

Understanding WSDOT DBE Process Revisions **UPDATED MAY 2012**

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Agenda

The process is changing for how bidders must demonstrate they have met the DBE Condition of Award (COA) goal requirements

- Directory of Certified DBE Firms
- Approved Regular Dealers/Manufacturers
- DBE Utilization Certification (form 272-056 EF)
- DBE Written Confirmation (form 422-031 EF)
- Good Faith Efforts
- Reconsideration
- Delivery of Proposal
- DBE Specification

Directory of Certified DBE Firms

WSDOT OEO and OMWBE have improved the Directory of Certified DBE Firms to clarify what WSDOT work items a DBE firm is certified to perform on a WSDOT contract.

The new Directory is located on OMWBE's website.

The bidder shall use the list to determine if a DBE is certified to perform work as described on their DBE Utilization Certification form and therefore qualifies for credit towards the COA goal.

This change is intended to reduce bid rejections associated with descriptions being listed on the DBE Utilization Certification that do not properly or adequately describe work that the DBE is certified to perform.

Directory of Certified DBE Firms

The “Description of Work” in the Directory of Certified DBE Firms is a “plain talk” interpretation of the NAICS code(s) for a DBE and is meant to align with items of work on a WSDOT contract. You will still see the NAICS code(s) for each DBE firm in the Directory of Certified DBE Firms.

WSDOT guarantees that a DBE is certified to perform any “Description of Work” listed for that DBE in the Directory. If you put a “Description of Work” on the DBE Utilization Certification that is not listed in the Directory of Certified DBE Firms WSDOT will determine if the DBE is certified to perform that work. This may result in a delay to award of the contract, or your bid being rejected if the awarding agency determines that the DBE is not certified to perform the work described.

The certification process has not changed. OMWBE will certify firms and assign NAICS codes. A firm can request changes to its “Description of Work” by contacting WSDOT OEO.

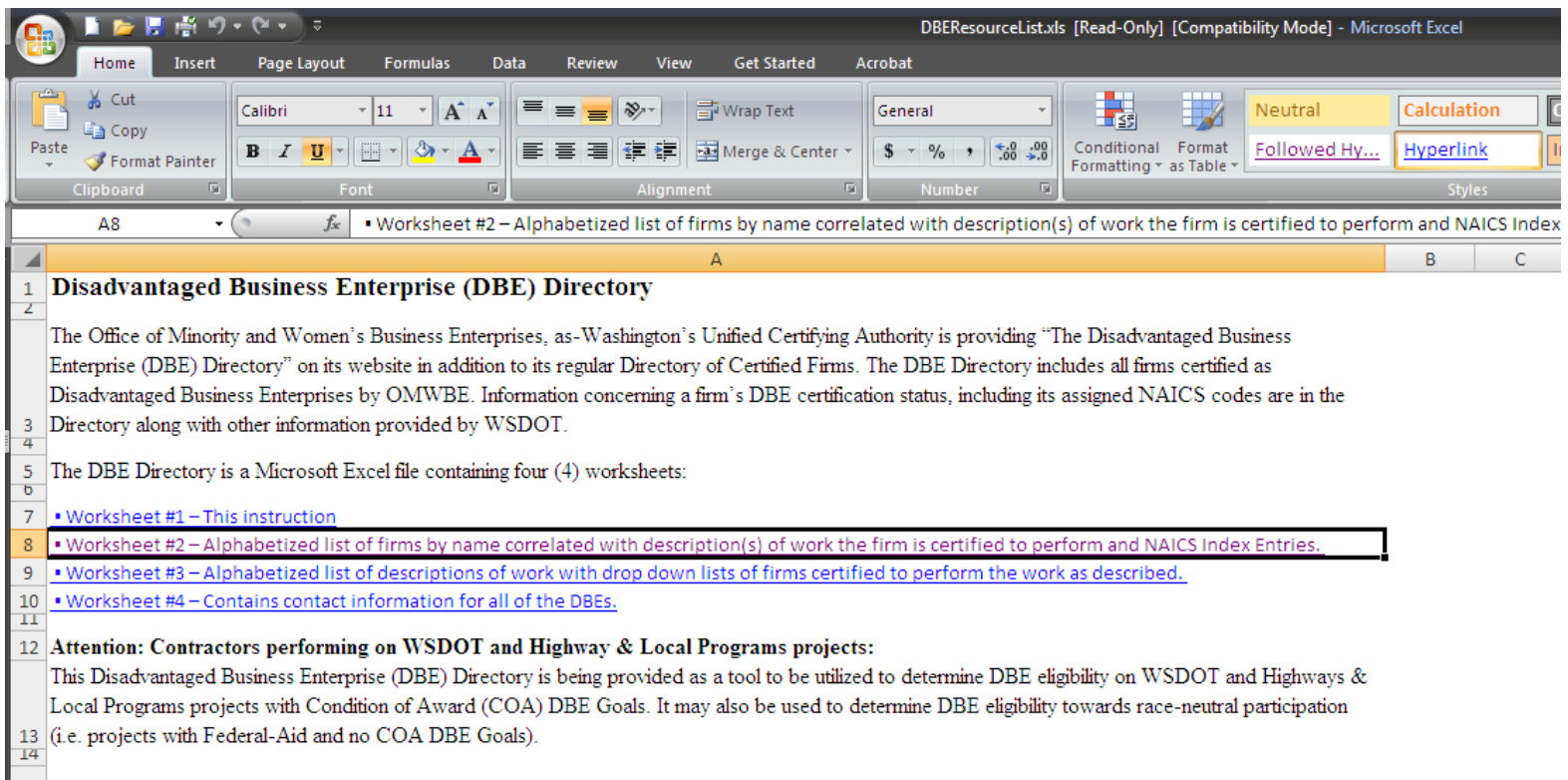
Directory of Certified DBE Firms



<http://www.omwbe.wa.gov/>

Under “Certification”, click on “Directory of Certified DBE Firms”

