



January 2017

## Title VI

The Idaho Transportation Department (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



## What's New in OCR

*No Change Affidavits, Consultant Prompt Payment Audits, Bidders List Registration Checks, and other odds & ends.*

The beginning of calendar year 2017 launches the beginning of our **DBE No-Change Affidavit Submission** period for our DBE-certified firms.

All our DBEs (except for the ones who have been certified in the last few months) will be getting email notification from our B2GNow system to log into their company accounts to submit their No Change Affidavits to affirm continuing eligibility for DBE certification.

Follow the instructions to download, complete, and upload the simple one-page form with notarized signature.

Company gross receipts for the past calendar year will be verified by uploading 2015 business tax returns or Schedules C. Remember, these will be **2015 returns**, since we realize that most of you won't have your 2016 taxes ready.

The whole process is paperless; all sub-

missions will be done online.

January also marks the official start to **ITD consultants joining the online prompt payment compliance process** already being performed by ITD construction contractors through online reporting on ITD's B2GNow system.

We sent an email out to all our consultants last month advising them that by January 9, they will need to review all their agreements with ITD and enter all (if any) subconsultants, with the amounts paid to date for each.

If there are no subconsultants, they need only to note this on the "comments" tab, or send us a message.

This triggers emails to the subconsultants to log in and verify the amounts paid. This is known as a system "audit".

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Red Sky Speaker Training	Drug & Alcohol Testing Clearinghouse
Lizapalooza in Southcentral Idaho	Post Falls SBDC Winter Classes
Growing Assets & Savings in Idaho	Nominate A SBPOY
InnovateHER Business Challenge	Newly Certified DBES
Thanks to Our Primes	Mindful New Year



## Our Website Has It All (Mostly)

How about one-stop-shop website for all your ITD Civil Rights needs? <http://apps.itd.idaho.gov/apps/ocr/index.aspx> does it all for you! (Well, nearly all. We're delighted to take suggestions for additions or improvements.)

So go ahead and save this web address 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, and we're always tweaking ours.

*You may have noticed that ITD in its recent overhaul of its website, renamed nearly all its webpages. If you get a dead link, here's a good rule of thumb for many of the pages, and it involves putting in "apps" in strategic places in the old address. For instance, our old Civil Rights homepage was [www.itd.idaho.gov/ocr/index.aspx](http://www.itd.idaho.gov/ocr/index.aspx). Replace "www" with "apps", and put in an extra "/apps/" after ".gov", and that will generally fix it.*

### (ODDS & ENDS, Continued from page 1)

These audits verify compliance with the prompt payment provision of the agreements, as well as helping us track DBE participation.

We offer our sincere thanks to our "test group" of consultants who pioneered the system in December. The questions they had about the process helped us understand it a lot better ourselves. Paragon Consulting, Keller Associates and HDR Engineering particularly tore things up getting their agreement information into the system.

As we go forward, many companies may need to register as bidders on the B2GNow System in order to participate in the reporting process.

Start out at <https://itd.dbesystem.com>, and perform a search to see if your company is already in the overall system. If it's not, then you must create a company account.

If your company account *does* exist, it doesn't necessarily mean that the company has completed a bidders registration. Find your company, log in (you may need to add yourself as a user) and check the "registrations" tab to see if a bidders registration already exists.

If it does, you're good to go. You may get annual reminders from B2GNow to get into your account to verify the accuracy of the bidders registration information — contact information does tend to change. Otherwise, it's a one-time process.

Lastly ... are you interested in a free course on **Harassment Prevention for Transit Employees?** ITD will host this live training conducted by National Transit Institute in early spring if we have the minimum of 20 registrations. If you are interested, please email [civilrights@ITD.Idaho.gov](mailto:civilrights@ITD.Idaho.gov) with the subject TRAINING, and we'll get this going.

Happy New Year to All!

## 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](https://www.youtube.com/watch?v=5i1vZPLLOXE) for a quick online presentation.

Looking for DBEs? It couldn't be easier. Just view our slick, 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.

Looking for a nationwide directory? Try: <https://faa.dbesystem.com>

## Red Sky Executive Speaker Training

One of our Boise-based public involvement DBEs is putting on a workshop on January 26.

Speaking in public is essential to success in the business world. When prepared and confident, public speaking can bolster reputation and generate new opportunities for you and your company.

**Red Sky Executive Speaker Training** is a comprehensive workshop for public speakers of every level.

Designed and developed to take the fear and stress out of public speaking, participants will acquire important tools to deliver an effective presentation with confidence.

