



Transmittal Number PT 11-035	Date June 2011
Publication Distribution To: Consultant Services Manual holders	
Publication Title Consultant Services Manual – June 2011	Publication Number M 27-50.02
Originating Organization WSDOT Design Office, Consultant Services Office, Environmental and Engineering Programs through Administrative and Engineering Publications, Administrative Operations	

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**What Changes Have Been Made in the Current Consultant Services Manual?**

**Part 7 – Disadvantaged Business Enterprise:** The current Part 7 is being replaced by an updated version, which includes changes to more accurately align with the new WSDOT statewide DBE participation plan. The tenets and provisions of Part 7 and the accompanying Appendix X have been reviewed and approved by FHWA.

**Appendix X – Disadvantaged Business Enterprise (DBE):** Appendix X is new. The material has now been approved by the WSDOT Office of Equal Opportunity and FHWA.

**General**

- Download the current electronic WSDOT *Consultant Services Manual* or separate chapters at: <http://www.wsdot.wa.gov/publications/manuals/m22-01.htm>
- Engineering Publications no longer sells printed department manuals or publications to the general public, contractors, consultants, cities, or counties (WSDOT employees, see note below). This service is now available through the Washington State Department of Printing’s Fulfillment Center. Printed copies of WSDOT’s most requested manuals are available through its online service called the **General Store. This is a secure website.** Once you have established an account, you may purchase any product available: <https://fortress.wa.gov/prt/printwa/wsprt/default.asp>

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**Washington State  
Department of Transportation**

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# **Consultant Services Manual**

M 27-50.02

June 2011

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## **Title VI Notice to the Public**

It is Washington State Department of Transportation (WSDOT) policy to ensure no person shall, on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its federally funded programs and activities. Any person who believes his/her Title VI protection has been violated may file a complaint with WSDOT's Office of Equal Opportunity (OEO). For Title VI complaint forms and advice, please contact OEO's Title VI Coordinator at 360-705-7098 or 509-324-6018.

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### **700.01 Introduction**

This chapter covers the legal requirements and the roles and responsibilities of recipients/subrecipients of federal (United States Department of Transportation [USDOT]) funds on WSDOT project work. It also provides instructions for meeting the specific requirements of participation by disadvantaged groups in federally funded consultant projects.

### **700.02 Roles and Responsibilities**

#### **700.02.01 WSDOT Office of Equal Opportunity (OEO)**

The director of the OEO has been designated as WSDOT's Disadvantaged Business Enterprises (DBE) Liaison Officer, in accordance with [49 CFR 26.25](#). The DBE Liaison Officer reports to the WSDOT Secretary and is responsible for developing, implementing, and monitoring all aspects of WSDOT's DBE program. This includes coordinating with appropriate offices within WSDOT to ensure statewide compliance with [49 CFR 26](#).

The responsibilities of the OEO include, but are not limited to: gathering statistical data to report to respective USDOT Operating Administrations; establishing the department's overall DBE goals and project DBE goals, as appropriate; analyzing progress toward attainment of goals and identifying mechanisms to improve progress; conducting internal and external assessments/reviews of DBE program activities and coordinating enforcement action, as necessary; and advising the Secretary and other office directors on DBE matters.

The OEO is responsible for review of DBE goals when established on WSDOT consultant contracts prior to solicitations, and for final review of DBE goals prior to the award of a consultant contract.

#### **700.02.02 WSDOT HQ Consultant Services Office (CSO)**

The CSO is responsible for ensuring its programs and activities are implemented consistent with the department's DBE Program Plan and policies. The CSO, in coordination with the OEO, is responsible for seeing that goals are properly established by, and training is made available to, area consultant liaisons (ACLs) and project personnel responsible for DBE activities on architectural and engineering (A&E) contracts.

The CSO, working with the ACLs and project managers, will establish the methodology for statement of work (SOW) development for the project and thus the time frame for goal establishment.

The CSO manager will designate a DBE point of contact in the CSO to work with the OEO and the ACLs in matters related to DBE program development and implementation, assist the ACLs in goal establishment during negotiations, and conduct project reviews for compliance, as necessary.

