

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

Construction/Maintenance Contracts and Design/Build Low Bid Contracts

1. Districts are responsible for reviewing their work program and identifying contracts that are good candidates for the Business Development Initiative (BDI). Identifying a construction or maintenance contract for the BDI means that:
 - a. The contract will be reserved for small businesses;
 - b. The contract will be \$1,000,000 or less;
 - c. Prequalification per Rule 14-22 F.A.C. is not required;
 - d. Performance bonds are waived on contracts \$250,000 or less;
 - 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.

In choosing candidate projects for the BDI, the districts should consider if the contract is low risk and if there are sufficient small businesses available to bid on the contract. The Department does not have a complete list of small businesses by type of work, but the district can check the DBE directory to identify DBEs that are available by type of work. Another source to identify potential small businesses is the U.S. Small Business Administration (SBA) Dynamic Small Business Search, available at the following link:

http://dsbs.sba.gov/dsbs/search/dsp_dsbs.cfm

At this site you can find small businesses that have registered in the Central Contractor Registration, which is the primary registrant database for the federal government. You can search by state, county, North American Industry Classification System (NAICS) code, and by size. The NAICS Code for Highway, Bridge, and Street Construction is 237310, and annual gross revenue for construction cannot exceed \$22,410,000 for small businesses.

2. When a contract is identified as a BDI candidate, the District Office must request approval from Central Office to set the contract aside for the BDI Program. The request shall be made and approval obtained prior to adding the BDI Group Identifier to the WP03 Screen in the Financial Management System. The request shall be submitted to Art Wright, Equal Opportunity Office Manager. Art will forward the request to Alan Autry, Alternative Contracting & Contract Administration Specialist for review and approval. The request should have a description of the project, estimated cost, FPID number, Letting Month/Year, estimated Contract Execution Month/Year, and the source of funds (state or federal). Once approved, the contract will be posted as a BDI Project and the appropriate BDI Group Identifier should be added to the WP03 Screen by the District Work Program Office.

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3. When the approved BDI contract has moved to the specifications development stage, the District Specifications Office must request to use the BDI Developmental Specifications from the State Specifications Office. The developmental specifications needed are:
 - a. Dev002BDI-“Qualification of Bidders” and “Guaranty to Accompany Proposals”
 - b. Dev003BDI-“General”, “Execution of Contract”, and “Failure by Contractor to Execute Contract”
 - c. Dev007BDI-“Contractors’ Protective Public Liability and Property Damage Liability Insurance”
 - d. Dev008BDI- “Subletting or Assigning of Contracts”
4. Central Office Specifications will forward the request to Art Wright, Equal Opportunity Office Manager for approval. Once approved, the project will be added to the BDI Reserved Contracts list on the Equal Opportunity Office website.
5. 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).
6. 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.
7. 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.
8. The advertisement must contain the following information:
 - a. Bidders must be a “Small Business” as defined by the Department. 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 Cashier’s Check, 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.

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- e. A Performance Bond is not required for contracts under \$250,000.00.
9. Once the contract has been executed, update the project information on the BDI Project Sheet and send the information to Dwayne Moore, Business Development Specialist. Dwayne 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 \$1,000,000 or less;
 - c. 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 in excess of \$250,000. The Department is offering a one-time job cost accounting system (JCAS) review to small business firms who are interested in competing for work above \$250,000. The requirements for the JCAS review are found at the following link: <http://www.dot.state.fl.us/procurement/prequalification.shtm>. For questions about the JCAS review, please contact Jeffrey Owens, Procurement Office, at (850)414-4539.

In making the decision for candidate projects, the districts should consider if there are sufficient small businesses available to submit a proposal. The Department does not have a complete list of small businesses by type of work, but the district can identify DBEs that are available by type of work by checking the DBE Directory. Another source to identify potential small businesses is the U.S. Small Business Administration (SBA) Dynamic Small Business Search, available at the following link: http://dsbs.sba.gov/dsbs/search/dsp_dsbs.cfm. At this site you can find small businesses that have registered in the Central Contractor Registration, which is the primary registrant database for the federal government. You can search by state, county, North American Industry Classification System (NAICS) code, and by size.

2. Districts should email a request to use the BDI to Dwayne Moore Business Development Specialist. Dwayne will forward the request to Carla Perry, Central Office Procurement Manager, and copy Art Wright, Equal Opportunity Office Manager. The request should have a description of the project, estimated cost, FPID number, the source of funds (state or federal), and advertisement/response

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date. Carla will either approve or disapprove the request by responding to the email.