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Clue for this month's "Where in Idaho are You?" (*front page*) These falls are named after a German immigrant who purchased land here for a lumber mill from the Coeur d'Alene Tribe. The purchase of the land is actually commemorated in a treaty portrayed in a rock pictograph.



Answer to December Issue (*photo shown above*): **Chesterfield**, in Caribou County, For past issues, visit <http://apps.itd.idaho.gov/apps/ocr/ocrBUSINESSNEWS.aspx>.

## Drug & Alcohol Testing Clearinghouse

*FMCSA Establishes National Drug and Alcohol Testing Clearinghouse for Commercial Truck and Bus Drivers; employers will be required to perform annual checks and before hiring.*

The U.S. Department of Transportation's (DOT) Federal Motor Carrier Safety Administration (FMCSA) announced last month a final rule that establishes a national drug and alcohol clearinghouse for commercial truck and bus drivers.

The clearinghouse database will serve as a central repository containing records of violations of FMCSA's drug and alcohol testing program by commercial driver's license (CDL) holders.

Once the clearinghouse is established, motor carrier employers will be required to query the system for information concerning current or prospective employees who have unresolved violations of the federal drug and alcohol testing regulations that prohibit them from operating a commercial motor vehicle (CMV).

It also requires employers and medical review officers to report drug and alcohol testing program violations.

The drug and alcohol clearinghouse final rule annual net benefits are an estimated \$42 million, with crash reductions resulting from annual and pre-employment queries by FMCSA-regulated motor carriers.

The final rule requires motor carriers, medical review officers, third-party administrators, and substance abuse pro-



Let's get you tested, too, Bob — we've noticed that you've been talking to your equipment a lot lately.

professionals to report information about drivers who:

- Test positive for drugs or alcohol;
- Refuse drug and alcohol testing; and
- Undergo the return-to-duty drug and alcohol rehabilitation process.

Additionally, motor carriers will be required to annually search the clearinghouse for current employees, and during the pre-employment process for prospective employees, to determine whether a driver violated drug or alcohol testing requirements with a different employer that would prohibit them from operating a CMV.

Federal safety regulations require employers to conduct pre-employment drug testing and random drug and alcohol testing. Motor carriers are prohibited from allowing employees to perform safety-sensitive functions, which include operating a CMV, if the employee tests positive on a DOT drug or alcohol test.

The national drug and alcohol clearinghouse Final Rule goes into effect in January 2020. To see it in its entirety, visit [www.federalregister.gov/documents/2016/12/05/2016-27398/commercial-drivers-license-drug-and-alcohol-clearinghouse](http://www.federalregister.gov/documents/2016/12/05/2016-27398/commercial-drivers-license-drug-and-alcohol-clearinghouse).

## Lizapalooza in Southcentral Idaho

“Lizapalooza” journeys to southcentral Idaho in January to provide beginner’s orientations on the often confusing world of *Doing Business with the Government*. Great for newbies, great as a refresher, too!

**Doing Business with the Government** (aka “Lizapalooza”) continues its 2016-2017 tour this month with engagements in Twin Falls and Hailey.

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 Mountain Home Air Force Base 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 great big resource handbook with helpful contact information.

Even if you’ve attended past sessions, it’s always a good idea to get a refresher



— also, regulations are always changing, and we have a hard enough time keeping up with them ourselves!

Here are the registration links:

### Twin Falls, January 11

[www.ptassist.com/services/ptac\\_register.php?id=F56CE48916](http://www.ptassist.com/services/ptac_register.php?id=F56CE48916)

### Hailey, January 12

[www.ptassist.com/services/ptac\\_register.php?id=C8EB448917](http://www.ptassist.com/services/ptac_register.php?id=C8EB448917)

If you’re truly interested in attending, don’t dither on signing up online — if we have less than 5 people registered for a location, we’ll cancel the workshop.

In February, we’ll be swinging over to Fruitland, then up to Grangeville, Lewiston, Sandpoint, Kellogg and Post Falls. Watch <http://apps.itd.idaho.gov/apps/ocr/training.aspx> for updates.

## Post Falls SBDC Winter Classes

*The Region I Small Business Development Center is gearing up for its winter trainings, which include new offerings among old favorites.*

The Small Business Development Center (SBDC) located at the North Idaho College Workforce Training Center in Post Falls is once again offering its **Business Acceleration Series**, which can be taken individually — a bargain at \$39 each — or as a series.

