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, online at: http://www.omwbe.wa.gov or Toll Free 1-866-208-1064.

_____ 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 named DBEs. (If necessary, use additional sheets.)

Column 1 **Name of DBE**	Column 2 * **Project Role** (Subcontractor, Subcontractor (Force Account), Manufacturer, Regular Dealer, Broker)	Column 3 **Description of Work** (Separate Force Account work from other work for Goal Participation percentage purpose; see instructions.)	Column 4 ** **Amount Subcontracted to DBE**	Column 5 *** **Amount to be Applied Towards Goal**

Disadvantaged Business Enterprise Subcontracting Goal: Box 2 Total DBE Commitment $ 0.00 **** 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" in the Contract Document.

*** Column 5 must show a reduced or equal amount to that shown in Column 4 as appropriate for project role. See the section "Disadvantaged Business Enterprise Utilization Certification Form #272-056" in the Contract documents.

**** 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 in Column 4, then the sum of the amounts listed shall prevail and the total will be revised accordingly

Instructions for Disadvantaged Business Enterprise Utilization Certification Form

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).

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

Subcontractor, Subcontractor (Force Account), Manufacturer, Regular Dealer*,Broker

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 OMWBE 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. Force Account work must be listed separately, for the purpose of calculating Goal participation percent and to determine the responsiveness at the time of Contract Award. For the purposes of meeting the DBE COA Goal, only 50% of the Proposal amount shall be credited toward the Contractors Commitment to meet the DBE COA Goal.

Column 4: Amount to be subcontracted and this column is used for the purpose of determining the amount to be applied towards goal for Regular Dealer and Force Account work.

Column 5: 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 5. This value must equal or exceed the goal amount.

Box 4: Check Box 4 if sufficient DBE Participation <u>has been unsuccessful and a good faith effort will be submitted</u>. 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.