Directory of Certified DBE Firms



DBEResourceList.xls [Read-Only] [Compatibility Mode] - Microsoft Excel

Home Insert Page Layout Formulas Data Review View Get Started Acrobat

Clipboard Font Alignment Number Styles

A8 • Worksheet #2 – Alphabetized list of firms by name correlated with description(s) of work the firm is certified to perform and NAICS Index

Disadvantaged Business Enterprise (DBE) Directory

The Office of Minority and Women’s Business Enterprises, as-Washington’s Unified Certifying Authority is providing “The Disadvantaged Business Enterprise (DBE) Directory” on its website in addition to its regular Directory of Certified Firms. The DBE Directory includes all firms certified as Disadvantaged Business Enterprises by OMWBE. Information concerning a firm’s DBE certification status, including its assigned NAICS codes are in the Directory along with other information provided by WSDOT.

The DBE Directory is a Microsoft Excel file containing four (4) worksheets:

- [Worksheet #1 – This instruction](#)
- [Worksheet #2 – Alphabetized list of firms by name correlated with description\(s\) of work the firm is certified to perform and NAICS Index Entries.](#)
- [Worksheet #3 – Alphabetized list of descriptions of work with drop down lists of firms certified to perform the work as described.](#)
- [Worksheet #4 – Contains contact information for all of the DBEs.](#)

Attention: Contractors performing on WSDOT and Highway & Local Programs projects:
This Disadvantaged Business Enterprise (DBE) Directory is being provided as a tool to be utilized to determine DBE eligibility on WSDOT and Highways & Local Programs projects with Condition of Award (COA) DBE Goals. It may also be used to determine DBE eligibility towards race-neutral participation (i.e. projects with Federal-Aid and no COA DBE Goals).

When you click on “Directory of Certified DBE Firms” an Excel spreadsheet will open. The first worksheet provides instructions for using the spreadsheet. You can click on one of the four links to go to different areas of the spreadsheet.

Directory of Certified DBE Firms

DBEResourceList.xls [Read-Only] [Compatibility Mode] - Microsoft Excel


A	B	C	E	F	G	H
BUSINESS NAME	CERTIFICATION NUMBER	DESCRIPTION OF WORK	NAICS INDEX ENTRIES	Updated 6/14/2011		
16 COPENHAGEN LLC	D5F1020667	GRAPHIC DESIGN SERVICES MARKETING CONSULTING SOFTWARE DESIGN SERVICES; INCLUDING PROGRAMMING	541430-GRAPHIC DESIGN SERVICES; 541511-SOFTWARE ANALYSIS AND DESIGN SERVICES, CUSTOM COMPUTER; 541613-MARKETING CONSULTING SERVICES			
1ST CLASS TRANSPORT	D2F9820625	DUMP TRUCKING NOTE: RESTRICTIONS ON COUNTING AS SPECIFIED IN THE DBE SPECIFICATION	484220-DUMP TRUCKING (E.G.; GRAVEL, SAND, TOP SOIL)			
24 7 SECURITY LLC	D1M1021750	SECURITY GUARD SERVICES	561612-SECURITY GUARD SERVICES; 561612-PATROL SERVICES, SECURITY			

Contractors may use the description in column C “DESCRIPTION OF WORK” to determine if the DBE is certified to perform work. In order for WSDOT to guarantee the DBE is certified to the perform the work, the “Description of Work” listed for the DBE on the DBE Utilization Certification must be consistent with the “DESCRIPTION OF WORK” listed for the DBE in the Directory of Certified DBE Firms.

Directory of Certified DBE Firms

The screenshot shows an Excel spreadsheet with a PivotTable. The PivotTable is filtered by 'DESCRIPTION OF WORK' and set to 'ASPHALT PAVING'. The list of firms includes:

Row	Description
1	Updated 6/2/2011
3	WORK DESCRIPTION (Click on arrow to right to narrow down your choices)
4	ABUTMENT CONSTRUCTION
5	ACCOUNTING SERVICES
6	ACOUSTICAL CEILING SYSTEM INSTALLATION
7	ACOUSTICAL CONSULTING AND TESTING SERVICES
8	ADMINISTRATIVE SUPPORT CONSULTING; INCLUDING BILLING, RECORD KEEPING, PERSONNEL, AND OTHER SIMILAR ADMINISTRATIVE FUNCTIONS
9	ADVERTISING SERVICES
10	AIRPORT BAGGAGE STORAGE
11	AIRPORT FROZEN FOOD STORAGE
12	AIRPORT LIGHTING EQUIPMENT MANUFACTURER. NOTE: MANUFACTURERS NEED TO BE NOTED ON THE UTILIZATION CERTIFICATION AS SUCH AND HAVE SPECIAL COUNTING REQUIREMENTS, SEE DBE SPECIAL PROVISION
13	ALARM SYSTEM DESIGN AND INSTALLATION SERVICES
14	APPLYING PAINT, PAINT SYSTEMS OR COATINGS
15	APPLYING PAINT, PAINT SYSTEMS OR COATINGS INCLUDING WRAPPING COLUMNS
16	APPRAISAL SERVICES
17	ARCHAEOLOGICAL AND ANTHROPOLOGICAL RESEARCH SERVICES
18	ARCHITECTURAL SERVICES
19	ASPHALT PAVING
20	CHEROKEE CONSTRUCTION SERVICE LLC
21	D P ANDERSON COMPANY
22	DE LOS SANTOS CONSTRUCTION INC
23	DIRT & AGGREGATE INTERCHANGE INC
24	GLORIA JEANE HAULING & HWY REHAB INC
25	GRADE-IT INC
26	HOT MIX PAVERS INC
27	LORACHE CAD/IT SERVICES LLC
28	NORTH STAR ENTERPRISES I INC
29	SPOKANE CONCRETE CUTTING INC
30	VANCOUVER PAVING COMPANY
31	ASPHALT REPAIR; INCLUDING REMOVAL, PLANING ASPHALT, UTILITY ADJUSTMENTS, CRACK SEALING AND COATING
32	AUTOMATIC GATE INSTALLATION SERVICES
33	AVIATION TRANSPORTATION CONSULTING
34	BAR OR LOUNGE, SERVING ALCOHOLIC BEVERAGES
35	BARBEQUE SAUCE SUPPLIER. NOTE: SUPPLIER NEED TO BE NOTED ON THE UTILIZATION CERTIFICATION AS SUCH AND HAVE SPECIAL COUNTING REQUIREMENTS, SEE DBE SPECIAL PROVISION
36	BARBER SHOP
37	BATTERIES SUPPLIER. NOTE: SUPPLIERS NEED TO BE NOTED ON THE UTILIZATION CERTIFICATION AS SUCH AND HAVE SPECIAL COUNTING REQUIREMENTS, SEE DBE SPECIAL