The series includes:

- **Marketing Strategy for Profit**  
January 13, 2017 Mornings  
February 9, 2017 Evenings
- **Managing People & Operations**  
January 20, 2017 Mornings  
February 16, 2017 Evenings

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*(RED SKY, Continued from page 3)*

Specifically, attendees will learn:

- The fundamentals of managing a room
- Reading and understanding an audience
- Establishing your physical presence and mindset
- Organizing information for engagement and action
- Keeping a question-and-answer exchange on track

Red Sky Executive Speaker Training is led by Red Sky CEO, **Jessica Flynn**, who co-founded Red Sky after a career in journalism and a stint leading global communications for an all-season resort.

The workshop will be held on Thursday, January 26, from 9am-5pm, and costs \$250. To register, visit: [www.redskypr.com/executive-speaker-training](http://www.redskypr.com/executive-speaker-training).



Jessica Flynn, CEO of DBE-certified Red Sky

## Growing Assets & Savings in Idaho

Join the Federal Deposit Insurance Corporation (FDIC), the Office of the Comptroller of the Currency (OCC) and the Idaho Asset Building Network (IABN) for an **Idaho Asset Building Conference** on January 26, 8:30am-4:30pm, at the Courtyard by Marriott located at 1789 S.

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(*GROWING*, Continued from page 4)

Eagle Road in Meridian.

This Conference will convene statewide leaders from financial institutions, community-based organizations and other community stakeholders to connect, engage and learn more integrating savings and asset-building strategies to better support household financial stability.

Be sure to register before the January 23 deadline at:

<http://communityaffairsevents.fdic.gov/dzfq098/4W>

## Not Too Late To Nominate Your Favorite SBPOY

*Boise District SBA Office is still seeking 2017 Small Business Person of the Year Awards Nominations.*

Every spring since 1963, National Small Business Week has been recognizing the special impact made by outstanding entrepreneurs and small business owners.

During this week, the U.S. Small Business Administration (SBA) recognizes business owners and key executives in small businesses for their outstanding achievements and success in their businesses and also their contributions to their communities.

But first, the SBA needs nominations for **Small Business Person of the Year (SBPOY)**.

SBPOY winners are marketed and recognized in news releases, local news stories, e-newsletters, as guest speakers at SBA events, and in various other marketing and communications materials.

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The NIC Workforce Training Center is easily accessible off I-90 in Post Falls, down by the river (but not in a van).

(*NORTH IDAHO*, Continued from page 4)

- **Financial Management for Profit**  
January 27, 2017 Mornings  
March 2, 2017 Evenings
- **Planning for Business Success**  
February 3, 2017 Mornings  
March 9, 2017 Evenings

New classes include “**Building a Fail-Proof Business**” on January 17 (a practical, straightforward class which identifies and confronts the top reasons that cause businesses to fail, and offers

practical, specific strategies you can implement to position your company for growth) and “**Exit Planning**” on February 28 (making preparations so that your exit from your business is on your terms).

And don’t overlook other favorites like “guerilla marketing”, social media for small businesses, and budgeting.

To register for these classes or for more information, visit <http://idahosbdc.org/locations/north>.

## 2017 InnovateHER Business Challenge

*Why? Because women represent half of the U.S. workforce, control 80% of the nation’s purchasing power — but still make up less than 5% of venture capitalists.*

The U.S. Small Business Administration (SBA) has launched the 2017 **InnovateHER: Innovating for Women Business Challenge**, a nationwide business competition to drive attention and resources to innovative products and services that make our lives easier and longer.

Competitors vie for \$70,000 in prize money provided to SBA for the InnovateHER competition through a gift from the Sara Blakely Foundation.

The number of women venture capital partners has dropped from 10% in 1999

to just 6% in 2014, a trend directly correlated to women’s access to capital; only about 7% of venture capital funding in the United States currently goes to women-owned ventures.

Gender bias is well documented in this area: a Harvard Business School study asked potential investors to rate a series of pitches, some of which were narrated by women and some by men. Even when the scripts were exactly the same, only 32% of people said they would fund

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*(InnovateHER, Continued from page 5)*

the woman, compared to 68% who said they would fund the man.

InnovateHER: Innovating for Women Business Challenge officially kicks off in winter of 2017 with local competitions to be hosted by universities, accelerators, clusters, scale-up communities, SBA resource partners, and other economic development organizations.

Through the competition, SBA is seeking to amplify products or services that fill a need in the marketplace and have the potential for commercialization.

