



**AUGUSTA, GEORGIA
DISADVANTAGED BUSINESS ENTERPRISE (DBE)
PROGRAM**

FOR

**AUGUSTA PUBLIC TRANSIT
FEDERAL TRANSIT ADMINISTRATION (FTA)
US DEPARTMENT OF TRANSPORTATION**

AUGUSTA, GEORGIA | augustaga.gov

Recipient ID: 2016

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**AUGUSTA, GEORGIA
DISADVANTAGED BUSINESS ENTERPRISE PROGRAM
POLICY STATEMENT**

Policy Statement (§26.1, §26.23)

Augusta, Georgia (Augusta, Georgia) has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (USDOT), 49 Code of Federal Regulations (CFR) Part 26. Augusta, Georgia has received federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, Augusta, Georgia has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of Augusta, Georgia to ensure that DBEs, as defined in Part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also policy:

1. To ensure nondiscrimination in the award and administration of DOT-assisted contracts;
2. To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
3. To ensure that the DBE program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs in DOT-assisted contracts;
6. To assist the development of firms that can compete successfully in the marketplace outside the DBE program.

Phyllis Johnson, Compliance Department Director, is Augusta, Georgia’s DBE Liaison Officer and is responsible for implementing all aspects of the DBE program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by Augusta, Georgia in its financial assistance agreements with the DOT.

Augusta, Georgia has disseminated this policy statement to its Board of Commissioners and Mayor and all of the departments of its organization. Augusta, Georgia has distributed this statement to DBE and non-DBE business communities that perform work for Augusta, Georgia on DOT-assisted contracts. Distribution of this policy statement is publicly displayed on our organization’s website, procurement contracting documents, and annual written notification to all vendors via U.S. Mail and/or email.

Honorable Mayor Garnett Johnson
Augusta, Georgia

Date

Clerk of Commission

Date

SUBPART A – GENERAL REQUIREMENTS

Objectives (§26.1, §26.23)

Augusta, Georgia ensures that DBEs defined in 49 CFR Part 26 have an equal opportunity to receive and participate in DOT-assisted contracts. It is also its policy:

1. To ensure nondiscrimination in the award and administration of DOT-assisted contracts;
2. To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
3. To ensure that the DBE program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs in DOT-assisted contracts;
6. To assist the development of firms that can compete successfully in the marketplace outside the DBE program.

Applicability (§26.3)

Augusta, Georgia is the recipient of federal transit funds authorized by Titles I, III, V and VI of ISTEA, Pub. L. 102-240; or Titles I, II, and V of the Teas-21, Pub. L. 105-178; or by Federal transit laws in 49 U.S.C. Chapter 53.

Applications

This Augusta, Georgia DBE Program for USDOT – Federal Transit Administration is only applicable to assisted federal funded contracts and other state funded contracts having mandatory DBE requirements. All USDOT funded projects are subject to the requirements of 49 CFR Part These requirements are mandatory and non-negotiable.

Augusta, Georgia enforces all DBE requirements and/or State Agencies in accordance with Federal and State laws.

The U.S. District Court for the Southern District of Georgia has entered an Order enjoining a RACE-BASED portion of Augusta, Georgia's (local) DBE Program. A copy of this Order can be obtained at <http://www.augustaga.gov/index.aspx?NID=1448>.

Thus, Augusta, Georgia does not have or operate a (local) DBE, Minority Business Enterprise (MBE) or Woman Owned Business Enterprise (WBE) program for projects (or portions of projects) having Augusta, Georgia as the source of funding.

Definitions (§26.5)

Augusta, Georgia will adopt the definitions contained in 49 CFR Section 26.5 for this program. The definitions of 49 CFR Section 26.5 are outlined in *Attachment 1*.

Non-Discrimination Requirements (§26.7)

Augusta, Georgia will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR Part 26 on the basis of race, color, sex, or national origin.

In administering its DBE program, Augusta, Georgia will not, directly or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives of the DBE program with respect to individuals of a particular race, color, sex, or national origin.

Record-Keeping Requirements (§26.11)

Uniform Report of DBE Awards or Commitments and Payments: §26.11(a)

Augusta, Georgia will prepare and submit a semi-annual report of DBE participation to the Federal Transit Administration (FTA) using the Uniform Report of DBE Awards or Commitments and Payments, found in Appendix B to the DBE regulation. These reports will reflect payments actually made to DBEs on DOT-assisted contracts. The report data will be obtained from the Augusta, Georgia Finance and Procurement Departments to ensure accurate reporting of DBE Awards or Commitments and reported through FTA's Transit Award Management System (TRAMS). This report is due December 1 and June 1 each year.

Bidders List: §26.11(b)

Augusta, Georgia will create a bidders list, consisting of information about all DBE and non-DBE firms that bid or quote on DOT-assisted contracts. The purpose of this requirement is to allow use of the bidder's list approach to calculating overall goals. The bidders list will include the name, address, DBE/non-DBE status, age of firms, and annual gross receipts of firms.

Augusta, Georgia will collect this information in the following ways:

1. A contract clause requiring prime bidders to report the names/addresses, and possibly other information, of all firms who quote to them on subcontracts;
2. An Augusta, Georgia-directed survey of a statistically sound sample of firms on a name/address list to get age of firm/size information;
3. A notice in all solicitations, and otherwise widely disseminated documents, requesting firms quoting on subcontracts to report information directly to Augusta, Georgia.

Assurances (§26.13)

Augusta, Georgia has signed the following assurances, applicable to all DOT-assisted contracts and their administration:

Federal Financial Assistance Agreement Assurance: §26.13(a)

Augusta, Georgia shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE Program or the requirements of 49 CFR Part 26. The recipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. The recipient's DBE Program, as required by 49 CFR Part 26 and as approved by USDOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to AUGUSTA, GEORGIA of its failure to carry out its approved program, the Department may impose sanction as provided for under Part 26, and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 *et seq.*).

This language will appear in financial assistance agreements with subrecipients.

Contract Assurance: §26.13(b)

Augusta, Georgia will ensure that the following clause is placed in every DOT-assisted contract and subcontract:

The contractor, subrecipient, or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor 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.

SUBPART B – ADMINISTRATIVE REQUIREMENTS

DBE Program Update (§26.21)

Since Augusta, Georgia has received a grant of \$250,000 or more in FTA planning capital, and/or operating assistance in a federal fiscal year, Augusta, Georgia will continue to carry out this program until all funds from DOT financial assistance have been expended. Augusta, Georgia will provide to DOT updates representing significant changes in the program.

