

Disadvantage Business Enterprise (DBE) Toolbox



July 1, 2019

*Office of Civil Rights
Idaho Department of Transportation*



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Idaho Transportation Department
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Contents

Continuing Certification	1
Annual No Change Affidavits	1
Three-Year On-Site Reviews (for in-state DBEs only)	2
Expanding Certified Work Areas	3
Keeping Your DBE Directory Listing Up-to-Date	3
Interstate Certification	4
Marketing Yourself	5
Capability Statement	5
DBE Looking for Prime Contractors	6
Find Out Who the Prime Contractors Are:	6
Working for ITD	6
Bidder's Registration	6
Prompt Payment	7
Construction Contractors and Suppliers	7
Idaho Public Works License	7
ITD Standard Specifications for Highway Construction	8
Identifying ITD Highway Construction Projects to Bid	8
Solicit Prime Contractors	13
Miscellaneous Highway Projects	16
"Other Solicitations"	17

Researching Historical Bid Amounts	18
Project Forecasts	21
Consultants.....	21
Minor Agreements.....	23
Term Agreements	23
Request for Proposal (RFP).....	24
Subconsulting.....	24
DBE Goals on Consultant Agreements.....	24
State Division of Purchasing	24
Statements of Confirmation	25
“Counting” DBE Credit.....	25
Joint Ventures.....	25
Contractors and Consultants.....	26
Truckers	26
DBE Suppliers.....	28
Manufacturers	29
Performing a Commercially Useful Function.....	29
Substitution/Termination	30
Responding to Diversity Tracking System Audits	31
Contract Sanctions	33
Fraud	33
DBE Supportive Services	34
Doing Business with the Government Workshops.....	35
Taking Advantage of your Local PTAC.....	36
Other Business Support Services.....	36
USDOT Small Business Training Resource Center (SBTRC)	36
Zions Bank Business Resource Center	37
ITD Office of Civil Rights	37
Other Important ITD Contact Information	39
ITD Headquarters	39
District Offices	39
ITD District One.....	39

ITD District Two.....	39
ITD District Three	39
ITD District Four	39
ITD District Five.....	40
ITD District Six	40
Local Highway Technical Assistance Council (LHTAC).....	40



So you're DBE-certified by the Idaho Transportation Department (ITD). Now what? Read on to find out!

Continuing Certification

Annual No Change Affidavits

Idaho Transportation Department
"No Change" Affidavit for Continuing DBE Certification

I, _____ Name _____ Title _____
 of _____ Firm Name _____
 Mailing Address _____ City _____ State _____ Zip _____
 Phone Number _____ Fax Number _____ Cell Number _____
 E-Mail Address _____ Homepage Address _____

I do hereby swear that there have been no changes in my firm's structure or operations since my last certification or review by the Idaho Transportation Department that would affect my ability to meet all DBE eligibility requirements regarding size, disadvantaged status, ownership, or control based on 49 CFR 26. I certify that there have been no material changes to the information provided in that last application, except for those about which I have already notified the Idaho Transportation Department in writing.

I also certify that my personal net worth, excluding equity in my primary residence and applicant business, does not exceed \$1.32 million.

In addition, I affirm that my firm continues to meet SBA business size criteria for small business concerns, and that my firm's average annual gross receipts over the previous three fiscal years do not exceed \$23.50 million.

Owner's Signature _____ Date _____

NOTARY PUBLIC INFORMATION

State of _____
 County of _____
 On this _____ day of _____ before me appeared _____
 Name _____ to me personally known, who, being duly sworn,
 did execute the foregoing foregoing affidavit, and did state that he or she was properly authorized by _____
 Name of Firm _____ to execute this affidavit and did so as his or her free act and deed.

Subscribed and sworn to before me this _____ day of _____
 SEAL _____ Notary Public _____
 Residing At _____
 My Commission Expires _____

Each year, on January 1, you will receive an automated message through our online **Diversity Tracking System** (which manages our DBE certifications) that it is time for you to submit a notarized "No Change" Affidavit along with the business tax return you filed the *previous* year. For instance, if we are requesting No Change Affidavits for calendar year 2025, you are required to provide your 2023 business tax return. This is so we can calculate your most recent three-year gross receipt average for the purpose of determining continuing program eligibility under business size.

Every year, the deadline for submission is February 15. If you cannot meet this deadline, you may request an extension. However, ignoring this requirement will result in your decertification, which means that prime contractors and consultants cannot contract with you for DBE credit. After all the effort you took getting your DBE certification, don't you want to hang on to it?

Naturally, if you wish to voluntarily withdraw from ITD's DBE Program, just let us know, and we will quickly and painlessly process your removal.

Here are the instructions on how to submit your No Change Affidavit:

- The log-in page is at: <http://itd.dbesystem.com>. Your user name is your email address. If you can't remember your password, you can always send yourself a one-time password change email that you can use to get in and change your password to anything you like.
- Once you log in, you'll be on a "landing page" – click "continue", and then you'll get a "dashboard" with various categories. You want the **Key Actions** category.
- You want "Renew/Apply for Certification". Then, since you are already certified, choose "Submit a DBE No Change Affidavit."
- On the next screen, you'll download the NCA form, fill it in, get your signature notarized, then upload the completed form along with the business tax return you filed *last* year. Answer some questions – most of the answers should be a simple "No", since these are asking you about any change in ownership in management -- fill in the signature line, and hit "submit".
- When uploading the documents, remember there are only 2 "mandatory" (tax return and affidavit). Choose "non-applicable" under "Required Documents".

TIP: Our Diversity Tracking System is provided by B2GNow, which is used by many other states besides Idaho. Be sure that when you access your vendor account, you don't confuse your Idaho certification with certifications in other states.

Three-Year On-Site Reviews (for in-state DBEs only)

In order to keep up-to-date with the growth and changes happening to your business over time, ITD will schedule a new on-site review at your place of business every three years.