The CSO manager will be responsible for developing and maintaining a set of subcontracting guidelines regarding DBE participation rules, regulations, and procedures. The guidelines will be for use by consultants, WSDOT project managers, ACLs, and subrecipients of federal-aid highway funds. The DBE guidelines will be in an electronic format and downloadable from the CSO's public website: [www.wsdot.wa.gov/business/consulting](http://www.wsdot.wa.gov/business/consulting)

The DBE guidelines will cover issues such as actively soliciting interest from DBE firms for inclusion in solicitation packages on WSDOT requests for qualifications (RFQs); good faith efforts in goal attainment; commercially useful functions in DBE subcontracts; prompt payment provisions and payment certifications by subconsultants.

The WSDOT CSO will be responsible for maintaining and updating the DBE guidelines as needed.

The CSO manager will also assign other responsibilities as necessary to the CSO DBE point of contact, to meet the department's DBE responsibilities. These duties may include, but are not limited to: gathering and reporting statistical data to the OEO; maintaining a running tally of amounts paid to DBE firms (in comparison to commitments made); assisting the ACLs in monitoring the performance of DBEs to ensure the DBEs are performing a commercially useful function; representing the CSO on WSDOT's goal-monitoring committee; tracking complaints (in cooperation with the OEO) by DBE firms; and verifying current certifications.

### **700.02.03 Area Consultant Liaisons (ACLs)**

ACLs are responsible for interactions between the CSO and project personnel in matters that pertain to DBE goal setting, oversight, and implementation in their respective areas, as requested by the CSO manager. ACLs are responsible for working with their respective projects to monitor the performance of DBEs to ensure the DBEs are performing a commercially useful function and obtaining monthly and semiannual reporting information. They will coordinate collecting the appropriate data and ensuring it gets to the CSO for proper reporting. Other DBE activities will be assigned to the ACL by the CSO manager as needed.

The WSDOT project manager (PM) will work with the ACL and the CSO DBE point of contact to establish goals during SOW development and negotiations when using the Managing Project Delivery method. The PM will be responsible for tracking DBE participation during the contract and ensuring a good faith effort is being made to meet the project goals.

#### **700.02.04 Office of Minority and Women's Business Enterprises (OMWBE)**

The OMWBE is currently the only agency in the state of Washington approved by USDOT to act as the Unified Certification Process (UCP) authority under the DBE Program Plan. The OMWBE is responsible for certifying DBE business entities in the state of Washington, in accordance with a Memorandum of Agreement with the WSDOT OEO.

### **700.03 Implementation**

The WSDOT OEO will be involved in all matters related to DBE issues.

As a recipient of federal financial assistance, WSDOT is required to have a DBE Program Plan that meets the requirements of [49 CFR 26](#). The OEO works with all offices in WSDOT (including the CSO) to ensure the department is implementing its DBE Program Plan correctly and consistently.

The projects and the ACLs are responsible for the implementation processes covered in [Appendix X](#), Exhibits [X-1](#) and [X-2a–X-2d](#). The CSO will work with the ACLs and the project managers from project inception to ensure all regulations are satisfied.

Prior to soliciting any federally funded contract, the subject of DBE goals needs to be discussed between the project team and the CSO. (The process for establishing a goal is covered in [Appendix X](#).) In addition, there are significant reporting requirements that must be completed. (Monthly and semiannual reporting instructions and examples of forms are found in [Appendix X](#).) All reporting will be managed by the CSO, which will compile the information it receives from all regions and ACLs for submission to the OEO.

#### **700.03.01 Subconsultants Fixed in Negotiations**

After negotiations are completed, the subconsultants are fixed to the contract, or to the work effort when task orders are negotiated as part of an indefinite-delivery (on-call) contract (IDC). If a subconsultant cannot complete the work, or is not available for any reason during the contract, the prime will notify the project and the ACL. Primes are responsible for seeking and finding a substitute DBE when the original subconsultant is a DBE.

If the work originally planned for a DBE subconsultant is cancelled or determined not to be needed, the prime will make a diligent effort to find suitable replacement work for the DBE firm or to reallocate work to a subsequent DBE proposed by the prime. All substitutions, cancellations of work, or changes that affect DBE participation will be submitted to the CSO for approval. The CSO will consult with the OEO prior to approval.

Subcontracting is an important topic because the determination of “best qualified firm” is based in part on the project team’s makeup, which includes subconsultants.

Because the ranking, short-listing, and contract award are based on the qualifications of the proposed teams, dropping or replacing subconsultants will not be done without reconvening the selection board and considering the impact on the ranking of the firms entering negotiations.

### **700.03.02 Disadvantaged Business Enterprise (DBE) Participation**

The issue of DBE participation and goal setting must be addressed for federally funded projects. This is not possible if contracts are entered into prior to knowing what work is being contracted. Therefore, the consultant's approach to the work solicited for, and the anticipated subcontracting, is part of the consultant's second-tier proposal or negotiations process.