(DBELO) DBE Liaison Officer (§26.25)

Augusta, Georgia's DBE Liaison Officer (DBELO) may be contacted at:

Phyllis Johnson
Compliance Department Director
Augusta, Georgia
535 Telfair Street, Suite 530
706.826.1325
p.johnson@augustga.gov
www.augustaga.gov

In that capacity, the DBELO is responsible for implementing all aspects of the DBE program and ensuring that Augusta, Georgia complies with all provision of 49 CFR Part 26. The DBELO has direct, independent access to the Board of Commissioners and Mayor, concerning DBE program matters. An organization chart displaying the DBELO's position in the organization is found in *Attachment 2* to this program.

The DBELO is responsible for developing, implementing, and monitoring the DBE program, in coordination with other appropriate officials. The duties and responsibilities include the following:

1. Gathers and reports statistical data and other information as required by USDOT.
2. Reviews third-party contracts and purchase requisitions for compliance with this program.
3. Works with all departments to set overall annual goals.
4. Ensures that bid notices and requests for proposals are available to DBEs in a timely manner.
5. Identifies contracts and procurements so that DBE goals are included in solicitations (both race-neutral methods and contract specific goals attainment and identifies ways to improve progress.
6. Analyzes Augusta, Georgia's progress toward attainment and identifies ways to improve progress.
7. Participates in pre-bid meetings.
8. Advises the Board of Commissioners and Mayor on DBE matters and achievement.
9. Provides DBEs with information and assistance in preparing bids, obtaining bonding and insurance.
10. Plans and participates in DBE training seminars.

11. Verifies DBE certifications according to the criteria set by USDOT and certified through the Uniform Certification Process (UCP) in Georgia.
12. Provides outreach to DBEs and community organizations to advise them of opportunities.
13. Maintains Augusta, Georgia's updated directory on certified DBEs.

DBE Financial Institutions (§26.27)

It is the policy of Augusta, Georgia to investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community, to make reasonable efforts to use these institutions, and to encourage prime contractors on DOT- assisted contract to make use of these institutions.

At this time, Augusta, Georgia has not identified DBE-owned financial institutions. However, AUGUSTA, GEORGIA encourages contractors to use the services of minority and women-owned financial institutions. AUGUSTA, GEORGIA will evaluate financial institutions owned and controlled by socially and economically disadvantaged individuals and update the list bi-annually. A listing of minority-owned banks from the Federal Deposit Insurance Corporation (FDIC) can be found at: <https://www.fdic.gov/regulations/resources/minority/mdi.html>. Augusta, Georgia has identified and provided the contact information of the minority-owned financial institutions listed in *Attachment 3*.

Prompt Payment Mechanisms (§26.29)

Prompt Payment: §26.29(a)

AUGUSTA, GEORGIA will include the following clause in each DOT-assisted prime contract:

The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than thirty (30) days from the receipt of each payment the prime contract receives from AUGUSTA, GEORGIA. Any delay or postponement of payment from the above referenced timeframe may occur only for good cause following written approval of AUGUSTA, GEORGIA. This clause applies to both DBE and non-DBE subcontracts.

Retainage: §26.29(b)

The prime contractor agrees to return retainage payments to each subcontractor within thirty (30) days after the subcontractors work is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of AUGUSTA, GEORGIA. This clause applies to both DBE and non-DBE subcontracts.

Monitoring and Enforcement: §26.29(c)

AUGUSTA, GEORGIA has established the following mechanism to monitor and enforce

prompt payment and return of retainage is in fact occurring.

- AUGUSTA, GEORGIA shall place the following language in all federally funded contracts:

The prime contractor will not be reimbursed for work performed by subcontractors unless and until the prime contractor ensures that the subcontractors are promptly paid for the work they have already performed.

- AUGUSTA, GEORGIA will monitor prime contractors to ensure they are paying their subcontractors within the contractual 30-day timeframe by requiring all prime contractors to maintain records and documents of payments to DBEs. This is an electronic process using the B2Gnow Diversity Compliance Management System. Forms for reporting subcontractors' invoices and pay methods will be provided to prime contractors upon contract execution. These forms shall be submitted by the prime contractor along with invoices for payment. These records will be available upon request to any authorized representative of AUGUSTA, GEORIGA or the U.S. DOT. This requirement also extends to certified DBE subcontractors.
- AUGUSTA, GEORGIA's DBELO will conduct regular project site visits to monitor and confirm DBEs assigned to perform work on federally-funded projects.
- Through the use of B2Gnow, AUGUSTA, GEORGIA can verify subcontractor payments dates for invoiced work. This monitoring will assist AUGUSTA, GEORGIA in identifying prime contractors that may not be complying with the prompt payment and retainage sections of this program.

AUGUSTA, GEORGIA will bring to the attention of USDOT any false, fraudulent, or dishonest conduct in connection with the program, so that the USDOT can take steps (e.g., referral to the Department of Justice for criminal prosecution under 18U.S.C. 1001, referral to the U.S. DOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules). AUGUSTA, GEORGIA will consider similar action under our own legal authorities, including responsibility determinations in future contracts, removal of firms from the prequalified bidder and consultants lists or revocation of DBE certification if applicable, pursuant to Federal and State law.

Directory (§26.31)

AUGUSTA, GEORGIA is a non-certifying member of the Georgia Unified Certification Program (UCP) as established in <https://www.dot.ga.gov/GDOT/Pages/DBE.aspx> .

The Georgia Department of Transportation (GDOT) serves as Manager for the UCP's electronic DBE directory, which includes all DBE certifications made by Certifying Members.

The directory lists the firm's name, address, phone number and the type of work the firm has been certified to perform as a DBE. AUGUSTA, GEORGIA will update the DBE Directory every fiscal quarter, as downloaded from GDOT'S DBE web page. AUGUSTA, GEORGIA maintains a link to GDOT's DBE directory on its Compliance Department's DBE page. The

GDOT DBE Directory's link is listed in *Attachment 4* to this program document.

Overconcentration (§26.33)

AUGUSTA, GEORGIA has not identified that DBE participation is over concentrated certain types of work. However, the following measures will be used to address overconcentration, with approval from FTA. The measures include, but are not limited to the following:

- Coordinate with prime bidders to identify and use DBEs in other industry areas outside of the specific overconcentration area.
- Varying the use of contract goals to ensure non-DBEs are not unfairly prevented from competing for subcontracts.

Business Development Programs (§26.35)

AUGUSTA, GEORGIA has not established a business development program. AUGUSTA, GEORGIA will re-evaluate the need for such a program every two years. Prior to any consideration of developing a program, AUGUSTA, GEORGIA will seek approval from FTA.

Monitoring and Enforcement Mechanisms (§26.37)

AUGUSTA, GEORGIA will take the following monitoring and enforcement mechanisms to ensure compliance with 49 CFR Part 26.