ITD may also conduct a certification review of your firm, including a new on-site review, if appropriate in light of changed circumstances like ownership or management. If information comes to ITD's attention that leads it to question your firm's eligibility, ITD may conduct an on-site review on an unannounced basis, at your offices and job sites.

Expanding Certified Work Areas

We highly encourage our DBEs to expand their scope of work. It's a win-win situation: DBEs increase their capacity, and ITD can claim DBE participation in new areas!

To become certified in additional types of work (in order for this work to be DBE-credited), you must make a formal request to ITD's Office of Civil Rights. In your request, you must demonstrate that you are able to control the firm with respect to that type of work. This does not require a new certification or recertification process, but ITD must verify your control of the firm in the additional type of work, with an additional on-site review if necessary.

Here are some of the areas we look at in making our determination:

- Does your Idaho Public Works License cover these work areas? (For more on the Idaho Public Works License, see [that section](#) in "Working for ITD".)
- Do you own or have a long-term lease for the type of equipment (if any) needed to perform in these work areas?
- What contracts have you performed or are performing for this line of work?
- (If out-of-state): has your home state certified you for these work areas?

Keeping Your DBE Directory Listing Up-to-Date

On a regular basis, look up your ITD DBE Directory listing at <https://itd.dbesystem.com/>. Is everything correct and current? If not, let us know! The last thing you want to do is become unreachable to ITD and to prime contractors trying to contact you.

Please remember that you are required, by regulation, to immediately inform ITD of any changes to the location, ownership or management of your firm. Also make sure that you are correctly listed for the Idaho districts in which you are willing to bid or propose.

DBE Directory

Search the DBE Directory by entering search criteria and clicking Search. You must select at least one certification type. You can also search by a variety of other fields which are listed below.

Search results may be downloaded to Excel, by clicking the "Download Results to Excel" button after your search results are displayed.

Search by Certification Type	
Certifications	<input checked="" type="checkbox"/> Airport Concessionaire Disadvantaged Business Enterprise (ACDBE) <input checked="" type="checkbox"/> Disadvantaged Business Enterprise (DBE)
Search by Business Name or DBA	
Business Name/DBA	<input type="text"/> <small>Tip: Try just a few letters of the firm's name.</small>
Search by Business Description	
Business Description	<input type="text"/> <small>Tip: Try just a few letters of a keyword.</small>
Search by Commodity Code	
Commodity Codes	<input type="button" value="Click to Lookup Commodity Codes"/>
Search by Contact Person	
Contact Person/Owner	<div> <div>First name <input type="text"/> <small>Tip: Use the first letter.</small></div> <div>Last name <input type="text"/> <small>Tip: Try just the first few letters.</small></div> </div>
Search by Location	
City	<input type="text"/>
Zip Code	<input type="text"/> <small>Tip: Search for multiple zip codes by separating with commas.</small>
State	<input type="text" value="Select one or more"/>
Phone Area Code	<input type="text"/>
Search by Work Districts/Regions	
Work Districts/Regions	<small>Selection of any combination below will find firms that have at least one assigned work district/region match.</small> <input type="text" value="Select one or more"/>
Search by Reference	
Work Category	<input type="text" value="Select one or more"/>
<input type="button" value="Search"/>	

Interstate Certification

In order to be counted for DBE credit in other states, you must become DBE-certified in that state. The states vary in their interstate certification procedures: some will accept proof of your home state certification, and others will require a copy of the original application and documentation provided to your home state, along with all subsequent affidavits, tax returns and other information. In most cases, these states will also request a copy of your most recent on-site review from ITD, which we send along as quickly as possible.

To find the websites for other states' DBE Programs, visit <https://www.transportation.gov/DBE%20State%20Websites>. Sometimes some of the information is outdated, but this will at least take you to main state department of transportation pages!

Marketing Yourself

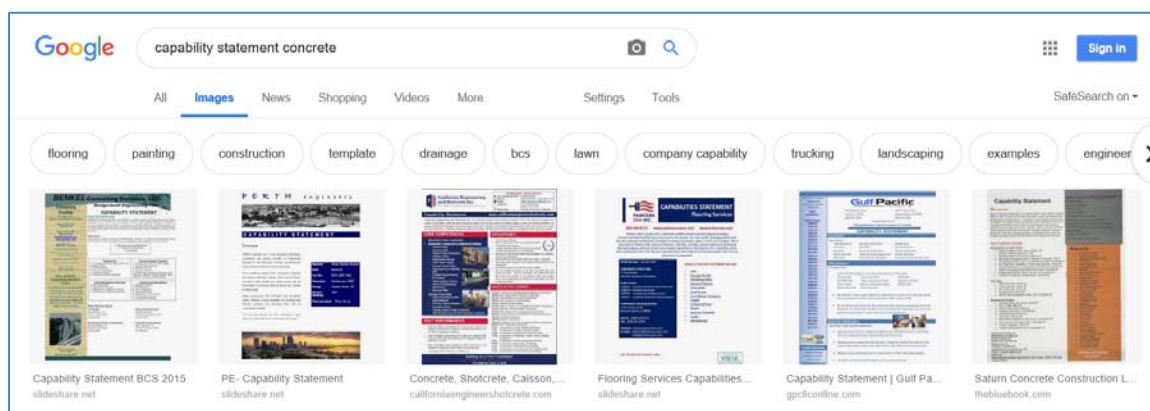
If you are eligible to participate in ITD's DBE Supportive Services (we have a section on this later in this toolbox), work with the [Idaho Small Business Development Center \(SDBC\)](#) in developing a marketing plan.

Capability Statement

If you don't have one already, you should create a capability statement. This is like a one-page, one-sided résumé for your firm, which shows prime contractors and contracting officers at a glance what your firm can do. Things to include on your capability statement:

- Business capabilities and equipment inventories
- NAICS and CAGE codes
- Business Certifications (such as DBE)
- Past performance and testimonials
- Project pictures
- Contact Information

TIP: Google "capability statements" within your industry and look at the results on the "Images" tab in your browser for examples.