You can search for a DBE contractor by the “DESCRIPTION OF WORK” using the “PIVOT BY DESCRIPTION OF WORK” worksheet. Click on the  sign next to the work description for a list of DBE firms certified to perform that work.

Directory of Certified DBE Firms

DBEResourceList.xls [Read-Only] [Compatibility Mode] - Microsoft Excel

	A	B	C	D	E	F	G	H	I	J	K
	BUSINESS NAME	CONTACT	PHONE	FAX_NO	E_MAIL	ADDRESS1	SUITE	CITY	STA	ZIP	Updated 6/2/2011
2	16 COPENHAGEN LLC	RACHEL VALDEZ	2064940030	8774718176	RACHEL.VALDEZ@16COPENHAGEN.COM	3518 FREMONT AVE N	SUITE 537	SEATTLE	WA	98103	
3	1ST CLASS TRANSPORT	KELLEE ARNOLD	2066796107		SHESA12@HOTMAIL.COM	PO BOX 844		RAVENSDALE	WA	98051	
4	24 7 SECURITY LLC	JEFF BROWNFIELD	5099520355	5095770250	SECURITY237@HOTMAIL.COM	904 N 4TH ST		YAKIMA	WA	98901	
5	3D INFUSION	VIJAY N DEODHAR	5032968644	5032968645	VDEODHAR@3DINFUSION.COM	8110 S W VALLEY VIEW DRIVE		PORTLAND	OR	97225	
6	4 SEASONS COFFEE CO INC	LESLIE HUTCHINSON	5097472315	5094557860	LJHUTCHINSON@QWESTOFFICE.NET	S 10 GRANT ST		SPOKANE	WA	99202	
7	A N I D INC	IGNATIUS C MEDANI	2539515258	2535175112	DRMEDANI@AOL.COM	34716 1ST AVE S		FEDERAL WAY	WA	98003	
8	AAA CONTRACTORS INC	PAVITARPAL PUREWAL	2538391534		PUREWAL.PAUL@GMAIL.COM	PO BOX 3130		KENT	WA	98089	
9	AAR TESTING LABORATORIES INC	KIMBERLE ANDERSON	425 881-5812	425 881-5441	KIM@AARTESTING.COM	P O BOX 2523		REDMOND	WA	98073	
10	AB WINDOW CLEANING	JANET A MCKENNA	206 621-0446	2067630757	ABENTERPRISES2@AOL.COM	P O BOX 81143		SEATTLE	WA	981081143	
11	ABC FLAGGING INC	AUDREY M BRUCE	509 493-3367	5094934760		P O BOX 849		WHITE SALMON	WA	98672	
12	ABEYTA & ASSOCIATES	ROSA M VILLA	2064677574	2069030219	ROSAVILLA@ABEYTAANDASSOCIATES.COM	1011 SW KLICKITAT WAY	SUITE 206	SEATTLE	WA	98134	
13	ABN TECHNOLOGIES	TRENA S PAYTON	2539641745	7606830422	TRENA.PAYTON@ABNTEC.COM	1000 STATION DRIVE	SUITE 130	DUPONT	WA	98327	
14	ABRAHAM PLUMBING SERVICES INC	G B BROWN	3604388304	3604388304	GBBROWN11@MSN.COM	4255 LACEY BLVD SE		LACEY	WA	985032351	


The last worksheet in the Directory of Certified DBE Firms lists the contact information for each DBE alphabetically. Once you have found the names of firms that you may want to contact, you can use this sheet to look up phone numbers, fax numbers and e-mail addresses.

Directory of Certified DBE Firms

12	INC			
	AB WINDOW CLEANING	D2F7217444	WINDOW CLEANING SERVICES	561720-WINDOW CLEANING SERVICES
13				
	ABC FLAGGING INC	D2F0612062	TRAFFIC CONTROL SERVICES	561990-FLAGGING (I.E., TRAFFIC CONTROL) SERVICES
14				
	ABEYTA & ASSOCIATES	D5F8719645	REAL ESTATE BROKERAGE AND CONSULTING	531390-CONSULTANTS', REAL ESTATE (EXCEPT APPRAISERS), OFFICES; 531210-REAL ESTATE BROKERAGES
15				
			RIGHT-OF-WAY SERVICES	
16				
	ARN TECHNOLOGIES	D3E8218381	INFORMATION TECHNOLOGY INFRASTRUCTURE CONSULTING	541510-COMPUTER SYSTEMS DESIGN SERVICES; 541618-OTHER