1. AUGUSTA, GEORGIA will bring to the attention of USDOT any false, fraudulent, or dishonest conduct in connection with the program, so that USDOT can take the steps (e.g., referral to the Department of Justice for criminal prosecution, referral to the USDOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided in §26.109.
2. AUGUSTA, GEORGIA will consider similar action under our own legal authorities, including responsibility determinations in future contracts. *Attachment 6* lists the regulation, provisions, and contract remedies available to AUGUSTA, GEORGIA in the events of non-compliance with the DBE regulations by a participant in AUGUSTA, GEORGIA's procurement activities.
3. AUGUSTA, GEORGIA will also provide a monitoring and enforcement mechanism to verify that work committed to DBEs at contract award is actually performed by the DBEs. This will be accomplished by requiring prime contractors to submit monthly Subcontracting Performance Reports to the DBELO for utilization auditing and participation levels. This will occur for each contract/project on which DBEs are participating. AUGUSTA, GEORGIA's Monthly Subcontractors Paid Report is provided in *Appendix A* of this document.
4. AUGUSTA, GEORGIA will keep a running tally of actual payments to DBE firms for work committed to them at the time of contract award.

Fostering Small Business Participation (§26.39)

AUGUSTA, GEORGIA is committed to fostering small business (both DBEs and non-DBEs) participation in its DBE program, in order to facilitate competition on DOT-assisted projects. AUGUSTA, GEORGIA is developing a Small Business Enterprise (SBE) Program which will be implemented in January 2023. The small business program participation strategies will include the following elements (to structure contracting requirements to facilitate competition by small business concerns):

- Taking all reasonable steps to eliminate obstacles to their participation;
- Including unnecessary and unjustified bundling of contract requirements that may preclude small business participation in procurements as prime contractors or subcontractors.

As part of this program element, AUGUSTA, GEORGIA will utilize the following strategies (as listed in the DBE Rule Change of January 2011):

- (1) Establish small business contract goals on contracts meeting small business contracting criteria;
- (2) Require the prime contractor to provide subcontracting opportunities of a size that small businesses, including DBEs, can reasonably perform, rather than self-performing all the work involved (on prime contracts not having DBE contract goals);
- (3) Meet the portion of projected overall goal through race-neutral measures by ensuring that a reasonable number of prime contracts are of a size that small businesses, including DBEs, can reasonably perform.

AUGUSTA, GEORGIA's SBE program will certify small businesses as well as recognize and accept small businesses certified as SBEs by government agencies in the region, including but not limited to: Small Business Administration (SBA), Georgia Department of Transportation (GDOT), City of Atlanta, City of Savannah, and MARTA.

SUBPART C – GOALS, GOOD FAITH EFFORTS AND COUNTING

Set-Asides or Quotas (§26.43)

AUGUSTA, GEORGIA does not use quotas in any way in the administration of this DBE program.

Overall Goals (§26.45)

In accordance with Section §26.45, AUGUSTA, GEORGIA will submit its triennial overall DBE goal to the FTA on August 1 of the year specified by the FTA.

AUGUSTA, GEORGIA will also request use of project-specific DBE goals as appropriate, and/or will establish project-specific DBE goals as directed by the FTA. The process used

by AUGUSTA, GEORGIA to establish the overall DBE goal is a two-step process as follows:

- According to the USDOT Tips for Goal Setting (USDOT Tips), approved by the General Counsel of the USDOT, the recipient must first determine a base figure for the relative availability of certified DBEs and potentially certified Minority and Woman-owned Business Enterprises in the relevant market area.
- AUGUSTA, GEORGIA must examine all relevant evidence to determine what adjustment, if any, is needed to the base figure in order to arrive at an overall goal. The final adjusted figure is the recipient's overall goal and represents the proportion of federal transportation funding that the recipient is expected to allocate to DBEs during the subsequent three federal fiscal years (FFY). Once the adjusted overall goal is determined, the process requires considering what portion of the goal will be met by race and gender-neutral measures. If AUGUSTA, GEORGIA purports that it can meet its overall goal with race and gender-neutral measures, those measures must be utilized. In contrast, if AUGUSTA, GEORGIA determines it cannot achieve the entire overall goal using only race and gender-neutral measures, it must establish a race and gender-conscious portion of the overall goal.

AUGUSTA, GEORGIA implemented a race-neutral Disadvantaged Business Enterprise (DBE) program in accordance with directives issued by the Department of Transportation. As a result of the Ninth Circuit's *Western States* decision, the FTA issued a Notice (guidance) (Docket No. FTA-2006- 24063) on March 23, 2006, stipulating a Notice of New Policy implementation and requests for comments to Public Transportation Providers regarding DOT's DBE Program.

AUGUSTA, GEORGIA defined its local market area as the Augusta-Richmond County. This is the area in which the substantial majority of the contractors and subcontractors with which AUGUSTA, GEORGIA does business are located; and the area in which AUGUSTA, GEORGIA spends the substantial majority of its contracting dollars.

The two-step goal-setting process required by the regulations and the findings in *Western States* has been used to determine the recommended overall goal for FFY 2021-2023. The two steps for setting an overall goal are to:

1. Establish a base figure for the relative availability of DBEs; and
2. Determine the base figure adjustment, if necessary

The base figure is intended to be a measurement of the current ready, willing, and able DBEs as a percentage of all businesses ready, willing, and able to perform the recipient's anticipated FTA- assisted contracts.

Before establishing the overall goal each year, AUGUSTA, GEORGIA will consult with GDOT, recent disparity studies, other transit agencies, U.S. Census data, and random DBEs to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and AUGUSTA,

GEORGIA's efforts to establish a level playing field for the participation of DBEs.

Following this consultation, AUGUSTA, GEORGIA will publish a notice of the proposed overall goals, informing the public that the proposed goal and its rationale are available for inspection during normal business hours at your principal office for 30 days following the date of the notice, and informing the public that AUGUSTA, GEORGIA and USDOT will accept comments on the goals for 45 days from the date of the notice.

AUGUSTA, GEORGIA's published Public Notice of the proposed Overall DBE Goal for FFY 2021-2023 was advertised in the following local market area publications:

Augusta Chronicle
Metro Courier

Additionally, AUGUSTA, GEORGIA uploaded the Overall DBE Goal for the FFY 2021-2023 DOT-assisted contracts to its website for convenient electronic access for review and comment.

Normally, AUGUSTA, GEORGIA will issue this notice by June 1 of each year. The notice includes addresses to which comments may be sent and addresses (including offices and websites) where the proposal may be reviewed.