DBE Looking for Prime Contractors

Send us your capability statements so we can post them on our “DBEs Seeking Subcontracting Opportunities” webpage at: <https://apps.itd.idaho.gov/apps/ocr/DBE-Seek.aspx>.

If you are interested in subcontracting on a specific ITD project, fill out this solicitation form at <https://apps.itd.idaho.gov/apps/ocr/documents/DBEs-Seeking.pdf>, email the completed form to us, and we’ll post it for you!

Find Out Who the Prime Contractors Are:

ITD has a relatively small pool of prime contractors. To get the best idea of who these primes are, visit our “Bid Opening Results and Bid Abstracts” page at <https://apps.itd.idaho.gov/Apps/contractors/br.htm> for construction contractors, and https://apps.itd.idaho.gov/Apps/cau/solicitations/cs_Closed-Project.pdf for consulting firms.

These pages give you a good indication of who the prime are who commonly bid or propose on our projects, and what type of projects they bid or propose (and where).

Contact information for the firms working on ITD projects can be found on **ITD Bidder’s List** at <https://itd.dbesystem.com/>. Just search for the company names in which you are interested.

Working for ITD

All of ITD’s procurement opportunities are listed at <https://itd.idaho.gov/business>. Be sure to save this to your browser’s “favorites”!

Bidder’s Registration

All ITD contractors, consultants, suppliers and services providers are required to register online as ITD Vendor: <https://itd.dbesystem.com>.

Obviously, you’re already in the system since you’re a DBE. Log into your vendor account and choose the “registrations” tab. Answer the questions and submit.

Prompt Payment

When working as a subcontractor on an ITD construction project, the prime contractor must pay you for satisfactory performance on your work items no later than 20 calendar days from the time ITD pays the prime for the work. Prime must also return retainage to you within 20 calendar days after your work is satisfactorily completed.

ITD prime construction contractors are paid at least once a month, although most choose to be paid every two weeks. Payments to consultants depend on the consultants invoicing ITD on a timely basis.

Our Diversity Tracking System, in addition to handling our DBE certifications, also serves as an online verification system of prime-to-sub payments. This is how we track prompt payment and retainage release. In order for this to work, it is a contractual obligations for all contractors and consultants (and subcontractors and subconsultants and suppliers) to participate in entering information.

For more information on this process of confirming payment, go to the “Responding to Diversity Tracking System Audits” section.

TIP: ITD makes partial payments to construction prime contractors at least once a month, or semi-monthly upon the prime’s request. Payments to prime consultants are dependent on the prime invoicing ITD.

Construction Contractors and Suppliers

Idaho Public Works License

The first thing any construction contractor needs to do on ITD projects is have an Idaho Public Works License. (This is not the same thing as an Idaho Contractor Registration.)

- **Federally-funded** projects: bidders must be licensed *prior to contract award*
- **State-funded** projects: bidders must be licensed *prior to bidding*

Either way, if you’re a construction contractor, the sooner you get licensed, the better! To obtain Idaho Public Works License, visit the **Idaho Division of Building Safety** at <http://dbs.idaho.gov/programs/publicworks/index.html> or call (208) 334-4057 / toll-free (800) 955-3044.

If you are a trucker, you may or may not need the license, depending on the type of hauling being performed. If your trucks are merely depositing materials at the job site

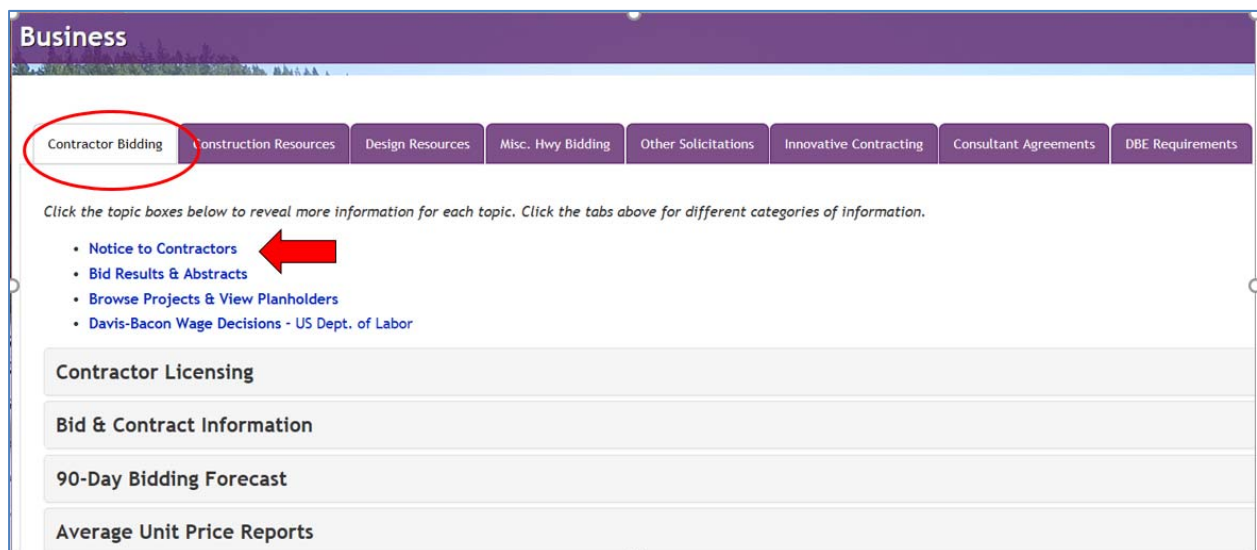
and then leaving again, then probably not. However, if your trucks are mainly working on the job site, then a license is required. Check with the Idaho Division of Building Safety to make sure either way.