Ready

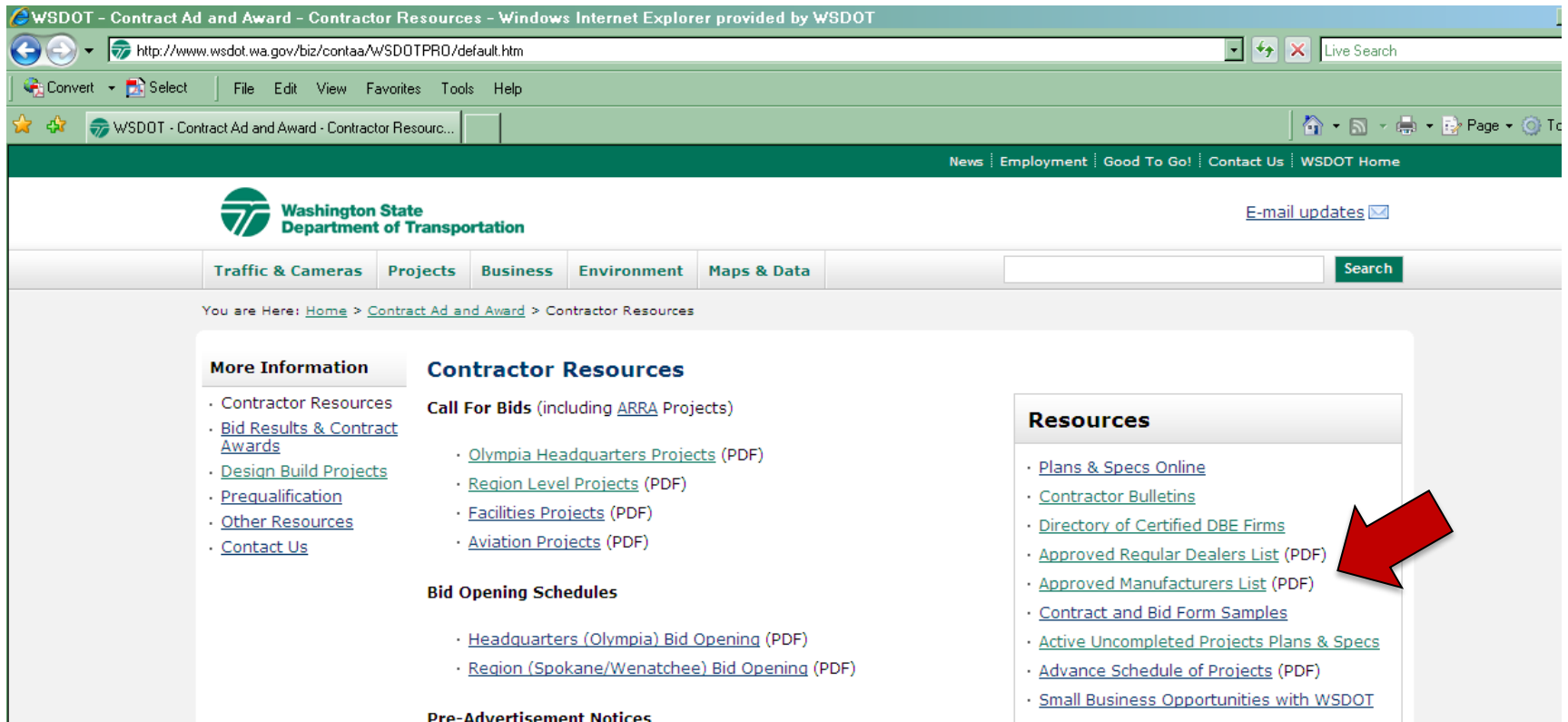
INSTRUCTION BY BUSINESS PIVOT BY DESCRIPTION OF WORK CONTACT INFORMATION



You can move from one worksheet to another by clicking on the tabs at the bottom of the screen.

The Directory of Certified DBE Firms is updated frequently. *Be sure check the Directory on OMWBE's website each time you need to reference it – do not save a copy for your use. THE DIRECTORY IS UPDATED AS OFTEN AS DAILY.*

Approved Regular Dealers & Manufacturers



The screenshot shows the WSDOT website interface. At the top, there is a navigation bar with links for News, Employment, Good To Go!, Contact Us, and WSDOT Home. Below this is the Washington State Department of Transportation logo and a search bar. The main content area is divided into sections: More Information, Contractor Resources, and Resources. The Resources section contains a list of links, with a red arrow pointing to the 'Approved Regular Dealers List (PDF)' link.

More Information

- [Contractor Resources](#)
- [Bid Results & Contract Awards](#)
- [Design Build Projects](#)
- [Prequalification](#)
- [Other Resources](#)
- [Contact Us](#)

Contractor Resources

Call For Bids (including [ARRA](#) Projects)

- [Olympia Headquarters Projects](#) (PDF)
- [Region Level Projects](#) (PDF)
- [Facilities Projects](#) (PDF)
- [Aviation Projects](#) (PDF)

Bid Opening Schedules

- [Headquarters \(Olympia\) Bid Opening](#) (PDF)
- [Region \(Spokane/Wenatchee\) Bid Opening](#) (PDF)

Pre-Advertisement Notices

Resources

- [Plans & Specs Online](#)
- [Contractor Bulletins](#)
- [Directory of Certified DBE Firms](#)
- [Approved Regular Dealers List](#) (PDF)
- [Approved Manufacturers List](#) (PDF)
- [Contract and Bid Form Samples](#)
- [Active Uncompleted Projects Plans & Specs](#)
- [Advance Schedule of Projects](#) (PDF)
- [Small Business Opportunities with WSDOT](#)

<http://www.wsdot.wa.gov/biz/contaa/WSDOTPRO/default.htm>

DBE Utilization Certification Form 272-056 EF

- **This form must provide the WSDOT with all the information necessary to determine how the bidder will meet the goal.**
- **An instructions page has been added to the form to better describe how to fill it out.**
- **Improperly completed forms has been one source of bid rejections.**
- **This form must be submitted with your sealed Bid Proposal**

DBE Utilization Certification Form 272-056 EF

Instructions for Disadvantaged Business Enterprise Utilization Certification (DOT Form 272-056)

To be eligible for award of the contract, the bidder shall properly complete and submit a Disadvantaged Business Enterprise Utilization Certification form with the bidder's sealed Bid Proposal that demonstrates how the bidder intends to meet the DBE Condition of Award (COA) goal.