Entrepreneurs selected as winners in local competitions will advance to the semi-final round. From the pool of semi-finalists, SBA will select up to 10 finalists who will be invited to the National InnovateHER: Innovating for Women Business Challenge to be held in mid-2017. The finalists will pitch their products and

ideas to a panel of expert judges and compete for the top three awards along with \$70,000 in prizes.

Over the past two decades, women entrepreneurs have been critical to growing businesses and creating jobs in cutting-edge fields such as precision medicine or cybersecurity, as well as through advances in agriculture and manufacturing.

Women across the nation will benefit from investing in research and inventions that impact their experiences. A lack of inclusion in the innovation space leads to missed opportunities, especially when women make the majority of the buying decisions. The SBA is encouraging organizations across the country to participate in this important business challenge.

For more information including competition rules, go to [www.sba.gov/innovateHER](http://www.sba.gov/innovateHER).



Height doesn't matter, weight doesn't matter. Being a "small" businessperson relies on surprisingly generous standards of gross receipts or number of employees.

*(SBPOY, Continued from page 5)*

Each state's SBPOY winner travels to Washington, D.C. during Small Business week and is automatically entered to be a finalist for the SBA National SBPOY.

To nominate your very own SBPOY, visit <http://awards.sba.gov>. You'll find criteria and guidelines for who's eligible, and how to submit a nomination.

This year, the nomination criteria have been streamlined and simplified; in contrast to past years, now nominees are only required to submit one form and questionnaire.

All completed nomination packages must be submitted by January 10, 2017 to your SBA District Office. In southern Idaho, it's the Boise SBA Office ([www.sba.gov/id](http://www.sba.gov/id)); north of Adams County, it's the Spokane SBA Office ([www.sba.gov/wa](http://www.sba.gov/wa)).

Awards will be announced in May.

## Newly Certified DBEs

### D-Flagging & Traffic Control LLC

Diana L. Warden, Owner  
3344 Hwy 12 W, Kamiah, ID 83536  
Phone: (208) 451-4915  
Email: [dianalwarden@msn.com](mailto:dianalwarden@msn.com)

FAX: (208) 935-1301

*Certified traffic control, flagging and pilot car operation; temporary signing; temporary tape application; general labor, such as fencing.*

### N.W. Drafting Services, LLC

Dennis Ogan, Owner  
3421 SW 28th Ct. Gresham, OR 97080-9418  
Phone: 503-577-5303 FAX: 503-512-7878  
Email: [dennis@nwdraftingservices.com](mailto:dennis@nwdraftingservices.com) Homepage: [www.nwdraftingservices.com](http://www.nwdraftingservices.com)

*Professional drafting services and computer aided drafting and design.*

### Tera Consulting Inc DBA Tera Consulting Inc./Tera Office Solutions

TerryAnn Powell, President/CEO  
185 West John Street, Unit#7111, Hicksville, NY 11802  
Phone: 516-732-1888 FAX: 267-750-5970  
Email: [tpowell@teraconsultinginc.com](mailto:tpowell@teraconsultinginc.com) Homepage: [www.teraofficesolutions.com](http://www.teraofficesolutions.com)

*Supplier of office furniture & supplies, janitorial, tissue paper and safety products.*



Travelling around Idaho? Take the guesswork, mystery and suspense out of road conditions by visiting <http://511.idaho.gov> for road reports, cameras, truck restrictions, weather conditions and much more.

## Thanks to Our Primes

Prime contractors and consultants who extend equal opportunity to DBEs to participate on ITD projects.

### Gale Lim Construction LLC

**FY15 District Turnbays**, awarded 3/11/15  
DBEs: Amerigo, Inc.; Idaho Traffic Safety, Inc.

**Trego Rd Left Turn EB**, awarded 10/09/15  
DBE: Idaho Traffic Safety, Inc.

### HDR Engineering, Inc.

**SH 50 to Machine Pass EBL**, awarded 4/17/16

DBE: L2 Data Collection

### Keller Associates Inc.

**W 9th St; Pioneer to W Indianhead Rd, Weiser**, awarded 7/15/14

DBE: Bionomics Environmental, Inc.

**200 S Rd, Jerome Co.**, awarded 7/06/16

DBE: Bionomics Environmental, Inc.

### Parametrix Consulting, Inc.

**Government Way UPass, Coeur d'Alene**, awarded 8/20/15

DBE: L2 Data Collection

**FY17 Capital Maintenance, ACHD**, awarded 1/27/16

DBE: Bionomics Environmental, Inc.