AUGUSTA, GEORGIA's overall goal submission to USDOT will include: the goal (including the breakout of estimated race-neutral and race-conscious participation, as appropriate); a copy of the methodology, worksheets, etc., used to develop the goal; a summary of information and comments received during this public participation process and AUGUSTA, GEORGIA's responses; and proof of publication of the goal in media outlets previously listed.

AUGUSTA, GEORGIA will begin using its overall goal on October 1 of the specified year, unless AUGUSTA, GEORGIA has received other instructions from USDOT. If AUGUSTA, GEORGIA establishes a goal on a project basis, it will begin using its goal by the time of the first solicitation for a DOT-assisted contract for the project. AUGUSTA, GEORGIA's goal will remain effective for the duration of the three-year period established and approved by the FTA.

Goal Setting and Accountability (§26.47)

If the awards and commitments shown on AUGUSTA, GEORGIA's Uniform Report of Awards or Commitments and Payments at the end of any fiscal year are less than the overall applicable to that fiscal year, AUGUSTA, GEORGIA will:

1. Analyze in detail the reason for the difference between the overall goal and the actual awards/commitments;
2. Establish specific steps and milestones to correct the problems identified in the analysis; and
3. Submit the plan to the FTA within 90 days of the end of the affected fiscal year.

Transit Vehicle Manufacturers Goals (§26.49)

AUGUSTA, GEORGIA will require each Transit Vehicle Manufacturer (TVM), as a condition of being authorized to bid or propose on FTA-assisted transit vehicle procurements, to certify that it has complied with the requirements of this section. Alternatively, AUGUSTA, GEORGIA may, at its discretion and with FTA approval, establish project-specific goals for DBE participation in the procurement of transit vehicles in lieu of the TVM complying with this element of the program.

Meeting Overall Goals/Contract Goals (§26.51)

AUGUSTA, GEORGIA will meet the maximum feasible portion of its overall goal using race-neutral means of facilitating DBE participation. In order to do so, AUGUSTA, GEORGIA will:

- Submit timely solicitations, conduct pre-bid meetings/conferences, develop clearly written plans and specifications, and delivery schedules in ways that facilitate DBEs and other small business firms' participation.
- Unbundle large contracts to make them more accessible to small businesses; requiring or encourage Service Providers to subcontract portions of work that they might otherwise perform with their own work forces.
- Provide information and communication on AUGUSTA, GEORGIA contracting procedures and specific contract opportunities.
- Provide assistance through available resources to interested DBEs in obtaining bonding, lines of credit, and/or insurance requirements.

Contract Goals (§26.51) (d-g)

AUGUSTA, GEORGIA will use contract goals to meet any portion of the overall goal that would be unmet using race-neutral means. Contract goals are established so that, over the period to which the overall goal applies, they will cumulatively result in meeting any portion of AUGUSTA, GEORGIA's overall goal that is not projected to be met through the use of race-neutral means.

AUGUSTA, GEORGIA will establish contract goals only on those DOT-assisted contracts that have subcontracting possibilities. AUGUSTA, GEORGIA needs not establish a contract goal on every such contract, and the size of contract goals will be adapted to the circumstances of each such contract (e.g., type and location of work, availability of DBEs to perform the particular type of work).

AUGUSTA, GEORGIA will express its contract goals as a percentage of the federal share of a DOT-assisted contract.

Good Faith Efforts Procedures (§26.53)

Demonstration of Good Faith Efforts: §26.53(a) & (c)

In those instances where a contract-specific DBE goal is included in a procurement/solicitation, AUGUSTA, GEORGIA will not award the contract to a bidder who does not either: (1) meet the contract goal with verified, countable DBE participation; or (2) documents it has made adequate good faith efforts to meet the DBE contract goal, even though it was unable to do so. It is the obligation of the bidder to demonstrate it has made sufficient good faith efforts prior to submission of its bid.

Evaluation of Good Faith Efforts: §26.53(a) & (c)

The DBELO or their designee is responsible for determining whether a bidder/offeror who has not met the contract goal has documented sufficient good faith efforts to be regarded as responsive.

The following is a list of types of actions AUGUSTA, GEORGIA will consider as part of the bidder's good faith efforts to obtain DBE participation.

- Soliciting through all reasonable and available means (e.g., attendance at pre-bid meetings, advertising and/or written notices) the interest of all certified DBEs who have the capability to perform the work of the contract. The bidder must solicit this interest within sufficient time to allow the DBEs to respond to the solicitation. The bidder must determine with certainty if the DBEs are interested by taking appropriate steps to follow up initial solicitations.
- Selecting portions of the work to be performed by DBEs in order to increase the likelihood that the DBE goals will be achieved. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate DBE participation, even when the prime contractor might otherwise prefer to perform these work items with its own forces.
- Providing interested DBEs with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation.
- Negotiating in good faith with interested DBEs. It is the bidder's responsibility to make a portion of the work available to DBE subcontractors and suppliers and to select those portions of the work or material needs consistent with the available DBE subcontractors and suppliers, so as to facilitate DBE participation. Evidence of such negotiation includes the names, addresses, and telephone numbers of DBEs that were considered; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and evidence as to why additional agreements could not be reached for DBEs to perform the work. A bidder using good business judgment would consider a number of factors in negotiating with subcontractors, including DBE subcontractors, and would take a firm's price and capabilities as well as contract goals

into consideration. However, the fact that there may be some additional costs involved in finding and using DBEs is not in itself sufficient reason for a bidder's failure to meet the contract DBE goal, as long as such costs are reasonable. Also, the ability or desire of a prime contractor to perform the work of a contract with its own organization does not relieve the bidder of the responsibility to make good faith efforts. Prime contractors are not, however, required to accept higher quotes from DBEs if the price difference is excessive or unreasonable.

- Not rejecting DBEs as being unqualified without sound reasons based on a thorough investigation of their capabilities. The contractor's standing within its industry, membership in specific groups, organizations, or associations and political or social affiliations (for example union vs. non-union employee status) are not legitimate causes for the rejection or non-solicitation of bids in the contractor's efforts to meet the project goal.
- Making efforts to assist interested DBEs in obtaining bonding, lines of credit, or insurance as required by the recipient or contractor.
- Making efforts to assist interested DBEs in obtaining necessary equipment, supplies, materials, or related assistance or services.
- Effectively using the services of available minority/women community organizations; minority/women contractors' groups; local, state, and federal minority/women business assistance offices; and other organizations as allowed on a case-by-case basis to provide assistance in the recruitment and placement of DBEs.

AUGUSTA, GEORGIA will ensure that all information is complete and accurate and adequately documents the bidder's/offeree's good faith efforts before AUGUSTA, GEORGIA commits to the performance of the contract by the bidder/offeree. Good faith efforts forms are located in *Attachment 6*.