Box 1: Name of Bidder (Proposal holder) submitting a bid.

Column 1: Name of the Disadvantaged Business Enterprise (DBE) and Certificate Number.

Column 2: The Project Role that the DBE will be performing as follows;

- Prime,
- Joint Venture,
- Subcontractor,
- Manufacturer,
- Regular Dealer*

The role is used to determine what portion of the DBE participation may be credited toward the goal. See *Crediting DBE Participation toward Meeting the Goal* as described in the *Disadvantaged Business Enterprise Condition of Award Participation* specification.

Column 3: A description of the work to be performed by the DBE consistent with the eligible Description of Work in the Directory of Certified DBE firms. If the DBE is to perform a portion of a bid item, then state Partial and what work is included, e.g., "Electrical (Partial) – Trenching". "Mobilization" will not be accepted as a description of work as it is not considered a distinct item of work that a DBE is certified to perform. The bidder may rely upon the descriptors listed in the Directory of Certified DBE Firms.

Column 4: The dollar amount for each DBE listed in the certification that the prime intends to apply towards meeting the DBE contract goal. It may be that only a portion of the amount paid to the DBE is eligible as COA participation. See *Crediting DBE Participation* in the special provisions; *Disadvantaged Business Enterprise Condition of Award Participation*.

Box 2: The goal stated in the contract in terms of a dollar amount or a percentage as noted under the general special provision; *DBE Condition of Award (COA) Goal, Disadvantaged Business Enterprise Condition of Award Participation*. When expressed as a percentage it is a percentage of the sum total of all bid items as submitted in the bidder's proposal.

Box 3: The total for column 4. This value must equal or exceed the goal amount.

Box 4: Check Box 4 if sufficient DBE Participation has been unsuccessful and a good faith effort will be submitted. Refer to the subsection titled, *Selection of Successful Bidder/Good Faith Efforts (GFE)* in the special provision, *DBE Condition of Award (COA) Goal, Disadvantaged Business Enterprise Condition of Award Participation*.

* Note: In accordance with 49 CFR 26.55(e)(2)(i), if the materials or supplies are purchased from a DBE Regular Dealer, the amount to be counted towards the DBE will be sixty percent (60%) of the cost of the materials or supplies, e.g., Material cost: \$100,000, allowable amount toward DBE goal; \$60,000.

DOT Form 272-056 EF Instructions Revised 05/2012



Disadvantaged Business Enterprise Utilization Certification

To be eligible for award of this contract the bidder must fill out and submit, as part of its bid proposal, the following Disadvantaged Business Enterprise Utilization Certification relating to Disadvantaged Business Enterprise (DBE) requirements. The Contracting Agency shall consider as non-responsive and shall reject any bid proposal that does not contain a DBE Certification which properly demonstrates that the bidder will meet the DBE participation requirements in one of the manners provided for in the proposed contract. The Bidder must submit good faith effort documentation within 48 hours of bid opening only in the event the bidder's efforts to solicit sufficient DBE participation has been unsuccessful. If submitting a good faith effort bidder needs to check Box 4 agreeing to submit good faith effort within 48 hours. The successful bidder's Disadvantaged Business Enterprise Utilization Certification shall be deemed a part of the resulting contract. Information on certified firms is available from OMWBE, telephone 360-664-9750 or Toll Free 1-866-208-1064.

(Box 1) Name of Bidder certifies that the Disadvantaged Business Enterprise (DBE) Firms listed below have been contacted regarding participation on this project. If this bidder is successful on this project and is awarded the contract, it shall assure that subcontracts or supply agreements are executed with those firms where an "Amount to be Applied Towards Goal" is listed. (If necessary, use additional sheet.)

Column 1	Column 2	Column 3	Column 4
Name of DBE Certificate Number	Project Role (Prime, Joint Venture, Subcontractor, Manufacturer, Regular Dealer)	Description of Work	Amount to be Applied Towards Goal
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

Disadvantaged Business Enterprise Subcontracting Goal: _____ DBE Total \$ _____

Box 2 _____ Box 3 _____
 By checking Box 4 the bidder is stating that their attempts to solicit sufficient DBE participation has been unsuccessful and good faith effort will be submitted within 48 hours of bid opening.

* Regular Dealer status must be approved prior to bid submittal by the Office of Equal Opportunity, Wash. State Dept. of Transportation, on each contract.

** See the section "Crediting DBE Participation Toward Meeting the Goal" in the Contract Document.

*** The Contracting Agency will utilize this amount to determine whether or not the bidder has met the goal. In the event of an arithmetic difference between this total and the sum of the individual amounts listed above, then the sum of the amounts listed shall prevail and the total will be revised accordingly. Participation in excess of the goal amount will be considered voluntary or race-neutral participation.