ITD Standard Specifications for Highway Construction

Every contractor working on ITD highway construction projects must have on hand the **Standard Specifications for Highway Construction Guide**, which gives explicit specifications and standards for every construction phase. This is available online only at: <https://itd.idaho.gov/business/?target=construction-resources#standard-specifications-for-highway-construction>. Become especially familiar with the sections dealing with your line of work!

Identifying ITD Highway Construction Projects to Bid

The best way to monitor ITD's highway construction projects is by regularly visiting ITD's **Contractor Bidding** tab at <http://itd.idaho.gov/business>. Aside from the occasional Design-Build Project, construction projects are awarded to the lowest responsive bid.



Notice to Contractors

This page contains information concerning highway construction and maintenance projects currently advertised for bidding by the Idaho Transportation Department. Item listings contained herein are from the original project advertisement and do not reflect changes made by addendum. *This page will be updated as projects are released for advertising or when the bid opening dates are changed.*

ATTENTION

Contractors are required to access Plans and Proposals for project bidding through QUEST CDN . To create an account with QUEST CDN please visit www.questcdn.com. To browse project currently under bid, click on "[Browse Projects & View Planholders](#)" on the [ITD Business](#) web page.

- *Contractors may opt to submit a paper bid, bids must be received at department headquarters by 2:00pm on the stated bid opening date.*

Internet Bidding available at www.bidx.com

- **Bids Opening October 16, 2018**
 - Call 1-**Key 20017, MP 167 to Montana SL, Clark County**
[20017170920.exe.EBS File](#)
 - Call 2-**Key 18959, US-26, Aberdeen Canal, Bingham County**
[18959180330.exe.EBS File](#)
 - Call 3-**Key 20020, Main St Pedestrian Improvements, Lewiston, Nez Perce County**
[20020180601.exe.EBS File](#)
 - Call 4-**Key 19878, FY 20 D5 Revegetation, Bannock, Bingham & Bear Lake Counties**
[19878180821.exe.EBS File](#)

Bid Openings are on Tuesdays at 2:00pm, Mountain Time. The Bid Schedule corresponds to the construction categories listed in ITD's **Standard Specifications for Highway Construction Guide**, available online at <https://itd.idaho.gov/business/?target=construction-resources#standard-specifications-for-highway-construction>.

- 200 Earthwork
- 300 Bases
- 400 Surface Courses and Pavement
- 500 Structures
- 600 Incidental Construction
 - Curb & Gutter; Fencing; Culverts; Traffic Control
- 700 Materials

Key No 20017, MP 167 to Montana SL, Clark County

ITEM NO.	DESCRIPTION	QUANTITY	UNITS
408-010A	DIL EMUL ASPH FOR FOG CT CSS-1	106091.000	GAL
415-006A	MICRO SURFACING	17271.000	TON
415-010A	POLYMER MODIFIED EMULSIFIED ASPHALT	2072.000	TON
626-010A	TEMPORARY TRAFFIC CONTROL SIGNS	472.000	SF
626-050A	DRUMS	60.000	EACH
626-076A	ARROW BOARD TY C	480.000	HR
626-105A	TRAF CNTL MAINTENANCE	960.000	HR
626-110A	TEMP FLEX RAISED PAV MARKER	10519.000	EACH
626-120A	FLAGGER CONTROL	90.000	HR
626-135A	WEIGHTED BASE TUBULAR MARKERS	345.000	EACH
630-020A	PAV MKG - WATERBORNE	3003.000	SF
630-020B	PAV MKG - PREFORMED THERMOPLASTIC	1310.000	SF
630-025A	LONGITUDINAL PAV MKG- WATERBORNE	1454238.000	FT
631-010A	RUMBLE STRIPS (GRIND)	112.000	MILE
676-005A	RECORD OF EXISTING PAVEMENT MARKINGS	1.000	LS
S626-45A	TRUCK MTD ATTENUATOR (OBSOLETE 2018)	1.000	EACH
S900-50A	CONTINGENCY AMOUNT DIRECTED REPAIRS	1.000	CA
S904-05A	SP CONSTRUCT WEIGH-IN-MOTION (WIM) STATION	1.000	LS
Z629-05A	MOBILIZATION	1.000	LS

408 = Fog Coat

415 = Microsurfacing

626 = Traffic Control

If a Notice to Contractors bid schedule interests you, there's a way to get a closer look at the project without paying \$15 for the plan set.

Business

Contractor Bidding

Construction Resources

Design Resources

Misc. Hwy Bidding

Other Solicitations

Innovative Contracting

Consultant Agreements

DBE Requirements

Click the topic boxes below to reveal more information for each topic. Click the tabs above for different categories of information.