Information to be Submitted: §26.53(b)

AUGUSTA, GEORGIA treats bidder's/offeree's compliance with good faith efforts requirements as a matter of responsiveness.

Each solicitation for which a contract goal has been established will require the bidders/offerees to submit the following information:

1. The names and addresses of DBE firms that will participate in the contract;
2. A description of the work that each DBE will perform;
3. The dollar amount of the participation of each DBE firm participating;
4. Written and signed documentation of commitment to use a DBE subcontractor whose

participation it submits to meet a contract goal;

5. Written and signed confirmation from the DBE that it is participating in the contract as provided in the prime contractors commitment and;
6. If the contract goal is not met, evidence of good faith efforts.

Administrative Reconsideration: §26.53(d)

Within five (5) days of being informed by AUGUSTA, GEORGIA that a bidder/offeror is not responsive because it has not documented sufficient good faith efforts, a bidder/offeror may request administrative reconsideration. Bidders/offerors should make this request in writing to the following reconsideration official:

Takiya A. Douse
Interim City Administrator
AUGUSTA, GEORGIA
535 Telfair Street, Ninth Floor
706.821.2400
tdouse@augustaga.gov

The reconsideration official will not have played any role in the original determination that the bidder/offeror did not document sufficient good faith efforts.

As part of this reconsideration, the bidder/offeror will have the opportunity to provide written documentation or argument concerning the issue of whether it met the goal or made adequate good faith efforts to do so. The bidder/offeror will have the opportunity to meet in person with the reconsideration official to discuss the issue of whether it met the goal or made adequate good faith efforts to do. AUGUSTA, GEORGIA will send the bidder/offeror a written decision on reconsideration, explaining the basis for finding that the bidder did or did not meet the goal or make adequate good faith efforts to do so. The result of the reconsideration process is not administratively appealable to the USDOT.

Good Faith Efforts when a DBE is Terminated/Replaced on a Contract with Contract Goals: §26.53 (e) & (f)

AUGUSTA, GEORGIA requires that prime contractors not terminate a DBE subcontractor listed on a bid/contract with a DBE contract goal without AUGUSTA, GEORGIA's prior written consent. Prior written consent will only be provided where there is "good cause" for termination of the DBE firm, as established by Section 26.53(f)(3) of the DBE regulation.

Before transmitting to AUGUSTA, GEORGIA its request to terminate, the prime contractor must give notice in writing to the DBE of its intent to do so. A copy of this notice must be provided to AUGUSTA, GEORGIA prior to consideration of the request to terminate. The DBE will then have five (5) days to respond and advise AUGUSTA, GEORGIA of why it objects to the proposed termination.

In those instances where “good cause” exists to terminate a DBE’s contract, AUGUSTA, GEORGIA will require the prime contractor to make good faith efforts to replace a DBE that is terminated or has otherwise failed to complete its work on a contract, with another certified DBE, to the extent needed to meet the contract goal. AUGUSTA, GEORGIA will require the prime contractor to notify the DBELO immediately of the DBE’s inability or unwillingness to perform and provide reasonable documentation.

In this situation, AUGUSTA, GEORGIA will require the prime contractor to obtain prior approval of the substitute DBE and to provide copies of new or amended subcontracts, or documentation of good faith efforts.

If the contractor fails or refuses to comply in the time specified, AUGUSTA, GEORGIA’s contracting office will issue an order stopping all or part of payment/work until satisfactory action has been taken. If the contractor still fails to comply, the contracting officer may issue a termination for default proceeding.

Race-Conscious Sample Bid Specification:

The requirements of 49 CFR Part 26, Regulations of the U.S. Department of Transportation, apply to this contract. It is the policy of AUGUSTA, GEORGIA to practice nondiscrimination based on race, color, sex, or national origin in the award or performance of this contract. All firms qualifying under this solicitation are encouraged to submit bids/proposals. Award of this contract will be conditioned upon satisfying the requirements of this bid specification. These requirements apply to all bidders/offerors, including those who qualify as a DBE. A DBE contract goal of _____ percent has been established for this contract. The bidder/offeror shall make good faith efforts, as defined in Appendix A, 49 CFR Part 26 (Attachment 2), to meet the contract goal for DBE participation in the performance of this contract.

The bidder/offeror will be required to submit the following information:

- 1. The names and addresses of DBE firms that will participate in the contract;*
- 2. A description of the work that each DBE firm will perform;*
- 3. The dollar amount of the participation of each DBE firm participating;*
- 4. Written documentation of the bidder’s/offeror’s commitment to use a DBE subcontractor whose participation it submits to meet the contract goal;*
- 5. Written confirmation from the DBE that it is participating in the contract as provided in the commitment made under (4); and*
- 6. If the contract goal is not met, evidence of good faith efforts.*

Counting DBE Participation (§26.55)

AUGUSTA, GEORGIA will count DBE participation toward overall and contract goals as provided in 49 CFR 26.55.

SUBPARTS D & E – CERTIFICATION

Unified Certification Programs (§26.81)

AUGUSTA, GEORGIA is not a certifying agency but is a member of a Unified Certification Program (UCP) administered by the Georgia Department of Transportation (GDOT). The UCP will meet all of the requirements of this section. AUGUSTA, GEORGIA will use and count for DBE credit only those DBE firms certified by GDOT.

The UCP is a “one-stop shopping” certification program that eliminates the need for a DBE or Airport Concessions Disadvantaged Business Enterprise (ACDBE) firms to obtain certifications from multiple agencies within the State. A business certified as a DBE or ACDBE through the GDOT is automatically accepted by all USDOT recipients in Georgia.

GDOT is charged with the responsibility of overseeing the certification activities performed by its designated certifying agencies and compiling and maintaining a single statewide database of certified DBEs. The database is intended to expand the use of DBE and ACDBE firms by maintaining complete and current information on those businesses and the products and services they can provide to all USDOT recipients in Georgia.

As mandated by USDOT in the DBE Program, Final Rule 49 Code of Federal Regulations (CFR), Parts 23 and 26, all public agencies that receive USDOT federal financial assistance must participate in a statewide unified certification program. These public agencies, commonly referred to as “recipients” of USDOT funds, include municipalities, counties, special districts, airports, transit agencies, and the Georgia Department of Transportation (GDOT).

