

NOTE:

Size cap amounts are figured by the gross receipts of the business averaged over a three-year period.