**Corridor Pres, Caldwell to Boise**, awarded 1/30/12

DBEs: Rosemary Brennan Curtin, Inc.; L2 Data Collection; Bionomics Environmental Inc.; Axiom-Points, LLC

**BMP 1.491, EMP 1.940, SGMT 001900**, awarded 8/26/16

DBEs: Rosemary Brennan Curtin, Inc.; L2 Data Collection; Bionomics Environmental Inc.; Axiom-Points, LLC

**12th Ave S; Sherman to Dewey Beacons, Nampa**, awarded 4/21/16

DBE: The Arrowrock Group, Inc.

### T-O Engineers Inc.

**Strong Creek Bridge, East Hope**, awarded 8/01/16

DBE: TraffiCorp

### Wheeler Electric, Inc.

**Int. Holmes Ave. & 1st St**, awarded 7/18/16  
DBE: Idaho Traffic Safety

## On Mindful Contracting

ITD's Contract Compliance Officer **Russ Rivera** knows that good intentions + careful reading of contract provisions + good guidance can carry contractors a long way towards peace, goodwill and full compliance in 2017.

When I stepped on the scale at my doctor's office I realized that I am officially at the same height and weight that I was going into my Eighth Grade year.

I know what you're saying: "Russ, I too would like to have the body of an overweight pimple-faced eighth grader, how did you do it?" Well, what helped me the most was mindful eating, which involves understanding the costs and benefits associated with your decisions.

Contracting on Federal-aid projects should be viewed with the same type of mindfulness. While Federal-aid contracting comes with benefits like larger projects and federally-secured funding, it does require additional paperwork and oversight. Sometimes we enter into a Federal-aid contract without understanding the true cost, and before you know it the FBI is rummaging through your garbage looking for tax returns and paystubs.

With the New Year right at hand, I'd like to offer a few pointers for the Mindful Contractor in us all.



1. "Playing with my money is like playing with my emotions!"  
Scientific studies (by

me) show that happy employees are less likely to report you to the U.S. Department of Labor.

When looking through your files next year, ask yourself: are my employees paid weekly? Are they earning the correct Davis Bacon Wage rates? Do they receive their fringe?

Or are fringe payments tied up in a "plan" that an employee can only collect after a certain amount of months with the company (this may be illegal, by the way)?

Keeping things in the green with your employees will keep them from seeing red.<sup>TM</sup>

### 2. Document, Document, Document.

Once upon a time someone decided to toast an English muffin while taking their morning bubble bath. While this sounds entirely reasonable, it

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### Invitations to Bid

Seeking bids from DBE subcontractors? Email [civilrights@itd.idaho.gov](mailto:civilrights@itd.idaho.gov) with information about the project and the bid date, plus the specialty areas in which you plan to subcontract. To view current invitations, visit <http://apps.itd.idaho.gov/apps/ocr/invitations.aspx>.

*(MINDFUL, Continued from page 7)*

likely resulted in a lawsuit that now requires obnoxious warning labels admonishing homeowners about bathing with kitchen appliances.

I imagine that Federal-aid requirements came about in a very similar manner. Somebody along the way might have started a sentence with "... *hypothetically*, if I make my subcontractors sign lien-releases, or if we argue about quantities, we can stall payments and earn interest on federal funding," which of course is "hypothetically" illegal.

On your next project ask yourself: Are subcontractors paid within 20 days of the work being accepted by the engineer? Are the fringe rates and deductions separated on paystubs as required by State and Federal code? Do all employees receive EEO training every six months as required by Federal reg-



Some people just have to ruin things for the rest of us.

ulation?

Ample documentation may keep you from having to add superfluous warning labels to your new employee packets.

### 3. **Roll Call:**

Regular reporting is required from contractors on things like: apprentice and trainee progress, workforce diversity, and commercially useful functions.

When the state notices a drop in

the number of required reports, a contractor is flagged for audit. A good way to learn the reporting requirements is by occasionally glancing at the FHWA 1273, and state special provisions on EEO, DBE, Training and TERO.

Keep in mind, there is no better way to learn the requirements than by actually teaching another contractor. Teaching EEO requirements to others helps you demonstrate "good faith effort" and shows ITD that you truly know your stuff.

The Office of Civil Rights is always here to help you be more mindful about EEO, DBE, TSP, and TERO requirements on Federal-aid construction contracts. In the coming months look for announcements about ITD's annual EEO training for contractors or feel free to contact our office for more details.

Have a "Mindful New Year!"