In addition to the federal DBE Program Plan requirements, the state also has certain legal requirements under [RCW 39.80.040](#), which requires the state to have a plan that ensures minority- and women-owned firms are afforded the maximum practicable opportunity to compete for and obtain public contracts for services, not just as subcontractors, but as primes. The agency procedures and guidelines will include a plan that provides these assurances. The level of participation by minority- and women-owned firms must be consistent with their general availability within the professional communities involved.

### **700.03.03 Goal-Setting Process**

[Appendix X](#) provides a detailed description of the steps involved in determining DBE goals on a consultant services contract. Examples of the DBE goal calculation worksheet are provided in [Exhibit X-1](#).

The CSO utilizes two types of contracts: project-specific and indefinite-delivery contracts (IDCs) using task order documents. The IDCs have an on-call component and could have assigned work through task orders, each of which can relate to different projects. Each task order in which federal funds participate, that is anticipated to exceed the simplified acquisition threshold specified in [41 U.S.C. 403\(11\)](#), will establish DBE goals through the goal-setting process covered in [Exhibit X-1](#).

The methodology employed by WSDOT and the CSO in determining consultant project goals uses the "DBE Participation Calculation Worksheet for Consultant Services," shown as [Exhibit X-1](#).

### 700.03.04 Goal Monitoring and Reporting

In accordance with [49 CFR 26](#), WSDOT is required to report the participation of DBE-certified firms on all projects funded by the Federal Highway Administration, Federal Transit Administration, and Federal Aviation Administration. In order to stay compliant with this requirement, all regions/divisions must provide the CSO a semiannual report (see [Exhibit X-2b](#)) of their federally funded consultant contracts/ supplements and/ or task order documents on IDCs. This applies to both A&E contracts and personal services contracts.

All regions/divisions must also provide the CSO a monthly report (see [Exhibit X-2a](#)) of their federally funded consultant contracts/supplements and/ or task orders/amendments for A&E contracts and personal services contracts.

[Section X.4](#) provides a detailed description and examples of the steps involved in monitoring and reporting monthly and semiannual DBE establishment, awards, progress, and attainment. Examples of the DBE reporting workbook are provided in Exhibits [X-2a–X-2d](#).

On both the semiannual report and the monthly utilization report, new contract wards, contract supplements, contract close-outs, and actual payments to DBE firms are to be reported.

Each area consultant liaison will be provided, in electronic format, the Excel workbook (DBE Utilization Reports) to be used for tracking and reporting the monthly and semiannual reports.

The workbook (see [Appendix X](#)) consists of the following four spreadsheets:

1. The first spreadsheet is the “Monthly” report, which is to be turned in at the end of every month (see [Exhibit X-2a](#)).
2. The second spreadsheet is the “Semiannual” report, which is to be turned in no later than two weeks after the end date of the reporting half, based on the federal fiscal year (see [Exhibit X-2b](#)). The federal fiscal year reporting periods are as follows:
  - October 1 through March 31 (first reporting half)
  - April 1 through September 30 (second reporting half)
3. The third spreadsheet is the “Allocation History” (see [Exhibit X-2c](#)).
4. The fourth spreadsheet is the “Payment History” (see [Exhibit X-2d](#)).



## X.1 Introduction

One of the key components of the DBE program is the methodology for setting and achieving goals on federally funded projects. There are actually two methodologies involved:

- The first is the process used to establish a state's overall tri-annual jurisdictional goal and annual updates. This process is covered in detail in [49 CFR 26.45](#) and the Disadvantaged Business Enterprise Program Participation Plan. WSDOT's Office of Equal Opportunity (OEO) is primarily responsible for working with the department's contracting and grants recipient functionaries to establish a statewide goal acceptable to the Federal Highway Administration (FHWA), Federal Transit Authority (FTA), and Federal Aviation Division (FAA), per this federal regulation.
- The second methodology is the one that establishes goals on specific projects that work toward helping a state accomplish its overall jurisdictional goal. For architectural and engineering (A&E) and project-related consultant contracts, the process is covered in this appendix.

## X.2 Annual Solicitation for Statements of Interest

Each year, at a time determined by the WSDOT Chief Engineer, the HQ Consultant Services Office (CSO) publishes an announcement soliciting statements of interest from individual consultants and consultant firms that want to be considered for WSDOT-let consultant contracts. Consultants are encouraged to submit information on their qualifications, recent contract awards, and past performance ratings, regardless of whether their interest is in receiving contracts as a prime consultant or a subconsultant.

