



December 2015

Title VI

The Idaho Transportation Department (ITD) is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives. In accordance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), the Age Discrimination Act of 1975 and Executive Orders 12898 (Environmental Justice) and 13166 (Limited English Proficiency), ITD does not and will not exclude from participation in or deny the benefits of its programs or activities; or subject anyone to discrimination or treat persons unfavorably based on race, color, national origin, sex, age, disability, limited English proficiency or economic status. In addition, ITD will not retaliate against any person who complains of discrimination or who participates in an investigation of discrimination.

Liz Healas, Editor

Idaho Transportation Department
Office of Civil Rights



Your Expressway to EEO, Contracting & Business Issues

Where in Idaho is this? Clue on page 3.

Bidders Registration

This is the time of year we announce that annual Bidders Registrations are due. But you've already registered on the new system — haven't you?

Back in early July, we sent out a notice to everyone on ITD's Bidders List that we have changed to a completely new on-line bidders registration process using a new web-based DBE tracking system.

All ITD contractors, consultants, suppliers and services providers (including DBEs!) were directed to register on-line as vendors on the new system at <https://itd.dbesystem.com>.

This process takes the place of our old

paper form system that took place annually. It was dreary, repetitive, and killed many millions of trees.

Under the new system, bidders register online *once*, and won't be required to do it again, although everyone will still get yearly reminders to take a look at their record to see if any updates to the contact information or other data is needed.

Even better, for companies already reg-
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DBE Application Tripwires

Applying for DBE Certification? Here are some common mistakes to avoid. (Hint: Answering most of the questions with "N/A" is one of them.)

Firms applying for DBE certification tend to make the same errors or omissions on their applications, as any Unified Certification Program (UCP) certifier can tell you. The process then turns into a par-

ley between applicant and certifier for clarification, documentation, or simply any kind of answer.

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New DBEs

2016 Small Business Nominations

Boise Safety Fest

Are you EMV Compliant?

"Where We Have Camped" Calendars

Lizapalooza in Emmett

BUSTED! Tales from the OIG

The FARSite

ITD Procurement



Our Website Has It All

How about one-stop-shop website for all your ITD Civil Rights needs?

www.itd.idaho.gov/ocr/index.aspx does it all for you! (Well, nearly all. We're delighted to take suggestions for additions or improvements.) Go ahead and save that as one of your browser favorites. If you can't find what you're looking for, just click on the "Contact Us" graphic on the bottom of the page — after all, any website is a work in progress.

Newly Certified DBE Firms



SAH Enterprises, LLC

Sheldon Holder, President
P.O. Box 842275, Houston, TX 77284
Phone: 504-507-0824

Email: info@sahepllc.com Homepage: www.sahepllc.com
Program/Project Management, Strategic Planning, Requirements Analysis, Business Process Improvement, Program Review/Analysis, Risk Mitigation/Management, and Administrative Support.

Looking for DBEs?

It couldn't be easier. Just view our fancy new continually updated online, on-demand **DBE Directory** at <https://itd.dbesystem.com>. You can browse by work categories, keywords, NAICS Codes, or just download the whole thing to Excel.

What is a DBE?

A Disadvantaged Business Enterprise (DBE) is a small, for-profit business concern that is at least 51% owned and controlled by socially and economically disadvantaged individuals. The US Department of Transportation's (USDOT) DBE Program is designed to foster equal opportunity for minority, female and disadvantaged business owners on federal-aid transportation projects, and help them improve their business efficiency and flexibility.

This monthly newsletter is published by ITD's DBE Supportive Services as an informational and educational resource for DBs, contractors, consultants and federal-aid agencies on EEO, procurement and business issues. If you'd like to receive this newsletter regularly, please contact us for a **free subscription**.

Want to learn more about the DBE Program? Visit www.youtube.com/watch?v=5i1vZPLLOXE for a quick online presentation.

"Where We Camped" Calendars

DBE firm TAG Historical Research & Consulting publishes a 2016 calendar of historical photos of Nez Perce lands.

In the spring of each year from 1889-1892, E. Jane Gay accompanied Alice Cunningham Fletcher from Washington,
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(CALENDAR, Cont. from page 2)

DC to Idaho where Fletcher served as the Special Agent in charge of allotment of the Nez Perce Indian Reservation under the terms of the Dawes General Allotment Act.

The women spent each summer on the reservation camping in remote areas accompanied by land surveyor Edson Briggs; James Stuart, a Nez Perce interpreter and guide; and several chainmen and camp assistants. Gay, acting as unofficial photographer, documented Fletcher's work.