DOT Form 272-056 EF Revised 05/2012

DBE Utilization Certification Form 272-056 EF



**Washington State
Department of Transportation**

Disadvantaged Business Enterprise Utilization Certification

To be eligible for award of this contract the bidder must fill out and submit, as part of its bid proposal, the following Disadvantaged Business Enterprise Utilization Certification relating to Disadvantaged Business Enterprise (DBE) requirements. The Contracting Agency shall consider as non-responsive and shall reject any bid proposal that does not contain a DBE Certification which properly demonstrates that the bidder will meet the DBE participation requirements in one of the manners provided for in the proposed contract. The Bidder must submit good faith effort documentation within 48 hours of bid opening **only in the event** the bidder's efforts to solicit sufficient DBE participation has been unsuccessful. If submitting a good faith effort bidder needs to check Box 4 agreeing to submit good faith effort within 48 hours. The successful bidder's Disadvantage Business Enterprise Utilization Certification shall be deemed a part of the resulting contract. Information on certified firms is available from OMWBE, telephone 360-664-9750 or Toll Free 1-866-208-1064.

Good Example Contractors, Inc.

certifies that the Disadvantaged Business Enterprise (DBE)

(Box 1) Name of Bidder

Firms listed below have been contacted regarding participation on this project. If this bidder is successful on this project and is awarded the contract, it shall assure that subcontracts or supply agreements are executed with those firms where an "Amount to be Applied Towards Goal" is listed. (If necessary, use additional sheet.)

Column 1 Name of DBE Certificate Number	Column 2 Project Role (Prime, Joint Venture, Subcontractor, Manufacturer, Regular Dealer) *	Column 3 Description of Work	Column 4 Amount to be Applied Towards Goal **
1. 16 Copenhagen LLC. D5F1020667	Subcontractor	Graphic Design Services	\$5,000.00
2. 1 st Class Transport D2F9820625	Subcontractor	Dump Trucking	\$4,999.99
3.			

DBE Utilization Certification Form 272-056 EF

6.			
7.			
8.			
9.			
10.			

Disadvantaged Business Enterprise Subcontracting Goal: 10% DBE Total \$\$9,999.99 ***

By checking Box 4 the bidder is stating that their attempts to solicit sufficient DBE participation has been unsuccessful and good faith effort will be submitted within 48 hours of bid opening. Box 2 Box 3

- * Regular Dealer status must be approved prior to bid submittal by the Office of Equal Opportunity, Wash. State Dept. of Transportation, on each contract.
- ** See the section "Crediting DBE Participation Toward Meeting the Goal" in the Contract Document.
- *** The Contracting Agency will utilize this amount to determine whether or not the bidder has met the goal. In the event of an arithmetic difference between this total and the sum of the individual amounts listed above, then the sum of the amounts listed shall prevail and the total will be revised accordingly. Participation in excess of the goal amount will be considered voluntary or race-neutral participation.

DOT Form 272-056 EF
Revised 05/2012

DBE Utilization Certification - Good Faith Efforts



Disadvantaged Business Enterprise Utilization Certification

To be eligible for award of this contract the bidder must fill out and submit, as part of its bid proposal, the following Disadvantaged Business Enterprise Utilization Certification relating to Disadvantaged Business Enterprise (DBE) requirements. The Contracting Agency shall consider as non-responsive and shall reject any bid proposal that does not contain a DBE Certification which properly demonstrates that the bidder will meet the DBE participation requirements in one of the manners provided for in the proposed contract. The Bidder must submit good faith effort documentation within 48 hours of bid opening only in the event the bidder's efforts to solicit sufficient DBE participation has been unsuccessful. If submitting a good faith effort bidder needs to check Box 4 agreeing to submit good faith effort within 48 hours. The successful bidder's Disadvantage Business Enterprise Utilization Certification shall be deemed a part of the resulting contract. Information on certified firms is available from OMWBE, telephone 360-664-9750 or Toll Free 1-866-208-1064.

(Box 1) Name of Bidder _____ certifies that the Disadvantaged Business Enterprise (DBE)

Firms listed below have been contacted regarding participation on this project. If this bidder is successful on this project and is awarded the contract, it shall assure that subcontracts or supply agreements are executed with those firms where an "Amount to be Applied Towards Goal" is listed. (If necessary, use additional sheet.)

Column 1 Name of DBE Certificate Number	Column 2 Project Role (Prime, Joint Venture, Subcontractor, Manufacturer, Regular Dealer)	Column 3 Description of Work	Column 4 Amount to be Applied Towards Goal
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

Disadvantaged Business Enterprise Subcontracting Goal: _____ DBE Total \$ _____

X By checking Box 4 the bidder is stating that their attempts to solicit sufficient DBE participation has been unsuccessful and good faith effort will be submitted within 48 hours of bid opening.

- * Regular Dealer status must be approved prior to bid submittal by the Office of Equal Opportunity, Wash. State Dept. of Transportation, on each contract.
- ** See the section "Crediting DBE Participation Toward Meeting the Goal" in the Contract Document.
- *** The Contracting Agency will utilize this amount to determine whether or not the bidder has met the goal. In the event of an arithmetic difference between this total and the sum of the individual amounts listed above, then the sum of the amounts listed shall prevail and the total will be revised accordingly. Participation in excess of the goal amount will be considered voluntary or race-neutral participation.

DOT Form 272-056 EF
Revised 05/2012

Disadvantaged Business Enterprise Utilization Certification

X

Box 4 By checking Box 4 the bidder is stating that their attempts to solicit sufficient DBE participation has been unsuccessful and good faith effort will be submitted within 48 hours of bid opening.

- * Regular Dealer status must be approved prior to bid submittal by the Office of Equal Opportunity, Wash. State Dept. of Transportation, on each contract.
- ** See the section "Crediting DBE Participation Toward Meeting the Goal" in the Contract Document.
- *** The Contracting Agency will utilize this amount to determine whether or not the bidder has met the goal. In the event of an arithmetic difference between this total and the sum of the individual amounts listed above, then the sum of the amounts listed shall prevail and the total will be revised accordingly. Participation in excess of the goal amount will be considered voluntary or race-neutral participation.