Consultants that are already in the WSDOT consultant database are encouraged to update any of their information that may not be current.

As part of the annual solicitation, the WSDOT CSO will contact all certified DBE firms on the Washington State Office of Civil Rights database that show North American Industry Classification System (NAICS) classifications for work historically performed on consultant contracts let through the CSO. If there are any NAICS categories not previously covered, but for which work is anticipated to be let through the CSO in the current budgetary cycle, the CSO will contact those certified firms identified in those NAICS categories, as well.

DBE firms and all non-DBE firms will be encouraged to submit documentation on their qualifications in specific NAICS categories. Consultants that respond to the annual solicitation for statements of interest will be entered into the WSDOT consultant database or have their existing information updated. Details on the annual solicitation for statements of interest are covered in [410.01](#) and Appendices J and N.

### X.3 Goal-Setting Process

49 CFR 26 requires states to maintain a database of DBE firms that have expressed an interest in contracting with the government. 40 USC 1101–1104 (The Brooks Act), 49 CFR 18, and RCW 39.80 require WSDOT to maintain data regarding all firms that express an interest in performing work for WSDOT. The CSO will maintain a method that tracks and is able to report the following:

- DBE availability in accordance with the specifications of 49 CFR 26.
- DBE certification status in accordance with the requirements of the Office of Minority and Women’s Business Enterprises.
- DBE firms awarded contracts or subcontracts where federal funds are involved.
- DBE goals set on awarded contracts where federal funds are involved.
- Verification of executed subcontracts between primes and DBE firms.
- Certification requirements of primes’ prompt payments to DBE subs by each subconsultant.
- Verification of DBE subconsultant performing commercially useful function (see Chapter 140).
- Goal attainment on completed contracts where federal funds are involved.

The CSO will maintain a data retrieval process that meets these requirements in accordance with the DBE Program Plan approved by FHWA.

Pursuant to 49 CFR 26.51(e)(1), WSDOT shall only set contract goals on projects that contain subcontracting opportunities. WSDOT shall not set individual contract goals on projects less than one hundred thousand dollars (\$100,000).

The CSO will work with the OEO to utilize the availability data contained within the National Economic Research Associates (NERA) report “Race, Sex and Business Enterprise: Evidence from the State of Washington,” current census data, CSO data gathered from its annual requests for statements of interest, and CSO data from past performance evaluations. This will first be accomplished by assigning DBE availability from the NERA report for the separate categories and NAICS classifications covering the type of work WSDOT contracts to consultants.

The following describes the steps involved in determining DBE goals on a consultant-designed project. These steps are applicable whether the contract is for Planning/Route Development Studies, Environmental Impact Statements (EIS), Preliminary Design, or Plans Specifications & Estimates packages for ad.

### **X.3.1 Consultant Contract Goals for WSDOT Projects**

The CSO utilizes two types of contracts using task order documents: project-specific and indefinite-delivery contracts (IDCs). The IDCs have an on-call component and could have multiple project-specific task orders. The DBE Program Plan requires the application of DBE goals on task orders that include federal participation, in the same manner as project-specific contracts.

The methodology employed by WSDOT and the CSO in determining consultant project goals uses the “DBE Participation Calculation Worksheet for Consultant Services,” shown as [Exhibit X-1](#). The steps are as follows:

#### **1. Project-Specific Contracts**

If the contract includes federal funds, it will be subject to the DBE race-conscious goal-setting process. If the original contract amount meets and/or exceeds \$100,000, an individual supplement amount meets and/or exceeds \$100,000, and/or the cumulative contract amount meets and/or exceeds \$100,000, then a race-conscious goal-setting process will be utilized to determine DBE participation, provided there are subcontracting opportunities within the scope of work.

Following are examples using this process:

- **Example 1**

The original contract amount is \$100,000: the entire contract amount is subject to race-conscious goal setting. In addition, all supplements would be subject to race-conscious goal-setting consideration because the cumulative contract amount met or exceeded \$100,000.

- **Example 2**

The original contract amount is \$200,000: this amount is subject to race-conscious goal setting. The supplement amount is \$50,000: this amount would also be subject to race-conscious goal-setting consideration. In addition, all subsequent supplements would be subject to race-conscious goal setting because the cumulative contract amount met or exceeded \$100,000.