A 13-month calendar for 2016, published by TAG Historical Research & Consulting, features images from the Jane Gay Collection held by the Idaho State Historical Society.

Many of the descriptions used in the calendar are taken from Jane Gay's own writing in *Where We Camped* and a two-volume scrapbook, *Choup-nit-ki: With*

(Continued on page 4)

Clue for this month's "Where in Idaho are You?" (front page): Uncovering this mostly forgotten waterway (begun when a carwash unexpectedly collapsed into it) has led to the revitalization to this city's downtown.



Answer to November Issue (photo shown above): **Idaho State Veterans Home in Lewiston.** For past issues, visit www.itd.idaho.gov/ocr/ocrBUSINESSNEWS.aspx.

2016 Small Business Person of the Year

SBA Boise District Now Seeking Small Business Week Awards Nominations its 2016 National Small Business Week Awards

The U.S. Small Business Administration (SBA)'s Boise District Office is now accepting nominations for its **2016 National Small Business Week Awards**, including the prestigious Small Business Person of the Year.

Since 1963, National Small Business Week has recognized the outstanding achievements of America's small businesses for their contributions to their local com-



Small Business Person of the Year awards, going strong since 1963. (Crown-wearing is now optional: some people can carry it off, some can't.)

munities, and to our nation's economy.

The dedicated website at <http://awards.sba.gov> provides criteria and guidelines for submitting a nomination.

For 2016, the nomination criteria have been streamlined and simplified. In years past there were multiple forms, letters and documents required; now the nominees are only required to

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Lizapalooza in Emmett

"Doing Business with the Government" will be in Emmett on January 20.

Emmett: you're next! The Lizapalooza Tour will be rolling in on January 20 with its popular (and free) Doing Business with the Government presentation.

Attendees will learn direct from experts from the Idaho Transportation Department Office of Civil Rights, the Small Business Administration, the Idaho Procurement Technical Assistance Center (PTAC) and the U.S. Forest Service about identifying and competing for government projects, the various business certifications such as DBE, HUBZone and 8(a), and where to go for assistance.



Extra bonus: a meaty resource handbook with helpful contact information.

You can register online at: [www.ptassist.com/services/ptac_register.php?](http://www.ptassist.com/services/ptac_register.php?id=50C5C46724)

[id=50C5C46724](http://www.ptassist.com/services/ptac_register.php?id=50C5C46724)

Next month, after a short hop to Meridian, Lizapalooza barnstorms eastern Idaho. We'll be in St. Anthony, Idaho Falls, Preston and Pocatello.

All workshop notices with registration notices will be posted at www.itd.idaho.gov/ocr/training.aspx, so check it regularly for updates.

Boise Safety Fest of the Great Northwest

Registration is in full swing for the 11th Annual Safety Fest of the Great Northwest in Boise. Act quickly: this phenomenally popular event fills up fast.

The **2016 Boise Safety Fest of the Great Northwest** is the leading Safety and Health Training Event for the education of the Northwest's front-line workers, supervisors and managers of all levels.



Attendees from all industries can learn methods to reduce hazards that can cause workplace fatalities, injuries and illnesses. And it's free!

The event will be held January 26-29 at the Washington Group Plaza in Boise and includes a vendor show on January 26 and 27. Check the event website, www.safetyfest-boise.org, for information on the almost 60 classes plus instructor bios.

Topics include some old favorites and plus some new ones. There's even a new 24-hour 11-module Safety & Health Management Track offered over the entire event. You can sign up for one or more of the modules or complete the entire 11 modules for a certificate in Safety and Health Management. This session will also qualify for 24 of the required 30 hours required to take the STS exam.

And the Opening Ceremony is back! The keynote speaker, Lieutenant Doug Schoenborn, Boise Police Department, will discuss the active-shooter threat and how to prevent, mitigate, and respond to incidents during a crisis at businesses and public places.

Bill Bankhead and Ashley Kunz will also present "Bridging the Generation Gap" and provide tips on understanding and

communicating effectively with all age groups.

"Lunch with OSHA" will be held in the cafeteria from 11:30 to 1:00 on January 26. You can

bring a lunch or purchase one from the cafeteria and join OSHA representatives for an informal luncheon where you can ask questions regarding worker protection and OSHA safety services. This is an open event and you can join at any time and stay as long as you want. It is your chance to find out what OSHA can do to protect your health and safety on the job.