GDOT is the agency responsible for certifying DBE and ACDBE firms. You only need to apply for DBE or ACDBE certification at one agency. If your firm meets the General Criteria for DBE or ACDBE certification as provided on the Application Package, submit your completed application, along with the requested documentation to the following certifying agency:

Georgia Department of Transportation (GDOT) One Georgia Center
600 West Peachtree St., N.W.
EEO, 7th Floor
Atlanta, GA 30308
(404) 631-1972
www.dot.ga.gov

A copy of GDOT’s certification process and application can be found online at:

<https://www.dot.ga.gov/GDOT/Pages/DBE.aspx>

Reciprocity with Other UCPs

GDOT has not initiated reciprocity with any other state UCPs; however, GDOT does have an “Interstate Certification” process by which DBEs and ACDBEs certified in other states can apply for DBE or ACDBE certification in the state of Georgia.

The Georgia Unified Certification Program has published the DBE Interstate Application Checklist and the DBE Interstate Application Affidavit. The Interstate Certification process applies to firms already certified in their home state and seeking certification in Georgia. Guidance provided by the USDOT in the summer of 2014, provided that a firm currently certified in its home state is not required to submit a new uniform certification application as if it were seeking certification for the first time. A DBE firm may simply present a copy of its DBE application among other required documents as submitted to its home State's UCP. The DBE Interstate Application Checklist provides the list of items required. The DBE Interstate Application Affidavit must be completed and submitted with the application.

SUBPART F – COMPLIANCE AND ENFORCEMENT

Information, Confidentiality, Cooperation (§26.109)

AUGUSTA, GEORGIA will safeguard from disclosure to third parties information that may reasonably be regarded as confidential business information, consistent with federal, state, and local law.

Notwithstanding any contrary provisions of federal, state or local law, AUGUSTA, GEORGIA will not release personal financial information submitted by a DBE applicant to a third party (other than GDOT) without the written consent of the submitter.

Monitoring Payments to DBEs

AUGUSTA, GEORGIA will require prime contractors to maintain records and documents of payments to DBEs for three years following the performance of the contract. These records will be made available for inspection upon request by any authorized representative of AUGUSTA, GEORGIA or GDOT. This reporting requirement also extends to any certified DBE subcontractor.

AUGUSTA, GEORGIA will perform interim audits of contract payments to DBEs. The audit will review payments to DBE subcontractors to ensure that the actual amount paid to DBE subcontractors equals or exceeds the dollar amounts stated in the schedule of DBE participation.

ATTACHMENTS

- Attachment 1: Definitions
 - Attachment 2: Organizational Chart
 - Attachment 3: Minority Owned Financial Institutions
 - Attachment 4: GDOT DBE Directory
 - Attachment 5: Monitoring and Enforcement Mechanisms/Legal Remedies
 - Attachment 6: Good Faith Efforts Forms
 - Attachment 7: DBE Regulation, 49 CFR Part 26
-
- Appendix A: AUGUSTA, GEORGIA Summary of DBE – Monthly Subcontractors Paid Report

ATTACHMENT 1
Terms and Definitions

ATTACHMENT 1

TERMS AND DEFINITIONS

The terms used in this program are defined in 49 CFR Part 26.5. The reader is referred to this section of the Federal regulations for detailed information about their meanings.

The Code of Federal Regulation (CFR) Title 49 Part 26 as of 10/05/2022

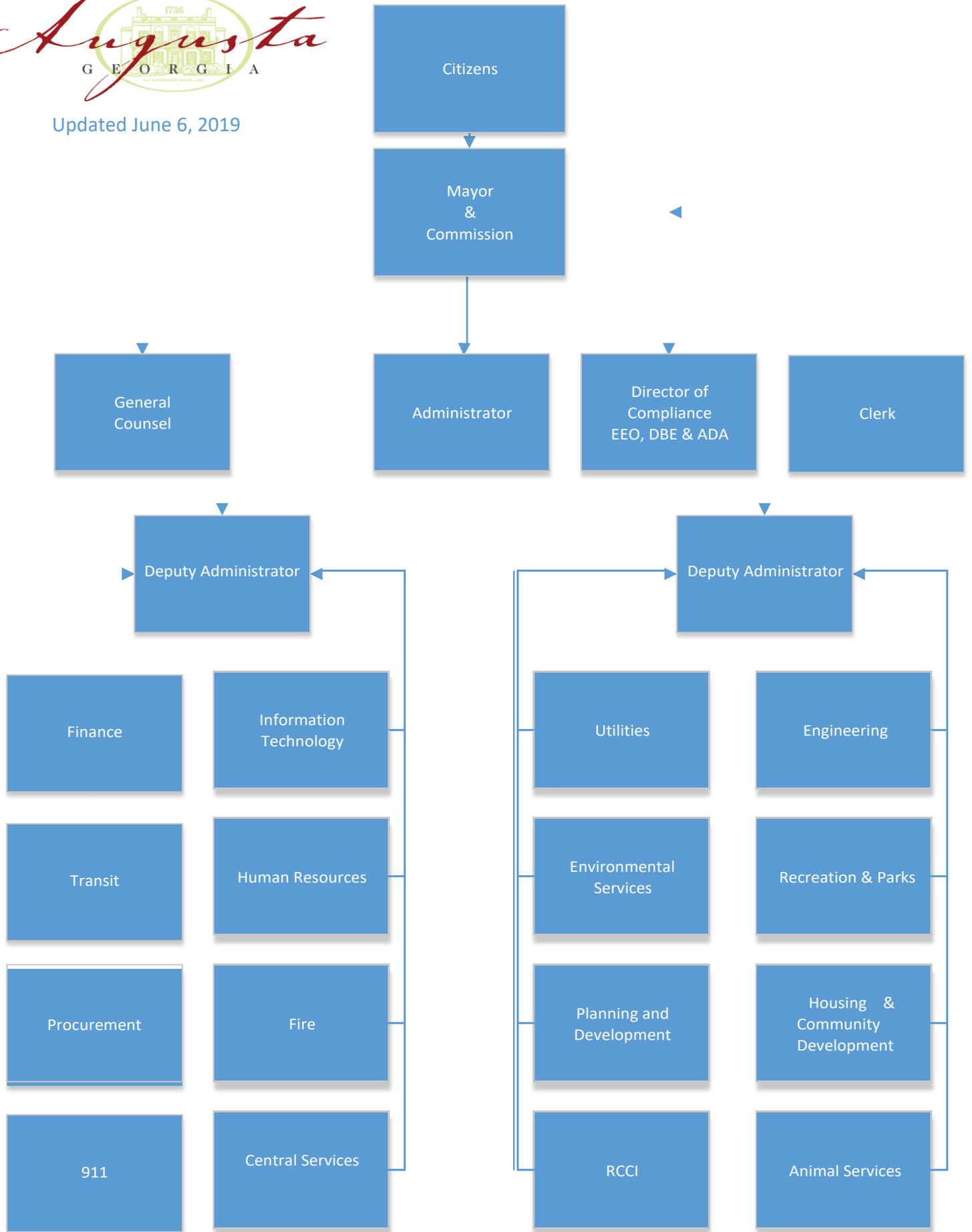
This document can be accessed at :

https://www.ecfr.gov/cgi-bin/text-idx?SID=2dd6ec15157701acc589be830b1ef30e&mc=true&node=se49.1.26_15&rgn=div8

ATTACHMENT 3
Organizational Chart



Updated June 6, 2019



ATTACHMENT 3
Minority-Owned Financial Institutions

Minority-Owned Financial Institutions (Georgia)

A list of Minority-Owned Depository Institutions as provided by the Federal Deposit Insurance Corporation (FDIC) can be found via the link provided below:

Minority Depository Institutions List

Access to the most current list is provide per quarter.