The dollar threshold amount for specific projects will be analyzed on a yearly basis to determine whether race-conscious goals are being met. Based on this analysis, the dollar threshold amount for implementing DBE race-conscious goal setting may need to be modified and included in the yearly plan update.

The DBE race-conscious participation will be based on the “DBE Participation Calculation Worksheet for Consultant Services” (see [Exhibit X-1](#)).

## 2. Race-Conscious Goal-Setting Methodology

- Determine the total estimated dollar amount of the contract. This will be provided by the WSDOT office requesting the use of a consultant.
- Utilizing a Work Breakdown Structure or master deliverables list (MDL), identify each logical work type or deliverable category that could be done by subcontract. Determine the percentage and dollar value of each work element in relation to the total contract amount.
- Starting with the largest work component and working down until the minimum mandatory prime performance percentage is reached or exceeded, identify the work components qualifying for mandatory prime performance percentage (a minimum of 30%). Note that WSDOT requires the prime consultant to perform quality assurance/quality control (QA/QC) for the major components of the project. Therefore, the engineers' estimate for this item of work will always be part of the 30% prime portion used for establishing DBE goal percentages.
- Deduct the mandatory prime percentage from the total percentage used to calculate the DBE participation.
- From the remaining work elements, identify the work elements with subcontractable possibility without having a detrimental impact on the delivery of the project.
- Calculate the dollar amount and percentage and round the numbers.
- Determine the ratio of eligible certified DBE firms to the total of all firms qualified to perform the work of each category.
- Multiply this ratio, expressed as a percentage, by the percentage of the project this category of work represents, to get the DBE participation percentage for this category.
- Sum the DBE participation percentages for all the categories to establish the DBE goal for the project.
- Coordination with the CSO and the Office of Equal Opportunity (OEO) is required for this step.

## 3. DBE Participation

- A. As part of the solicitation advertisement, the following statement must be included:

*The department has an overall Disadvantaged Business Enterprise (DBE) goal. The DBE goal for participation for this project will be obtained through a combination of race-neutral/race-conscious means as outlined in WSDOT's "Disadvantaged Business Enterprise Program Plan."*

*DBE goals on federally assisted projects will be set utilizing the criteria outlined in the plan and the "DBE Participation Calculation Methodology Worksheet for Consultant Services." The department encourages disadvantaged and minority- and women-owned consultant firms to respond.*

- B. In many project-specific contracting opportunities, the initial review by the selection committee will be of firms' qualifications already in the CSO database (having been received in response to the annual solicitation for statements of interest), together with the qualifications of those firms responding to the specific solicitation. Presentation of subconsultant team members and their anticipated work assignments is generally part of each prospective prime's approach to the project, which is part of the second-tier competition. Therefore, a firm's responsiveness to a stated DBE goal in a contract solicitation will be determined as part of the second-tier competition as well as in any final negotiations.

Firms that wish to be considered for federally funded contracts must make a commitment to adhere to the requirements of 49 CFR 26 and the WSDOT Disadvantaged Business Enterprise Program Participation Plan as part of their statement of interest when submitting their qualifications. Firms must demonstrate a commitment to presenting the best qualified team they can that meets or exceeds DBE goals established for any contracts they wish to be considered for.

Goal attainment, or fully substantiated good faith efforts (as determined by the WSDOT OEO) on past work performance, will be used as a selection criterion on project solicitations and as an evaluation criterion on work performance. The value of this selection criterion will not exceed 10% of the total value of all selection criteria.

On project solicitations where WSDOT specifically asks for full teams as part of the initial request for qualifications (RFQ), the consultant will include the "Submittal Information Packet," which identifies potential subconsultants, both DBE-certified and non-DBE firms. The information packets for both primes and subconsultants are available from the CSO's public website: [www.wsdot.wa.gov/business/consulting](http://www.wsdot.wa.gov/business/consulting)

After execution and delivery of each contract, contract supplement, IDC, or task order document to the consultant, the CSO, in coordination with the OEO, will obtain written verification from each subconsultant designated to perform work within the consultant's contract, that they do in fact have a contract with the consultant to perform the work specified in the consultant contract. A copy of each written verification received from a qualifying DBE on the contract will be forwarded to the OEO for its records.