The always popular Trade Show and Vendor Bingo will be held on the 26th and 27th, with a prize drawing Wednesday at noon. This is a great opportunity to see new safety products and services and talk with the company representatives directly plus win some cool prizes.

Classes fill fast, so register immediately for the best selection. Organizers cannot reserve classes or make special arrangements. If you need to cancel a class, please log in to your account and cancel your class registration in the "My Classes" page.

If a class is full, please come to the registration desk at class time; folks will be added on a first-come, first-served basis as space permits. Don't be late for your class or your spot will be filled, and please DON'T be a "No Show."

If your class is at AGC, ITD, or United Water, please go to those locations to see if you can attend.



(**CALENDAR**, Continued from page 3)
the Nez Perces, both in the collections of the Schlesinger Library, Radcliffe Institute, Harvard University.

The calendar also includes short biographies of Alice C. Fletcher and E. Jane Gay, an essay on The Dawes Act, and a suggested reading list.

To order, visit www.taghistory.com (click "Store" tab). The calendars cost \$14.95 plus tax; sales profits will be donated to the Idaho State Historical Society (State Archives and Research Library). 

BUSTED! Tales From the OIG

Pennsylvania Bridge Engineering Firm and Vice President Debarred For Three Years

On November 9, 2015, the Federal Highway Administration (FHWA) debarred Matthew Williams and Clear Span Construction Products (Clear Span), Pittsburgh, PA, for three years.

Williams and Clear Span were previously suspended as a result of information charging Williams with wire fraud related to the falsification of bridge deck plans and engineering drawings.

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Clear Span manufactured stay-in-place metal bridge deck forms that were placed between structural steel and pre-stressed concrete bridge girders.

In January 2014, Williams pleaded guilty to wire fraud. He admitted that on multiple occasions he forged or affixed the seal and signature of unwitting Professional Engineers (P.E.) on bridge plans. He then transmitted these engineering documents to prime contractors on FHWA-funded projects.

According to the signed guilty plea, Williams forged the engineers' seals by cutting and pasting, or "photo shopping" the P.E. certification seals onto new un-reviewed and unapproved deck form construction drawings.

The investigation revealed that Williams submitted over 500 falsified documents on more than 75 federal- and state-funded highway projects in 13 states.

FHWA concluded that, as vice-president of Clear Span, Williams devised a scheme to defraud the FHWA and state transportation agencies participating in the Federal-Aid Highway Program.

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Nothing is covered up for long when the Office of the Inspector General is on your trail!

Option 1	Option 2
Create a New Vendor Account Individual or Company is not currently registered. Create Account	UPDATE or RENEW Vendor Registration You know your username and password My firm is not currently registered with ITD and I don't have an account. Login Lookup Account

After logging in to your account, you will be directed to the Bidders Registration form. You can also click the Submit Bidders Registration link on the right side of the "Dashboard." If you require technical assistance while completing the application, please use our [online support form](#).

Look familiar? A lot of states use the B2GNow system, so it's getting pretty common.

(BIDDERS, Continued from page 1)

Registered as vendors in other states using B2GNow (such as Oregon, Nevada, New Mexico, Arizona, Texas and Colorado, to name a few), you're almost there. Either log in (if you know for certain, and can remember your password) or look up your account (if you're not certain), and then finish up the process using the "registrations" tab on your company record.

If you're definitely not in the system, then just create yourself a new account. You'll need to have your Tax ID Number ready for this part. (For any of you who have registered on the federal SAM database, this process should be a walk in the park for you.)

ITD currently has 277 companies registered on its Bidders List. Normally, we have approximately 1,200 companies registered.

We need the registrations for many reasons. First, the information we're requesting from bidders is federally re-

(AWARDS, Continued from page 3)

submit one form and questionnaire.

SBA Awards given in celebration of National Small Business Week, May 2-6, 2016, include the following:

- Small Business Person of the Year
- Small Business Exporter of the Year

All nominations must be submitted no

quired.

Second, all companies working on ITD projects must be on the bidders list before they can start work: they will need their company accounts for entering payment certifications (don't panic! This hasn't been implemented quite yet).

Third, we use the bidders list to send important information to companies working or hoping to work for ITD regarding new regulations, procedures, and training opportunities.

And fourth, the Bidder List creates the "base number" on which we determine annual DBE goals. Small bidding pool means greater DBE concentrations. Big bidding pool means smaller DBE concentrations (assuming a consistent overall number of certified DBEs).

Our online system includes a "Help/First Time Visitors" section, training tutorials. And you can always get in touch with the Office of Civil Rights if you run into trouble getting registered.

later than 5 p.m. MST, Monday, January 11, 2016.