Notice to Contractors

Bid Results & Abstracts

Browse Projects & View Planholders

Davis-Bacon Wage Decisions - US Dept. of Labor

Contractor Licensing

Bid & Contract Information

90-Day Bidding Forecast

Average Unit Price Reports

Click on Project Name to see detailed advertisement

Post Date/Time	Category	Name	Bid Date/Time
	<input type="text"/>	<input type="text"/>	
09/25/18 11:53 AM	Landscaping	FY20 D5 Revegetation	10/16/2018 02:00 PM MDT
09/18/18 01:52 PM	Pavement Resurface and Rehabilitation	MP 167 to Montana SL	10/16/2018 02:00 PM MDT
09/21/18 04:44 PM	Pedestrian Improvements	Main St Pedestrian Improvements, Lewiston	10/16/2018 02:00 PM MDT
09/21/18 04:13 PM	Bridge (Replacement or Rehabilitation)	US-26, Aberdeen Canal	10/16/2018 02:00 PM MDT
09/25/18 11:21 AM	Bridge (Replacement or Rehabilitation)	FY19 D6 Bridge Repair, US-20 Lorenzo Bridges	10/23/2018 02:00 PM MDT
09/25/18 11:40 AM	Paving (Highway, Road or Street)	I-84, Mountain Home to Cold Springs IC	10/23/2018 02:00 PM MDT
09/28/18 02:11 PM	Bridge (Replacement or Rehabilitation)	Salmon Falls Creek Bridge	10/23/2018 02:00 PM MDT
10/12/18 02:39 PM	Bridges/Overpasses	Cloverdale O'Pass BR, Boise	10/30/2018 02:00 PM MDT
10/09/18 01:57 PM	Pavement Resurface and Rehabilitation	FY20 D2 sealcoats	10/30/2018 02:00 PM MDT
10/05/18 03:47 PM	Bridge (Replacement or Rehabilitation)	I-84, Oregon St Ln to Caldwell Bridge Rehabs	10/30/2018 02:00 PM MDT
10/05/18 03:07 PM	Erosion Control / Slope Stabilization	SH-57, Emergency Repair Mileposts 1.92 & 2.10	10/30/2018 02:00 PM MDT
10/15/18 10:14 AM	Bridge (Replacement or Rehabilitation)	Sh-200B, Strong Creek Bridge, East Hope	10/30/2018 02:00 PM MDT
10/09/18 02:08 PM	Pavement Resurface and Rehabilitation	US-95, Whitebird Grade Rehab	10/30/2018 02:00 PM MDT
10/09/18 01:44 PM	Bridge (Replacement or Rehabilitation)	US-95, Little Rainbow Bridge	11/06/2018 02:00 PM MST
10/09/18 02:23 PM	Pavement Resurface and Rehabilitation	Goff Bridge to MP 210 Slide	12/04/2018 02:00 PM MST

[View Plan Holders](#)
[Download Bid Documents](#)
[Download Addenda](#)
[View Bid Documents](#)

I-84, Mountain Home to Cold Springs IC (Quest Project #5965330)

[Print Ad](#)

County/City/State: Elmore - N/A, ID
Location / Site
Directions:
Bids Close: 10/23/2018 02:00 PM MDT
Bids Received By: Idaho Transportation Department
Estimated Value: \$15,000,000 to \$25,000,000

Project Description: For the work of adding a 3rd lane on WB I-84 from MP 109.5 to MP 105, Hammett Hill Passing Lane, known as Project No. A020(106), Elmore County, Key No. 20106, and for the work of removing and replacing the concrete pavement in the WB travel lanes of I-84 from MP 95.7 to MP 103.8, Mountain Home to Cold Springs, known as Project No. A020(148), Elmore County, Key No. 20148.

Additional Description: Please contact the Resident Engineer ***BRYON BREEN*** AT (208) 334-8937 for any design related questions.

Owner: Idaho Transportation Department
Soliciting Agent: Soliciting agent
Idaho Transportation Department
PO Box 7129
Boise, ID 83707
ph: 208-334-8052
fax: 208-332-2090
contact: Nate Steiner
e-mail: ITDplanroom@itd.idaho.gov

Project Documents: Digital copies of the Plans, Proposals, and Specifications can be downloaded for a fee of \$15.00. Please contact QuestCDN.com at 952-233-1632 or info@questcdninfo.com for assistance in downloading and working with this digital project information.

Quest eBidDocs™: Download delivery fee is **\$15.00**, file size is **21.3 Mb**.

Project Size & Description

Project Engineer (For Further Questions)

Select a link to **view*** the document.

*Documents on this page are intended for on-line viewing only. They are disabled for printing or off-line viewing purposes and are of a lower resolution than the originals. Use the Download Project PDF or Addenda buttons to acquire printable full resolution copies of these documents.

When finished you may select another file to view, or click the DONE button to close this window.

Viewable documents for I-84, Mountain Home to Cold Springs IC (Project #5965330)

Document Description	Date	Addendum #	Size	Filename
BID DOCUMENTS	09/25/2018	--	21.3 Mb	vu 20106 Project Package.pdf

[Notice of Letting](#)

[Proposal](#)

[Bid Schedule](#)

[Specialty License Requirements](#)

[DBE Requirements](#)

[Proposal Bond](#)

[AIA A-310 Bond Warning](#)

[Bidding Requirements](#)

[Fraud](#)

[DBWID79](#)

[Special Provisions](#)

[Floodplain Permit](#)

[SWPPP](#)

[QASP version 1.1.1 \(2017\)](#)

[Title VI Special Provisions](#)

[FHWA1273](#)

[Training](#)

[Plans](#)

[TITLE SHEET](#)

[CONSTRUCTION OVERVIEW](#)

[ROADWAY SUMMARY](#)

[HAMMETT HILL PASSING LANE](#)

[TITLE SHEET](#)

NOTICE OF LETTING

Sealed proposals will be received by the IDAHO TRANSPORTATION BOARD only at the office of the IDAHO TRANSPORTATION DEPARTMENT, 3311 WEST STATE STREET, BOISE, IDAHO 83703, ATTN: CONTRACTING SERVICES until two o'clock p.m., on October 23, 2018, Idaho Federal Aid Project No. A020(106) & A020(148), in Elmore County, Key No. 20106 & 20148; for the work of adding a 3rd lane on WB I-84 from MP 109.5 to MP 105, Hammett Hill Passing Lane, and for the work of removing and replacing the concrete pavement in the WB travel lanes of I-84 from MP 95.7 to MP 103.8, Mountain Home to Cold Springs.