- C. The following clause is required to be included in each contract signed with a consultant and each subcontract the prime consultant signs with a subconsultant:

*The consultant, subrecipient, or subconsultant shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The consultant shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the consultant to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.*

	A	B	C	D	E	F	G
1	<b>DBE Participation Calculation Worksheet Example for Consultant Services</b>						
2	<b>Based on Engineers Estimate of Cost - Page 1</b>						
3						<b>Amount</b>	<b>Percentage</b>
4	Total Estimated Dollar Amount of Project					\$ 2,500,000	100%
5	Minimum Mandatory Prime Performance 30% of Contract Deliverables					\$ 750,000	30%
6	Deliverables Subject to Goal Setting					\$ 1,750,000	70%
7							
8	<b>Elements of Work (or Work Breakdown Structure):</b>				<b>NAICS</b>	<b>Dollar</b>	<b>Category</b>
9					<b>Codes</b>	<b>Estimate</b>	<b>Percentage</b>
10	<i>EIS Example</i>						
11	Environmental Studies					\$520,000	20.8%
12	Air / Noise					\$30,000	1.2%
13	Biological Assessment					\$20,000	0.8%
14	Hydraulics Analysis and Report					\$60,000	2.4%
15	Hazardous Waste					\$35,000	1.4%
16	Draft Stormwater Site Plans					\$160,000	6.4%
17	Historical Research					\$60,000	2.4%
18	Archeological Assessment					\$60,000	2.4%
19	Prepare Environmental Document (EIS, EA, etc.)					\$95,000	3.8%
20							
21	Traffic					\$250,000	10.0%
22	Compile Traffic Data					\$50,000	2.0%
23	Traffic Modeling					\$180,000	7.2%
24	Prepare Traffic Analysis					\$20,000	0.8%
25							
26	Public Involvement					\$240,000	9.6%
27	Design File					\$50,000	2.0%
28	Engineering Estimates					\$80,000	3.2%
29	Right of Way Plans					\$100,000	4.0%
30	Photogrammetry					\$30,000	1.2%
31	Surveying					\$100,000	4.0%
32	Base Map Preparation					\$100,000	4.0%
33	Access Decision Report					\$80,000	3.2%
34	Geotech and Soils Report					\$200,000	8.0%
35							
36	Structures					\$675,000	27.0%
37	Bridge / Footings and Approaches					\$250,000	10.0%
38	Retaining Walls					\$175,000	7.0%
39	Structures - Preliminary Design					\$250,000	10.0%
40							
41	Prime QA/QC - Not Subject to Goal Setting Calcs					\$75,000	3.0%
42							
43	Total Project					\$2,500,000	
44	<b>Go To Page 2</b>						

**DBE Participation Calculation Worksheet for Consultant Services**  
*Exhibit X-1*

	A	B	C	D	E	F	G	H	I
1	DBE Participation Calculation Worksheet Example for Consultant Services								
2	Based on Engineers Estimate of Cost - Page 2								
3	<b>Step 1:</b> Identify the work elements with the highest percentages to achieve an					Calculated			Total Project
4	accumulative percentage of 30% or greater. Once the 30% has been reached, you					Amount	Percentage		
5	may <u>not</u> include additional work elements. QA/QC is always expected of the Prime.					of Prime			\$ 2,500,000
6									
7		QA/QC - Always included in prime's calc				\$75,000	3.0%		
8		Bridge / Footings and Approaches				\$250,000	10.0%		
9		Structures - Preliminary Design				\$250,000	10.0%		
10		Geotech and Soils Report				\$200,000	8.0%		
11									
12		(Public Involvement was not used in prime's calc because it is considered							
13		personal service - not specific to A&E prime)							
14	Sub Total					\$775,000	31.0%		
15									
16	<b>Step 2:</b> From the remaining work elements, determine the ratio of certified DBE firms eligible for DBE participation to the total number of firms eligible in each category. This provides the % ratio of DBE firms to all firms eligible to perform work in this category. Multiply that ratio times the category percentage of job for each category to arrive at the DBE % of category. The sum of these is the DBE goal.								
17	Categories - from Page 1			NAICS	Certified DBE's Eligible for This Category	All Firms Eligible for This Category	% Ratio of DBE Firms To All Firms This Category	DBE % of Category Times Category Percentage of Job	
18									
19		Environmental Studies							
20		Air / Noise			2	8	25%	0.30%	
21		Biological Assessment			0	2	0%	0.00%	
22		Hydraulics Analysis and Report			3	10	30%	0.72%	
23		Hazardous Waste			1	5	20%	0.28%	
24		Draft Stormwater Site Plans			5	16	31%	2.00%	
25		Historical Research			2	8	25%	0.60%	
26		Archeological Assessment			0	3	0%	0.00%	
27		Prepare Environmental Document (EIS, EA, etc.)			3	30	10%	0.38%	
28									
29		Traffic							
30		Compile Traffic Data			2	12	17%	0.33%	
31		Traffic Modeling			1	4	25%	1.80%	
32		Prepare Traffic Analysis			5	24	21%	0.17%	
33									
34		Public Involvement			3	8	38%	3.60%	
35		Design File			7	30	23%	0.47%	
36		Engineering Estimates			8	32	25%	0.80%	
37		Right of Way Plans			2	16	13%	0.50%	
38		Photogrammetry			0	2	0%	0.00%	
39		Surveying			3	14	21%	0.86%	
40		Base Map Preparation			7	30	23%	0.93%	
41		Access Decision Report			7	32	22%	0.70%	
42									
43		Structures							
44		Retaining Walls			8	33	24%	1.70%	
45									
46	Sub Total		Round to whole percentage for DBE Goal						16.13%
47									
48	<b>Step 3:</b> Finalization and Approval of Goal by CSO and DEO								
49	ACL's - Please submit this proposed Race Conscience DBE participation to HQ CSO for review and approval to determine the final goal.								
50	Any participation that exceeds the Race Conscience participation goes to fulfill the Race Neutral participation.								
51	Your final and approved DBE Race/Gender Conscience goal for this project is:								16%