ATTACHMENT 4
Georgia Unified Certification Program
DBE Directory

Georgia Department of Transportation

DBE Unified Certification Program Directory

<https://gdotbiext.dot.ga.gov/ext-bi/saw.dll?dashboard>

ATTACHMENT 5

Monitoring and Enforcement Mechanisms/Legal Remedies

ATTACHMENT 5

MONITORING AND ENFORCEMENT MECHANISMS

The following sections contain the standards, policies, practices and procedures AUGUSTA, GEORGIA uses to assess whether a contractor is in compliance with regulatory and contract requirements applicable to DOT-assisted projects:

(1) REGULATORY PROVISIONS

Including but not limited to:

- A. 49 CFR Part 26 – Participation by Disadvantaged Business Enterprises Department of Transportation Financial Assistance Programs; particularly, Subpart F, Compliance and Enforcement
- B. 49 CFR Part 29 – Government-wide Debarment and Suspension (Non-Procurement) and Government-wide Requirements for Drug-Free Workplace.
- C. 49 CFR Part 31 – Program Fraud Civil Remedies
- D. 13 CFR Part 121 – Small Business Size Standards

(2) CONTRACT REQUIREMENTS AND REMEDIES

Contract requirements and remedies are provided in this DBE program and by administrative policies, practices, and procedures requirements in each contract. All contractors, as a condition of Participation in any DOT-assisted contract, shall agree to the terms of this DBE program, and shall incorporate the DBE program and the DBE administrative policies, practices and procedures requirements into their contracts and subcontracts at all tiers.

(3) FINDINGS OF NON-COMPLIANCE AND ADMINISTRATIVE SANCTIONS

Contractors found not to be compliant with any part of the DBE program requirements shall be notified of AUGUSTA, GEORGIA's finding of Non-Compliance, in writing, by certified mail. The notice shall cite the DBE program requirement under which the contractor is non-compliant, state the date of the findings and the grounds on which the finding was made and state the category of sanctions being imposed.

Upon a finding of non-compliance, AUGUSTA, GEORGIA may choose to impose sanctions.

(4) ENFORCEMENT MECHANISMS

The federal government has available several enforcement mechanisms that it may apply to firms participating in the DBE program, including, but not limited to, the following:

- A. Suspension or debarment proceedings pursuant to 49 CFR Part 26
- B. Enforcement action pursuant to 49 CFR Part 31
- C. Prosecution pursuant to 18 USC 1001.

(5) RESOLUTION OF DISPUTES BETWEEN CONTRACTOR AND SUBCONTRACTORS

Disputes between the Contractor and any lower-tier DBE subcontractors, which cannot be settled by discussions between the parties involved, shall be settled as described herein. Contractor shall notify AUGUSTA, GEORGIA of such dispute within 10 days of failure to resolve through written cure notice process described above. These provisions shall not apply to disputes between the Contractor and AUGUSTA, GEORGIA. The Contractor and Subcontractors shall include the dispute resolution provision in their contract. Both parties shall agree to proceed through informal meetings, mediation, or arbitration, or any combination thereof. Dispute submittals shall include terms and timeframes and the service or assistance to be employed.

ATTACHMENT 6
Good Faith Effort Forms

EVIDENCE OF GOOD FAITH EFFORTS

This completed form should be furnished to AUGUSTA, GEORGIA

CURRENT DATE: _____/_____/_____

RFP/RFQ/P.O./Bid/Solicitation/Other: _____

PROJECT DESCRIPTION: _____

BIDDER/OFFERER(FIRM): _____

CONTACT PERSON: _____ TELEPHONE: _____

ADDRESS: _____ CITY: _____

STATE: _____ ZIP: _____ EMAIL: _____

To determine whether a bidder/offerer has demonstrated good faith efforts to reach the DBE utilization goal(s) on the above-referenced project, AUGUSTA, GEORGIA will consider, AT A MINIMUM, EVIDENCE OF GOOD FAITH EFFORTS as described in the table below.

YES <input checked="" type="checkbox"/>	NO <input checked="" type="checkbox"/>	EVIDENCE OF GOOD FAITH EFFORTS
		PRE-BID MEETING(S): The bidder/offerer attended all pre-bid meetings scheduled by AUGUSTA, GEORGIA to inform DBEs of contracting and subcontracting opportunities.
		COMMUNITY RESOURCES: The bidder/offerer used the services of available community organizations, small and/or disadvantaged business assistance offices and other organizations that provided assistance in the recruitment and placement of DBE firms.
		DBE LIST(S): The bidder/offerer utilized the GDOT list of certified DBE firms found on the GDOT website.
		ADVERTISEMENT: The bidder/offerer advertised in general circulation and/or trade association publications concerning subcontracting opportunities and allowed DBEs reasonable time to respond.
		WRITTEN NOTICE(S): The bidder/offerer took the necessary steps to provide written notice in a manner reasonably calculated to inform DBEs of subcontracting opportunities and allowed sufficient time for them to participate effectively.
		SMALL CONTRACT(S): The bidder/offerer selected specific portions of the work to be performed by DBEs in order to increase the likelihood of meeting the DBE goals (including breaking down contracts into smaller units to facilitate DBE participation).
		INFORMATION: The bidder/offerer provided interested DBEs with adequate information about the plans, specifications, and requirements of the subcontract.
		FOLLOW-UP: The bidder/offerer followed-up initial indications of interest by DBEs by contacting those DBEs to determine with certainty if they remained interested in bidding.
		GOOD FAITH NEGOTIATIONS: The bidder/offerer negotiated in good faith with interested DBEs and did not reject DBEs as unqualified without sound business reasons based on a thorough investigation of their capabilities.