By checking Box 4 the bidder is stating that their attempts to solicit sufficient DBE participation has been unsuccessful and good faith effort will be submitted within 48 hours of bid opening.

You must indicate on your DBE Utilization Certification if you will submit a Good Faith Effort.

DBE Utilization Certification Form 272-056 EF

- If a DBE contractor is a subcontractor to another subcontractor, the DBE will need to be listed on the contractor's Utilization Certification, rather than the subcontractor they will be performing work for.
- The intent of the DBE Utilization Certification is to determine how the COA goal will be met, so the DBE performing the COA work will be listed with their description of work and amount to be credited toward the goal.

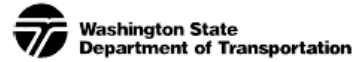
DBE Utilization Certification Form 272-056 EF

- Including a contractor that is not in OMWBE's Directory of Certified DBE Firms on your DBE Utilization Certification will result in your bid being rejected.
- Using a “Description of Work” that is not consistent with the “DESCRIPTION OF WORK” in OMWBE's Directory of Certified Firms may result in your bid being rejected.
- It may be that only a portion of the amount paid to the DBE is eligible as COA participation. If you put 100% of the amount paid as eligible and it is not, your bid will be rejected.
- If the total of all amounts in column 4 does not match the DBE Total \$ and is less than the “Disadvantaged Business Enterprise Subcontracting Goal” your bid will be rejected.

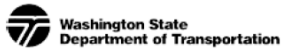
DBE Written Confirmation Document – FORM **422-031 EF**

- DBE Written Confirmation Documents are due to WSDOT within 48 hours of the bid opening.
- Bids have been questioned and delayed because the listed COA DBEs did not concur with the “Description of Work” and/or the dollar value of the COA work in the bidder’s DBE Utilization Certification.
- This form, as required by CFR, will verify the agreement as described in the DBE Utilization Certification, between the bidder and the COA DBE prior to bid opening.
- Failure to include a form from every COA DBE which is consistent with the bidder’s DBE Utilization Certification will result in bid rejection.

DBE Written Confirmation Document – FORM 422-031 EF



DBE Utilization Certification Form 272-056 EF



Disadvantaged Business Enterprise Utilization Certification

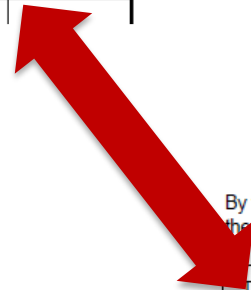
To be eligible for award of this contract the bidder must fill out and submit, as part of its bid proposal, the following Disadvantaged Business Enterprise Utilization Certification relating to Disadvantaged Business Enterprise (DBE) requirements. The Contracting Agency shall consider as non-responsive and shall reject any bid proposal that does not contain a DBE Certification which properly demonstrates that the bidder will meet the DBE participation requirements in one of the manners provided for in the proposed contract. The Bidder must submit good faith effort documentation with the DBE Utilization Certification only in the event the bidder's efforts to solicit sufficient DBE participation has been unsuccessful. The successful bidder's Disadvantaged Business Enterprise Utilization Certification shall be deemed a part of the resulting contract. Information on certified firms is available from OMWBE, telephone 360-753-9693 or Toll Free 1-866-208-1064.

Good Example Contractors, Inc. certifies that the Disadvantaged Business Enterprise (DBE) (Box 1) Name of Bidder

Firms listed below have been contacted regarding participation on this project. If this bidder is successful on this project and is awarded the contract, it shall assure that subcontracts or supply agreements are executed with those firms where an "Amount to be Applied Towards Goal" is listed. (If necessary, use additional sheet.)

Column 1	Column 2	Column 3	Column 4
Name of DBE Certificate Number	Project Role (Prime, Joint Venture, Subcontractor, Manufacturer, Regular Dealer)	Description of Work	Amount to be Applied Towards Goal
1. <u>16 Copenhagen LLC.</u> D5F1020667	Subcontractor	Graphic Design Services	\$5,000.00
2. <u>1st Class Transport</u> D2F9820625	Subcontractor	Dump Trucking	\$4,999.99
3.			

The entry on the DBE Written Confirmation for "Description of Work" and "Amount to be Applied Towards Goal" must match the entries on the DBE Utilization Certification or your bid will be rejected.



Disadvantaged Business Enterprise (DBE) Written Confirmation Document

As an authorized representative of the Disadvantaged Business Enterprise (DBE), I confirm that we have been contacted by the referenced bidder with regard to the referenced project and if the bidder is awarded the contract we will enter into an agreement with the bidder to participate in the project consistent with the information provided in the bidder's Disadvantaged Business Enterprise Utilization Certification.

Contract Title: SR 7 Resurfacing

Bidder's Business Name: Good Example Contractors, Inc.

DBE's Business Name: 1st Class Transport

DBE Signature: (sign here)

DBE's Title: (title here)

Date: (date here)

By the above signature I certify that all the information on this form is complete and accurate to the best of my knowledge.