**DBE Participation Calculation Worksheet for Consultant Services**  
*Exhibit X-1 (continued)*

## X.4 DBE Utilization Report Instructions

The workbook has been developed to limit the number of times the following data will need to be inputted. These reports, shown as Exhibits X-2a, X-2b, X-2c, and X-2d, must be submitted to the CSO in an Excel form, which is provided by the ACL at the project kickoff meeting. Questions are to be directed to the CSO.

### Workbook Instructions:

1. Region/Division: Write in the name of your region/division (such as Northwest Region, Environmental Affairs, Bridge, or WSF).
2. Reporting Period: This is based on the federal fiscal year of October 1 through September 30. The reporting period is broken in half, with the first half from October 1 through March 30, and the second half from April 1 through September 30.
3. Federal Fiscal Year: Indicate the year in which the end of each half takes place.
4. Contract Number: This is the “Y” number being reported. Report only on those contracts that were executed during the reporting period being covered.
5. Supplement Number: The supplement number to the contract being reported. Report only on those contracts that were executed during the reporting period being covered.
6. Task Order Document Number: If the contract is an IDC/on-call contract, complete the form for each federally funded task order. Report only those task orders that were executed during the reporting period being covered.
7. Amendment Number: If the task has been amended, indicate the amend number. Report only those amends to tasks that were executed during the reporting period being covered.
8. Amount: Write in the dollar amount of the contract/supplement/task order/amendment.
9. Project Title: Write the complete project title (such as SR 520 or Bridge Design).
10. Prime Consultant: Provide the full name of the prime consultant.
11. DBE: Is the prime a certified DBE firm?
12. DBE Certification Number for the Prime: The prime may need to be contacted or the information can be looked up by name on the OMWBE DBE website ([www.omwbe.wa.gov](http://www.omwbe.wa.gov)). Look for the Directory of Certified Firms under the “Certification” heading.

13. If Prime is DBE Certified: If the prime is a certified DBE firm, show the dollar amount allocated for the prime's participation only. Do not include subconsultants or purchased goods and services.
14. Federal-Aid Number: List the federal-aid number for the funding source for this project. If you do not know it, contact your program management personnel for assistance.
15. Funding Source: Indicate the federal funding source: FHWA, FTA, or FAA.
16. Percent Participation: Report the percentage of federal funding based on the funding source. Contact your program management personnel for assistance.
17. Subconsultants: List all DBE-certified subconsultants for this project. Include their certification number(s) and the amount(s) allocated. Report only those subs that are part of a contract/ supplement/task order/amendment that was executed during the reporting period covered.
18. Reporting: Complete one sheet for each contract/supplement/task order document/ amendment executed during the reporting period covered.