3. If approved, the following is an example of the advertisement that can 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 Program. Letters of Response for this project will only be accepted from firms who qualify as a small business as defined by the Department. The prime consultant submitting a letter of response must meet the small business eligibility criteria below. All subconsultants utilized for the project must also meet the small business eligibility criteria. Only subconsultants who are also themselves small businesses may be utilized on small business reserved projects.

SMALL BUSINESS ELIGIBILITY CRITERIA:

- a. Meet the small business definition as defined by the Department.
 - b. Submit Notarized BDI Affidavit & Profile Form(s) (Form 275-000-01) attesting to meeting the definition of a small business. All Letters of Response to an advertisement for a small business reserved project must be accompanied by Notarized BDI Affidavit & Profile form(s), submitted by the date/time deadline established for the Letter of Response. Notarized BDI Affidavit & Profile forms are required for the prime consultant and each of the subconsultants utilized on the contract, who must also meet small business eligibility criteria. The notarized BDI Affidavit & Profile form(s) must be submitted with the Letter of Response. Please refer to the advertisement for other submittal requirements.
 - c. Submitting firms that are small businesses must completely comply with the professional services prequalification process as described in Florida Administrative Code Chapter 14-75:
<http://www.dot.state.fl.us/procurement/pubs/Rule%2014-75new.pdf>
4. Once the contract has been executed, update the project information on the BDI Project Sheet and send the information to Dwayne Moore, Business Development Specialist. Dwayne will update the information on the master list and update the website.

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FLORIDA DEPARTMENT OF TRANSPORTATION
SMALL BUSINESS SIZE STANDARDS

TYPE OF WORK	AVG. GROSS AMOUNT (IN MIL) NOT TO EXCEED
Construction/Maintenance	
Asphalt Paving (Roadway)	\$ 22.41
Miscellaneous Asphalt Pavement	\$ 13.0
Toll & Service Plaza Facilities	\$ 22.41
Storage Facility, Building Addition	\$ 22.41
Office Building, Shop/Warehouse	\$ 22.41
Plumbing	\$ 13.0
Electrical Wiring	\$ 13.0
Heating and Air Conditioning	\$ 13.0
Installation of Tile	\$ 13.0
Concrete Gutter, Curb Elements, & Traffic Separators	\$ 22.41
Concrete Barrier Wall	\$ 22.41
Concrete Sidewalk	\$ 13.0
Concrete Ditch & Slope Pavement.	\$ 22.41
Pipe Handrail Furnishing, erecting, and painting pipe handrail	\$ 13.0
Inlets, Manholes & Junction Boxes	\$ 22.41
Pipe Culverts & Storm Sewers	\$ 22.41
Structural Plate Pipe & Pipe Arch Culverts	\$ 22.41
Under drains	\$ 22.41
Clearing & Grubbing	\$ 13.0
Excavation & Grading	\$ 13.0
Temporary Erosion Control	\$ 13.0
Plastic Filter Blanket	\$ 13.0
Riprap	\$ 13.0
Fencing	\$ 13.0
Guardrail	\$ 22.41
Muck Blanket & Topsoil	\$ 6.5
Grassing	\$ 6.5
Sodding	\$ 6.5
Landscaping	\$ 6.5
Irrigation Systems	\$ 6.5
Shop, Field and Maintenance Painting of Structural Steel	\$ 13.0
Bridge Painting	\$ 13.0
Reinforcing Steel	\$ 13.0
Structural Steel	\$ 13.0
Maintenance of Traffic	\$ 13.0
Traffic Signals	\$ 13.0

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Highway Signing	\$ 22.41
Highway Delineators	\$ 13.0
Reflective Pavement Markers	\$ 13.0
Painting Traffic Stripes	\$ 13.0
Thermoplastic Traffic Stripes and Markings	\$ 13.0
Highway Lightning Systems	\$ 13.0
TRUCKING (Hauling materials to or from construction site and heavy hauling)	
Trucking Firms-Firms using own trucks and contracted trucks	\$ 22.41
Owner Operators-Sole Proprietors that own and operate one truck	\$ 12.0
Pile Driving	\$ 22.41
Timber Structures	\$ 22.41
Navigation Lights	\$ 13.0
Underground Utility	\$ 22.41
Tree Trimming	\$ 6.5
Mowing	\$ 6.5
MISCELLANEOUS CONSTRUCTION SERVICES (welding, machine shops, rentals, & NEC)	\$ 13.0
MATERIALS SUPPLY Wholesale. Must meet definition of "Regular Dealer" as defined in Rule 14.78, Florida Administrative Code and 49 CFR Part 26	\$ 22.41
PROFESSIONAL SERVICES	\$6.5

NOTE:

Size cap amounts are figured by the gross receipts of the business averaged over a three-year period. The size cap should be based on the primary services the firm offers. The firm's size cap will not vary based on the project they are selected for.