[ADDITIONAL INFORMATION CONTACT: RESIDENT ENGINEER ***BRYON BREEN*** AT (208) 334-8937]

Plans, specifications, form of contract, proposal forms, and other information may be obtained from the Idaho Transportation Department website at <http://itd.idaho.gov/business/>

In an effort to achieve ITD's DBE Annual Participation Goal (APG) of 8.3% utilization, ITD requires responder to utilize certified subcontractors and suppliers listed on its DBE Directory located at: <https://itd.dbesystem.com/>. For this project, it has been determined that there is a DBE availability of 2.0% or more. For more information regarding ITD's DBE Program please go to <https://apps.itd.idaho.gov/apps/ocr/ocrDBEPROGRAM.aspx>

This contract requires full compliance with Title VI of the Civil Rights Act of 1964, which protects persons from being denied the benefits of or excluded from participation in programs or activities; or subjected to discrimination based on race, color, national origin, sex, age, disability, Limited English Proficiency or economic status. The Contractor is encouraged to utilize the goods and services of disadvantaged firms in accomplishing the tasks or providing the services of this agreement, and to provide equal opportunity to all sub-bidders and suppliers.

If you're planning on bidding as a prime contractor, you must purchase and download plan sets through QuestCDN at \$15 set (instructions are on the main Contractor tab under "Bid & Contract Information"). Here are just a few of the things you need to watch for on federally-funded projects:

- DBE Goal
- Davis-Bacon (Prevailing) Wages (the schedules will be posted in the bid documents)
- Tribal Employment Rights Ordinances (TERO) if on a reservation
- Other Special Provisions

On state-funded projects, there are no DBE goals or Davis-Bacon wage requirements. Projects. However, there is a requirement for an Idaho resident workforce.

- 50+ Employees: workforce must be 95% Idaho residents
- <50 Employees, 90% Idaho Residents

On reservations, contractors must comply with tribal regulations and obtain the necessary permits.

Always keep an eye on plan addenda: things can and do change frequently!

Bidding on most ITD highway construction projects can be done online through Bid Express (instructions are on the main Contractor tab under “Bid & Contract Information”). Although paper bids are accepted, there are many advantages to bidding online:

- Online program checks your math;
- You are alerted to unanswered questions (that would render your bid non-responsive); and
- You are alerted to missing attachments (that would render your bid non-responsive).

If you’re bidding as a subcontractor or supplier, it’s not necessary to buy plan sets. You can do take-offs on the bid items and quantities from “Notice to Contractors”, and then solicit prime contractors with your quote.

Be sure to mention your DBE status; prime contractors bidding on federally-funded ITD projects must make a Good Faith Effort (GFE) in meeting the project’s DBE goal. That means they must:

1. Meet the project goal (expressed as a percentage); or
2. Exceed the project goal; or
3. If unable to meet the goal, providing complete documentation of the bona fide efforts made to identify, solicit and follow up with DBEs in the attempt to do so.

Solicit Prime Contractors

To find out which primes are likely to be bidding on projects you’re interesting in quoting, visit “Browse Projects & View Planholders”. Look for “Prime Bidder” under Designations.

Business

Contractor Bidding

Construction Resources

Design Resources

Misc. Hwy Bidding

Other Solicitations

Innovative Contracting

Consultant Agreements

DBE Requirements

Click the topic boxes below to reveal more information for each topic. Click the tabs above for different categories of information.

- Notice to Contractors
- Bid Results & Abstracts
- Browse Projects & View Planholders
- Davis-Bacon Wage Decisions - US Dept. of Labor

Contractor Licensing

Bid & Contract Information

90-Day Bidding Forecast

Average Unit Price Reports

Click on Project Name to see detailed advertisement

Post Date/Time	Category	Name	Bid Date/Time
	<input type="text"/>	<input type="text"/>	
09/25/18 11:53 AM	Landscaping	FY20 D5 Revegetation	10/16/2018 02:00 PM MDT
09/18/18 01:52 PM	Pavement Resurface and Rehabilitation	MP 167 to Montana SL	10/16/2018 02:00 PM MDT
09/21/18 04:44 PM	Pedestrian Improvements	Main St Pedestrian Improvements, Lewiston	10/16/2018 02:00 PM MDT
09/21/18 04:13 PM	Bridge (Replacement or Rehabilitation)	US-26, Aberdeen Canal	10/16/2018 02:00 PM MDT
09/25/18 11:21 AM	Bridge (Replacement or Rehabilitation)	FY19 D6 Bridge Repair, US-20 Lorenzo Bridges	10/23/2018 02:00 PM MDT
09/25/18 11:40 AM	Paving (Highway, Road or Street)	I-84, Mountain Home to Cold Springs IC	10/23/2018 02:00 PM MDT
09/28/18 02:11 PM	Bridge (Replacement or Rehabilitation)	Salmon Falls Creek Bridge	10/23/2018 02:00 PM MDT
10/12/18 02:39 PM	Bridges/Overpasses	Cloverdale O'Pass BR, Boise	10/30/2018 02:00 PM MDT
10/09/18 01:57 PM	Pavement Resurface and Rehabilitation	FY20 D2 sealcoats	10/30/2018 02:00 PM MDT
10/05/18 03:47 PM	Bridge (Replacement or Rehabilitation)	I-84, Oregon St Ln to Caldwell Bridge Rehabs	10/30/2018 02:00 PM MDT
10/05/18 03:07 PM	Erosion Control / Slope Stabilization	SH-57, Emergency Repair Mileposts 1.92 & 2.10	10/30/2018 02:00 PM MDT
10/15/18 10:14 AM	Bridge (Replacement or Rehabilitation)	Sh-200B, Strong Creek Bridge, East Hope	10/30/2018 02:00 PM MDT
10/09/18 02:08 PM	Pavement Resurface and Rehabilitation	US-95, Whitebird Grade Rehab	10/30/2018 02:00 PM MDT
10/09/18 01:44 PM	Bridge (Replacement or Rehabilitation)	US-95, Little Rainbow Bridge	11/06/2018 02:00 PM MST
10/09/18 02:23 PM	Pavement Resurface and Rehabilitation	Goff Bridge to MP 210 Slide	12/04/2018 02:00 PM MST