The entries must be consistent with what is shown on the bidder's Disadvantaged Business Enterprise Utilization Certification. Failure to do so will result in bid rejection. See contract provision; *Disadvantaged Business Enterprise Condition of Award Participation.*

Description of Work: Dump Trucking

Amount to be Applied Towards Goal: \$4,999.99

DBE Written Confirmation Document – FORM **422-031 EF**

- As of May 7, 2012, written confirmation **MUST** be submitted on Form 422-031 EF DBE Written Confirmation Document. Customized forms are no longer accepted.
- The question has been asked what dollar amount should be listed on the Written Confirmation Document. Is it only the amount to be credited toward COA participation or can it be the DBE's entire bid?
- Only the amount to be credited toward COA participation should be listed in the box on the Written Confirmation Document.
- WSDOT is aware that it may create confusion for some DBEs to see a dollar amount on the confirmation that may be less than their quote.
- To alleviate any confusion, you may list additional information such as the DBE's entire quote outside of the box on the Written Confirmation Document. You may also attach additional pages or create a customized form that includes everything on the Written Confirmation Document as well as information about the DBE's entire quote.
- The intention of the Written Confirmation Document is to determine that there is agreement between both parties as to the work that will be performed as COA participation and the value of that work.

Good Faith Efforts

You will have 48 hours from the time of bid opening to submit your Good Faith Effort documentation to WSDOT.

If you submit Good Faith Effort documentation, your intention to do so must be indicated on the DBE Utilization Certification you submitted with your sealed proposal.

The Good Faith Efforts apply only in the situation that the bidder is unable to demonstrate through the DBE Utilization Certification that they met the goal.

The submission of Good Faith Efforts as a fallback in the event of an error in demonstrating attainment is not allowed and will not be considered.

Good Faith Efforts

GFE documentation shall be received at the time specified in the contract and includes but is not limited to:

- Attendance at any pre-bid meetings to inform DBEs of opportunities on the project.
- Contacting local Tribes or TERO concerning opportunities.
- Subcontracting smaller parts of the contract thereby increasing the likelihood of participation by DBEs.
- Advertising in targeted publications concerning opportunities.
- Providing timely notice to DBEs listed in OMWBE's Directory.
- Follow-up of initial solicitations and documentation of this contact.
- Not rejecting bids prepared by any DBE without justifiable reason.
- Using the services of minority and women's organizations.
- Using WSDOT OEO's DBE Supportive Services.

Refer to the Good Faith Efforts (GFE) section of the DBE specification for more detailed information.

E-mail dbess@wsdot.wa.gov for information about how to reach to DBE contractors in the area you will be working in.

Changes to Reconsideration

- Bidders have the right to reconsideration **only** for the purpose of reassessing their **Good Faith Effort documentation** in the event it has been determined to be inadequate.
- The bidder must request and schedule a reconsideration hearing within seven calendar days of notification of being nonresponsive or forfeit the right to reconsideration.
- The contracting agency will provide a written decision on reconsideration within five business days of the hearing.

Delivery of Proposal

On all contracts advertised on or after May 7, 2012:

- WSDOT will open bid proposals without delay. Your DBE Utilization Certification must be submitted with your sealed bid.
- You will have 48 hours from the time of bid opening to submit your DBE Written Confirmation Documents to WSDOT.
- If you are submitting a Good Faith Effort (GFE), you also have 48 hours from the time bids are opened to submit your GFE documentation to WSDOT.
- Remember that you must indicate on your DBE Utilization Certification if you plan to submit GFE documentation.
- Local agencies will likely not be providing a 48 hour delay for submitting DBE Written Confirmation Documents and GFE documentation.
- Check the Division 1 Special Provisions for *Delivery of Proposal* to determine if the contract has a 48 hour delay.

Submitting Your DBE Documents

1. Your DBE Utilization Certification may be mailed, hand delivered or faxed by the *Deadline for Receipt of Proposals* specified in the contract.

OR

If you are submitting a bid using Bid Express you must fill out the equivalent document of the DBE Utilization Certification in Bid Express and submit it with your sealed bid by the *Deadline for Receipt of Proposals* specified in the contract.

2. Good Faith Effort documentation must come in the mail or be hand delivered by the time specified in the contract under *Delivery of Proposal*. GFE Documentation cannot be faxed.
3. DBE Written Confirmation Documents may be mailed, hand delivered or faxed by the time specified in the *Delivery of Proposal Special Provision*.

Changes to the DBE Specification

If you are bidding on a contract with a DBE COA goal, be sure you read and understand the new process, which is explained in the *Disadvantaged Business Enterprise Condition of Award Participation* specification for that specific project that you are bidding on.

Implementation Timeline

Directory of Certified DBE Firms – Currently active.

Approved Regular Dealers/Manufacturers – Currently active.

DBE Utilization Certification (form 272-056 EF) – Updated form available May 2012. Use version of form included in proposal.

DBE Written Confirmation (form 422-031 EF) – Updated form available May 2012. Use version of form included in proposal – customized forms no longer accepted.

Good Faith Efforts – See *Disadvantaged Business Enterprise Condition of Award Participation Specification* in the contract you are bidding on.

Reconsideration – See *Disadvantaged Business Enterprise Condition of Award Participation Specification* in the contract you are bidding on.

Delivery of Proposal – See *Delivery of Proposal* specification in the contract you are bidding on. See *Deadline for Receipt of DBE Written Confirmation Document(s) and/or Good Faith Effort (GFE)*.

DBE Specification - See *Disadvantaged Business Enterprise Condition of Award Participation Specification* in the contract you are bidding on.

QUESTIONS?

The documents discussed are available at:

Directory of Certified DBE Firms:

<http://www.omwbe.wa.gov>

DBE Utilization Certification (272-056 EF) and Written Confirmation Document (422-031 EF)

<http://www.wsdot.wa.gov/forms/default.htm>

Office of Equal Opportunity

<http://www.wsdot.wa.gov/equalopportunity>

Contract Ad & Award

<http://www.wsdot.wa.gov/biz/contaa/>

This presentation can be accessed online at OMWBE's website, or the following WSDOT pages: Office of Equal Opportunity, Construction and Contract Ad & Award.