EVIDENCE OF GOOD FAITH EFFORTS

- a) A report of all proposals received from a joint venture of DBE firms. The report shall indicate the action taken by the bidder/offerer in response to the submitted proposals that have been rejected, and the reason for rejection shall be indicated.
- b) Documentation of efforts to enter into agreements with DBE firms for contracted work and efforts to arrange for a joint venture, partnership, or other business relationship with DBEs.
- c) Documented contact with DBE firms, associations, or business development organizations which disseminate information to DBE firms.
- d) A copy of letters sent to groups in relevant market sectors notifying them of the bidder's/offeror's intent to submit a proposal to AUGUSTA, GEORGIA.
- e) Description of assistance provided by the bidder to DBE firms:
 - 1. Review of Request for Proposal or other documents issued by AUGUSTA, GEORGIA.
 - 2. Review of the Scope of Work to be performed.
 - 3. Efforts to assist interested DBEs with bonding, insurance, lines of credit as required by the bidder/offerer.
- f) Documentation of any other effort(s) undertaken by the bidder to encourage the participation of DBE firms.
- g) Overall operation of the bidder/offerer may be considered in evaluating the Evidence of Good Faith Efforts of the bidder/offerer to comply with the goals and intent of the disadvantaged business enterprise goals for AUGUSTA, GEORGIA.
- h) Any other documentation to demonstrate Evidence of Good Faith Efforts to satisfy the objectives outlined above.

ASSISTANCE

You may contact the DBE Liaison Officer for assistance with completing any DBE form or document. You may also contact the DBE Liaison Officer for assistance in identifying available, capable, and willing DBE firms.

CONTACT US

Phyllis Johnson
Compliance Department Director
Augusta, Georgia
535 Telfair Street, Suite 530
706.826.1325
p.johnson@augustga.gov
www.augustaga.gov

ATTACHMENT 7
DBE Regulation, 49 CFR Part 26

DBE Regulation, 49 CFR Part 26

<https://www.ecfr.gov/current/title-49/subtitle-A/part-26>

Appendix F to Part 26—Uniform Certification Application

<https://www.ecfr.gov/current/title-49/part-26/appendix-Appendix%20F%20to%20Part%2026>

Appendix G to Part 26—Personal Net Worth Statement

<https://www.ecfr.gov/current/title-49/part-26/appendix-Appendix%20G%20to%20Part%2026>

APPENDIX A
AUGUSTA, GEORGIA
SUMMARY OF DISADVANTAGED BUSINESS ENTERPRISE (DBE)
MONTHLY SUBCONTRACTORS PAID REPORT



AUGUSTA, GEORGIA
Summary of Disadvantaged Business Enterprise (DBE) - Monthly Subcontractors Paid Report

Reporting Period (Month/Year)	Report Number	Date Prepared
--------------------------------------	----------------------	----------------------

1) Project Name	2) Project Location	
3) Contract Number	4) Original Contract Award Amount	5) Contract Award Date
6) Current Contract Value	7) AUGUSTA, GEORGIA Payment to Prime This Month	8) Total Amount Paid to Prime to Date
9) Date of Last Progress Payment Received from AUGUSTA, GEORGIA	10) Percent of Project Complete	11) DBE Goal Percentage (committed)

12) Prime Contractor	13) Contact Person
14) Street Address	15) City/State/ZIP
16) Area Code/Phone No.	17) Email Address

18) SUBCONTRACTOR/SUPPLIER	Dollars Paid This Month	Dollar Amount Paid to Date	Schedule Activity ID (Construction only)	Type of Work Performed	Original Dollar Amount Committed	Dollar +/- resulting from Change Order Activity
Subcontractor/Supplier #1	↓	↓	↓	↓	↓	↓
Name						
Address						
Area Code/Phone						
Contact Person						
Subcontractor/Supplier #2	↓	↓	↓	↓	↓	↓
Name						
Address						
Area Code/Phone						
Contact Person						
Subcontractor/Supplier #3	↓	↓	↓	↓	↓	↓
Name						
Address						
Area Code/Phone						
Contact Person						
	↓	↓	↓	↓	↓	↓



AUGUSTA, GEORGIA

Summary of Disadvantaged Business Enterprise (DBE) - Monthly Subcontractors Paid Report

Reporting Period (Month/Year)	Report Number	Date Prepared
--------------------------------------	----------------------	----------------------

Subcontractor/Supplier #4	↓							↓
Name								
Address								
Area Code/Phone								
Contact Person								
Subcontractor/Supplier #5	↓	↓	↓	↓	↓	↓	↓	
Name								
Address								
Area Code/Phone								
Contact Person								
Subcontractor/Supplier #6	↓	↓	↓	↓	↓	↓	↓	
Name								
Address								
Area Code/Phone								
Contact Person								

INSTRUCTIONS
The Prime shall make prompt payment of all monies due and owed to DBE and non-DBE firms within 15 business days upon receipt of payment from AUGUSTA, GEORGIA (AUGUSTA, GEORGIA) as per Contract Agreement. Payment of retention shall be made to all DBE and non-DBE subcontractors within 15 days after satisfactory completion of the subcontracted work.
This form is due to AUGUSTA, GEORGIA by the 15th of each month and should reflect all payments made to subs through the last day of the previous month.
The Prime must report monthly, even if the sub(s) did not perform any work for the previous month. Please forward signed documents by email and/or fax to AUGUSTA, GEORGIA's DBE Liaison Officer.

Completed By:

Name	Signature	Date



AUGUSTA, GEORGIA

Summary of Disadvantaged Business Enterprise (DBE) - Monthly Subcontractors Paid Report

Reporting Period (Month/Year)	Report Number	Date Prepared
-------------------------------	---------------	---------------

Instructions – Summary of Monthly DBE Payments Information

SUCCESSFUL BIDDER:

- This form requires specific information regarding the disadvantaged business enterprise subcontractors paid on this construction contract.

The form must be completed for all DBEs paid for each monthly period. The form requires that the Reporting Period (month/year) be included. A Report Number should also be completed. This field should include a sequential number with the first form having number “1.” The date prepared should also be included.

IMPORTANT: Identify **all** DBE firms that were paid during the reporting period for the project, regardless of tier. Names of the First Tier DBE Subcontractors and their respective item(s) of work listed should be consistent, where applicable, with the names and items of work in the “List of Subcontractors” submitted with your bid.

There is a column for the “Dollars Paid This Month.” Enter the Total amount paid for each DBE firm for the reporting period. Also include the total amount paid to date, which shall include the amount paid for the current reporting period.

Include the Schedule Activity ID for construction contracts. Include a brief description for the type of work performed. The original dollar amount committed to the DBE firm should be included in the appropriate Column and any increase or decrease in the subcontract amount resulting from a change order shall be included in the “Dollar +/- resulting from Change Order Activity” column.

The Summary of Monthly DBE Payments report must be signed and dated by the prime contractor’s representative that is responsible for reporting DBE compliance matters. The form must be submitted no later than the 15th day of each month.