View Plan Holders	Download Bid Documents	Download Addenda	View Bid Documents
I-84, Mountain Home to Cold Springs IC (QuestCDN Project #5965330)			
Print Ad		\$15	
<p>County/City/State: Elmore - N/A, ID</p> <p>Location / Site</p> <p>Directions:</p> <p>Bids Close: 10/23/2018 02:00 PM MDT</p> <p>Bids Received By: Idaho Transportation Department</p> <p>Estimated Value: \$15,000,000 to \$25,000,000</p> <p>Project Description: For the work of adding a 3rd lane on WB I-84 from MP 109.5 to MP 105, Hammett Hill Passing Lane, known as Project No. A020(106), Elmore County, Key No. 20106, and for the work of removing and replacing the concrete pavement in the WB travel lanes of I-84 from MP 95.7 to MP 103.8, Mountain Home to Cold Springs, known as Project No. A020(148), Elmore County, Key No. 20148.</p> <p>Additional Description: Please contact the Resident Engineer ***BRYON BREEN*** AT (208) 334-8937 for any design related questions.</p> <p>Owner: Idaho Transportation Department</p> <p>Soliciting Agent: Soliciting agent Idaho Transportation Department PO Box 7129 Boise, ID 83707 ph: 208-334-8052 fax: 208-332-2090 contact: Nate Steiner e-mail: ITDplanroom@itd.idaho.gov</p> <p>Project Documents: Digital copies of the Plans, Proposals, and Specifications can be downloaded for a fee of \$15.00. Please contact QuestCDN.com at 952-233-1632 or info@questcdninfo.com for assistance in downloading and working with this digital project information.</p> <p>Quest eBidDocs™: Download delivery fee is \$15.00, file size is 21.3 Mb.</p>			

Plan Holder Report as of 10/15/2018 01:08:59 PM MDT Idaho Transportation Department I-84, Mountain Home to Cold Springs IC (eBidDoc #5965330) Contact: Nate Steiner Phone: 208-334-8052 E-mail: ITDplanroom@itd.idaho.gov Bid Date: 10/23/2018 02:00 PM MDT				
		Look for "Prime Bidders"	Sort by Purchase Date	
Company	Contact	Designation	Bus. Types	Entry Date
Construction Material Recycling; Coalville, UT	Torrie Faavale	Subcontractor	DBE	10/15/2018
Idaho Construction Surveying; Boise, ID	Steve Stoddard, PLS	Subcontractor	Vet Pref	10/12/2018
SCI; Eagle, ID	Deven Elison	A/E Consultant		10/08/2018
Universal Industrial Sales, Inc.; Pleasant Grove, UT	Makelle Baker	Supplier		10/04/2018
Depatco; ST ANTHONY, ID	Steve Giles	Subcontractor		10/03/2018
Acme Concrete Paving, Inc.; Spokane, WA	Project Estimator	Prime Bidder		10/02/2018
Kiewit Infrastructure West Co.; Vancouver, WA	NW Estimating	Prime Bidder		10/01/2018
Wadsworth Brothers Construction; Draper, UT	Mark Miller	Prime Bidder		09/28/2018
DJC Project Center; Portland, OR	Nick Bjork	Plan Room		09/27/2018
Daily Journal of Commerce; Seattle, WA	Ken Elliott	Plan Room		09/27/2018
Sunroc Corporation; Boise, ID	Matt Percuoco	Prime Bidder		09/27/2018
Dodge Data & Analytics; Arlington, TX	Melanie Yancey	Plan Room		09/27/2018
ConstructConnect; Cincinnati, OH	Eric Mills	Plan Room		09/27/2018

One of the ways prime contractors perform GFEs is posting invitations to bid to DBEs for specific projects ITD's **Invitation to Bid** page at <https://apps.itd.idaho.gov/apps/ocr/Invitations.aspx>. These are updated on a regular basis: be sure to mark it as another one your "favorites" in your browser and check regularly for opportunities!

Miscellaneous Highway Projects

Only paper bids are accepted for these type of projects, which tend to be an assortment of smaller construction and maintenance work. It's not necessary to purchase these plans; they are available for download at the hyperlinked project name. These are rarely federally-funded, so there won't be DBE goal for prime bidders to meet.

Business

Contractor Bidding
 Construction Resources
 Design Resources
 Misc. Hwy Bidding
 Other Solicitations
 Innovative Contracting
 Consultant Agreements
 DBE Requirements

Click the links below to access current invitations to bid or to view the results of previous bids.

- [Invitations to Bid \(ITB\)](#)
- [ITB Results & Abstracts](#)

Miscellaneous Highway Projects

Invitations to Bid (ITB)

This page contains information concerning miscellaneous highway construction and maintenance projects currently advertised for bidding by the Idaho Transportation Department. Item listings contained herein are from the original project advertisement and do not reflect changes made by addendum. ***This page will be updated as projects are released for advertising or when the postponements and/or addendums are issued.***

ATTENTION

Invitations to Bid are available for download at the links below. It is the contractor's responsibility to check below for any postponements or addendums. Signed addendums must be included with Bids or they may be deemed irregular.



- **Contractors must submit a paper bid, bids must be received at department headquarters by 2:00pm on the stated bid opening date.**
- **To Revise or Withdraw bids, please use the following paper forms:** [Proposal Revision Request Form](#) & [Request to Withdraw Bid Prior to Bid Opening](#)
- **Bids Opening February 19, 2019**
 - [District 3 Roadside Herbicide Spraying](#)
 - [District 3 Grandview Culvert Lining](#)
- [Link to ITB Results](#)

“Other Solicitations”

This is another area of opportunity for a miscellany of building construction, maintenance and repair projects, to include:

- Facility and Yard Improvements
- Highway Maintenance and Repair
- Site Clearing and Demolition

Here, too, the project plans can be downloaded for free.

Business

Contractor Bidding Construction Resources Design Resources Misc. Hwy Bidding **Other Solicitations** Innovative Contracting Consultant Agreements DBE Requirements

Bid Information

This page contains a listing of projects advertised for bid by the ITD Business and Support Management, Facility Management Section, which consists of: building construction, maintenance, repair, and yard improvements.