In addition to the website, nominations can also be sent directly to the SBA Boise District Office, 380 East Parkcenter Blvd., Suite 330, Boise, Idaho, 83706. For additional information about the awards or other Boise District Office services, please visit www.sba.gov/id or call 208-334-9004.

Are You EMV Compliant?

Credit cards embedded with microchips (known as “chip cards”) are a safer form of payment for buyers and sellers alike. What’s more: as of October 1, business owners that cannot process chip cards will have to foot the bill for fraud losses previously covered by the banks.

U.S. credit card companies are finally making the transition from outdated magnetic stripe technology to cards with chips.

How does this affect business owners? Read on, because this is important to know.

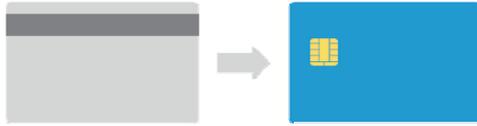
“Chip cards” are payment cards that have an embedded chip, offering increased security when customers use the chip to pay in store.

These chip cards are based on a global card payment standard called EMV, which stands for Europay, MasterCard and Visa, currently used in more than 80 countries around the world. The United Kingdom has reportedly seen almost a 70% decline in counterfeit card transactions since making the transition.

Chip card transactions offer advanced security for in-store payments by making every transaction unique. They’re virtually impossible to copy. If the card data and the one-time code are stolen, the information cannot be used to create counterfeit cards and commit fraud.

Many consumers already have chip cards in their wallets or will be getting these cards soon, but *reading* chip cards requires new technology.

For merchants and financial institutions, this means adding new in-store technol-



The U.S. is migrating from outdated magstripe credit and debit cards (which use the same technology as cassette tapes) to cards embedded with microchips. This technology, also known as EMV (Europay, Mastercard, and Visa), is a safer form of payment for buyers and sellers alike.

ogy and internal processing systems.

Businesses dealing in sales transactions with the public need to become chip-enabled — sooner rather than later.

Why? Because the switch to EMV also means a change in liability for credit card fraud.

Formerly, if an in-store transaction is conducted using a counterfeit, stolen or otherwise compromised card, consumer losses from that transaction generally fell back on the payment processor or issuing bank, depending on the card’s terms and conditions.

But as of October 1, 2015, a deadline set by major U.S. credit card issuers including MasterCard, Visa, Discover and American Express, the liability for card-present fraud will shift to whichever party is the least EMV-compliant in certain fraudulent transactions.

To get chip-enabled for your business, contact your acquirer or payment services provider.

The Small Business Administration (SBA) information and resources for businesses to navigate this transition at www.sba.gov/emv. Here you’ll find pre-recorded webinars, fact sheets in English and Spanish, and more.

The FARSite

Wrestling with the intricacies of **Federal Acquisition Regulations (FARs)**? Of course you are! Here’s the best site (by popular acclaim) for looking them up:

<http://farsite.hill.af.mil>

Hill Air Force Base, to the south of us in Utah, has put together this great resource that tracks not only FARs, but DFARs, AGARs, and “ARs” you never even knew existed.

For those of you who have somehow fallen behind on your regulatory reading, you also get Regulation Change Notices. Enjoy!

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Legal actions against Williams to date have included a \$50,000 civil judgment, four months home confinement and 48 months probation (with orders to pay \$29,600 restitution) in September 2014,

The Office of the Inspector General conducted the investigation with the Federal Bureau of Investigation, with assistance from the FHWA.

Note: Suspensions and debarments are frequently for a specific period of time and the federal System for Award Management (www.Sam.gov) should be consulted to find whether a company is currently excluded.



Know about some Dirty Deals Done Not-So-Dirt-Cheap? Report fraud, waste and abuse or mismanagement in USDOT programs or operations to the Office of the Inspector General at 800-424-9071 or hotline@oig.dot.gov.

Consulting for ITD

Consultants: mark this website in your “favorites”: www.itd.idaho.gov/design/cau/cau.htm. Learn here how ITD uses professional services for highway project development and improvements.

Requests for Proposal are posted here, but be sure to pay particular attention to getting on ID’s Term Agreement List!

You’ll also find important contact information, overhead rates, and other important need-to-know information.

Other ITD Opportunities

Not all ITD procurement is highway construction-related. We buy goods and services for Maintenance, Safety, Aeronautics, Public Transportation and Motor Vehicles as well.