N40		fx		A	B	C	D	E	F	G	H	I	J	K	L
1	Region/Division:	North Central Region													
2	Reporting Month:	February													
3	Reporting Month:	of Fiscal Year:					2009								
4	Agreement Number:	Y-10567													
5	Task Order Number:														
6	Maximum Agreement/Supplement/Task Order Amount:	\$ 1,000,000.00													
7	Maximum Agreement Amount Authorized to Date:	\$ 5,000,000.00													
8	Maximum Task Amount Authorized to Date:	\$ -													
9	Work Order Number 1:	8L4567													
10	Amount:	\$ 800,000.00													
11	Work Order Number 2:	8L2345													
12	Amount:	\$ 200,000.00													
13	Project Title:	SR32, Noh Hill Blvd Interchange													
14	Prime Consultant:	HDR, Inc.													
15	Project DBE Goal:	12.00%													
16	DBE Goal Type:	<input type="checkbox"/> Base-Capex <input checked="" type="checkbox"/> Base-Total													
17	Is the prime consultant a certified DBE firm:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
18	Prime's DBE Certification No.:														
19	Specify dollar value of Prime's participation only:	\$ -													
20	Percent Participation:	0.00%													
21	Work Order Number 1 Info:														
22	Federal Bid Number:														
23	Percent Participation:	80%													
24	Participation Amount:	\$ 640,000.00													
25	Funding Source:	<input checked="" type="checkbox"/> TRN <input type="checkbox"/> TTA <input type="checkbox"/> TAN													
26	Work Order Number 2 Info:														
27	Federal Bid Number:														
28	Percent Participation:	45%													
29	Participation Amount:	\$ 90,000.00													
30	Funding Source:	<input type="checkbox"/> TRN <input checked="" type="checkbox"/> TTA <input type="checkbox"/> TAN													
31	Total Participation:	\$ 730,000.00													
32	SubContract(G)														
33	DBE/MBE Certification No.														
34	DBE/MBE Certification No.														
35	DBE/MBE Certification No.														
36	DBE/MBE Certification No.														
37	DBE/MBE Certification No.														
38	DBE/MBE Certification No.														
39	DBE/MBE Certification No.														
40	DBE/MBE Certification No.														
41	DBE/MBE Certification No.														
42	DBE/MBE Certification No.														
43	DBE/MBE Certification No.														
44	DBE/MBE Certification No.														
45	DBE/MBE Certification No.														
46	Total SubContract(G) Participation:	\$ 310,900.00													
47	Total SubContract(G) DBE Participation:	\$ 175,000.00													
48	Prime DBE Participation:	\$ -													
49	Total DBE Participation:	\$ 175,000.00													
50	Total DBE Participation:	\$ 175,000.00													
51	Total DBE Participation:	\$ 175,000.00													

DBE Utilization Report: Monthly Report Example  
Exhibit X-2a

	A	B	C	D	E	F	G	H	I	J	K	L
1	Region/Division:	North Central Region										
2	Reporting Period:	<input type="checkbox"/> Calendar Address Fiscal Year	2009									
3		<input checked="" type="checkbox"/> April-September										
4	Agreement Number:	Y-10587										
5	Task Order Number:	0										
6	Minor Agreement/Supplement/Task Order Amendment:		\$ 1,000,000.00									
7	Maximum Amount Authorized to Bids:		\$ 5,000,000.00									
8	Maximum Task Amount Authorized to Bids:											
9	Task Order Number 1:	RL4587	Amount:	\$ 800,000.00								
10	Task Order Number 2:	RL2345	Amount:	\$ 200,000.00								
11	Project Title:	SR 82, Nab Hill Blvd Interchange										
12	Prime Consultant:	HDR, Inc.										
13	Project DBE Goal:	12.00%	DBE Goal Type:	<input type="checkbox"/> Four-Corner <input checked="" type="checkbox"/> Round-Robin								
14	Is the prime consultant a certified DBE firm:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No										
15	Prime's DBE Certification No.:											
16	Specify dollar value of Prime participation only:	\$ -	0				0.00%					
17	Percent Participation:											
18	Task Order Number 1 Info:	HP-2009(03) using Source:	<input checked="" type="checkbox"/> M/RN <input type="checkbox"/> P/R									
19	Percent Participation:	80%										
20	Participation Amount:	\$ 640,000.00										
21	Task Order Number 2 Info:	IP-2008(60) using Source:	<input type="checkbox"/> M/RN <input type="checkbox"/> P/R									
22	Percent Participation:	45%										
23	Participation Amount:	\$ 90,000.00										
24	Total Participation No.:	\$ 730,000.00										
25	Sub-Contract(s)											
26												
27												
28												
29												
30												
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DBE Utilization Report: Semiannual Report Example  
Exhibit X-2b