Visit www.itd.idaho.gov/business/business.htm (*Bid & Contract Information—ITD Goods & Services*) for bid notices for: Building Construction; Maintenance and Repair; Facility and Yard Improvements; Highway Maintenance and Repair; Site Clearing and Demolition.

These notices are available as free pdf documents and include relevant drawings and specifications. After bid opening, brief bid abstracts and award information are also posted.

Bigger solicitations of all sorts (services, consulting, equipment and supplies) are posted by the Idaho Division of Purchasing on its e-procurement page. For an overview of Idaho Electronic Procurement (IPRO), visit <http://purchasing.idaho.gov/ipro.html>.

ITD Procurement

ITD Highway Construction Plans & Specs

ITD highway construction plans and specifications are available only through Quest Construction Data Network (QuestCDN).

To obtain or view plans, first visit ITD’s Contractor Page at www.itd.idaho.gov/design/contractors/contrinfo.htm.

On the blue-shaded menu on the left side of the screen is the “Browse Projects & View Plan holders” option. This directs you to a screen where you can search for projects, or simply choose “Show all.”

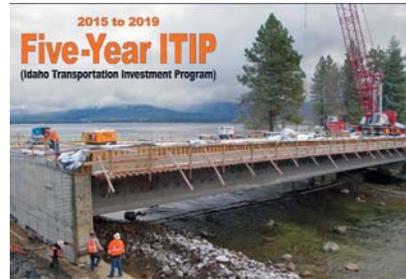
After clicking on individual project names, you can view plan holders or addenda, and of course download plans

(TRIPWIRES, Continued from page 1)
Then the whole process is delayed, sometimes indefinitely. Often it ends in a denial of certification, because the applicant did not present a clear picture of the ownership and control of the firm.

Suggestions for Applicant (Don’ts):

Here’s a quick list of “tripwires” to avoid when applying for DBE certification. These apply equally well towards other types of business certification such as SBA 8(a):

- Not including all applicable required documents listed on the application checklist.



Curious to see our big Master Plan of design and construction? Visit www.itd.idaho.gov and click on the icon shown above for our five-year project list.

and specifications.

You’ll need QuestCDN membership in order to do this: the cost is \$10 per each plan set. You can also choose a monthly or annual download plan. Instructions for accessing the QuestCDN site, creating an ac-

count and viewing plans are included on the ITD Contractor Page.

At the main ITD Contractor Page you can also view bid openings and abstracts (when available), as well as contract awards.

There’s also a link to the Local Highway Technology Assistance Center (LHTAC), where their plans and specifications are listed as pdf documents.

- Including unsigned documents with the application, such as tax returns, stock certificates and personal net worth statements.
- Leaving blank spaces on the DBE application without explanation.
- Providing no proof of spousal renunciation when joint marital assets are used to start a firm and both spouses are not presumed socially and economically disadvantaged (this is particularly important in community property states, like Idaho).
- Providing unclear titles or job de-

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(TRIPWIRE, Continued from page 7)

- scriptions for the firm's officers that result in confusion about each officer's duties.
- Submitting incomplete application packages when applying for interstate certification, such as omitting a complete copy of the application and supporting documents that were provided to the firm's home state for initial certification, as well as subsequent annual "no change" affidavits and any notices of ownership or management changes. (Submitting merely a copy of your latest home UCP certification letter does *not* work, except in the very rare cases of complete interstate reciprocity.)
 - Holding outside employment or business interests that conflict with the management of the firm.
 - Applying for incorrect or unneces-

sary NAICS codes.

- Including boilerplate bylaws or articles of incorporation provisions that create confusion and cast doubt on who controls the firm — for instance, language that allows the majority stockholder to be outvoted.

Suggestions for Applicant (Do's):

- Become familiar with eligibility requirements before you apply. Remember, the applicant firm has the burden of proving eligibility – NOT the certifier.
- Before you submit your application, review it to ensure accurate information. Remember: you have the opportunity to correct any errors in the application right up until the recipient issues an eligibility decision. Don't wait until after the denial to provide key information.

- During your on-site interview, be prepared to discuss all aspects of your business.
- Sufficiently explain your experience on your résumé and be able to explain the roles of each director or employee.
- Sufficiently explain how the firm's majority owner's outside employment or business interests do not conflict with the firm's management.
- Know that you have a right to appeal a denial of certification and be familiar with the process. For example, your appeal must be timely and provide specific grounds supporting your arguments for reversal of the certification denial.

The path to DBE certification by ITD begins at www.itd.idaho.gov/ocr/ocrDBECERT.aspx. Call or email us if you have questions!