To see invitations to bid, please visit the [Miscellaneous Highway Bidding](#) tab

All projects advertised on this page are bid in accordance with 567-5711 Idaho Code.

Contact: Melinda Doan | 208-772-1270 | Melinda.Doan@itd.idaho.gov

[Solicitation Terms and Conditions July 2015](#)

[Policy Compliance December 2015](#)

CURRENT & AWARDED SOLICITATIONS						
Search: <input type="text"/>			Show 15 entries			
NUMBER	NAME	STATUS	BIDS CLOSE	PUBLIC BID OPENING	RESOURCES	BID RESULTS
19-104	19-104 Fuel Site Equipment Project	Open Request for Quote	02/21/2019 2:59:59 PM PT	02/21/2019 3:30:00 PM PT	RFQ 19-104	
	For Sale: Yellow Pine Logs	Awarded	12/19/2018 3 :00 PM PT NEW BID CLOSING DATE	12/20/2018 10:30 AM PT NEW BID OPENING DATE	Addendum 1	Record of Public Bid Opening
B000224	D2 Septic Repairs and Abandonment	Awarded	01/07/2019 2:59:59 AM PT	01/08/2019 10:30 AM PT	Addendum 1 Addendum 2 RFQ B000224	Record of Public Bid Opening
19-302-03	Phase 2 - Site Work, Lowman Housing	Awarded	12/21/2018 8:59:59 AM MT	12/21/2018 9:05 AM MT	Addendum 2 Addendum 1	Record of Public Bid Opening
19-302-02	Phase 1 - Foundations, Lowman Housing 19-302-02 Specifications	Awarded	11/16/2018 2:00 PM MT	11/16/2018 2:05 PM MT	Addendum 1 Addendum 2	Record of Public Bid Opening
19-101	Sheep Creek Salt Shed (Containment Slab) RE-BID Sheep Creek Salt Shed (Slab Drawings) RE-BID	Awarded	10/15/2018 3:30 PM MT	10/15/2018 3:35 PM MT	Addendum 1	Record of Public Bid Opening

Researching Historical Bid Amounts

To get an idea of what the prime contractors have been bidding per line item, there are two places to look on ITD's "Contractor Bidding" Tab.

One is "Bid Opening Results and Bid Abstracts" at <https://apps.itd.idaho.gov/Apps/contractors/br.htm>. By opening each bid opening day,

you can see the bid results for every project bid on that day. Most of these will also include the bid abstracts.

Bid Opening Results and Bid Abstracts

The Idaho Transportation Department conducts weekly public bid openings for highway construction and maintenance projects. Sealed bid packages are received at the Department's Headquarters office at 3311 West State Street in Boise until 2:00 PM Mountain Time on bid day. Bids are opened at 2:00 PM Mountain Time and are normally scheduled on Tuesday of each week.

Bid results are normally posted to this web page by 5:00 PM Mountain time the day of the bid opening. Please do not call Contracting Services for bid results.

Bid abstracts will normally be posted to this web page when letters of Intent and contracts have been mailed out. Bid abstracts print best in landscape format. Bid abstracts not listed below are available from Contracting Services.


The information on the following pages includes the project number and description, a list of contractors that submitted bids for the project, the total amount bid by each contractor and a link to the bid abstract when it becomes available. The Idaho Transportation Board reviews the bids at their regularly scheduled monthly meetings and may accept or reject any and all bids. **The bid results shown on this page are not certified.**

• **Bid results for bids opened on:**

- No Bids open October 9, 2018
- [October 2, 2018](#)
- [September 25, 2018](#)
- No Bids open September 18, 2018
- [September 11, 2018](#)
- No Bids open September 4, 2018
- [August 28, 2018](#)
- [August 21, 2018](#)
- [August 14, 2018](#)
- No Bids open August 7, 2018
- [July 31, 2018](#)
- [July 24, 2018](#)
- [July 17, 2018](#)
- [July 10, 2018](#)
- No Bids open July 3, 2018
- [June 26, 2018](#)
- No Bids open June 19, 2018



Idaho Transportation Department Bid Results for September 25, 2018

Project No.	A020(064)			
Location	I-15, Wye O’Pass to Fort Hall Boundary			
District No.	5	County	Bannock	
Key No.	20064			
Bidder		City	State	Bid Amount
Western Construction Inc.		Boise	ID	\$6,884,000.00
Staker & Parson Companies DBA Idaho Materials Construction		Pocatello	ID	7,078,590.90
Knife River Corporation – Mountain West		Boise	ID	7,909,357.00
				 Bid Abstract



Tabulation of Bids

Page 1 of 9

Proposal ID: 20064180330

Counties: Bannock

Letting Date: September 25, 2018

District(s): D5 Engineering B

Call Order: 1

Project(s): A020(064)

Contract Time: 60 WORKING DAYS

Contract Description: I-15, Wye O'Pass to Fort Hall Boundary, Bannock County

Line No / Item ID Item Description		(1) WESTERN CONSTRUCTION, INC.		(2) STAKER & PARSON COMPANIES DBA IDAHO MATERIALS AND CONSTRUCTION		(3) KNIFE RIVER CORPORATION - MOUNTAIN WEST	
Alt Set / Alt Member	Quantity and Units	Unit Price	Ext Amount	Unit Price	Ext Amount	Unit Price	Ext Amount
SECTION: 0001	Work By Contract A020(064)	Cat Alt Set:		Cat Alt Member:		LCC:	
0005 203-080A	10,928.000	2.10000	22,948.80	2.50000	27,320.00	2.00000	21,856.00
REM OF GUARDRAIL/BARRIER	FT						
0010 205-005A	32,553.000	5.00000	162,765.00	5.00000	162,765.00	6.00000	195,318.00
EXCAVATION	CY						
0015 205-045A	3,200.000	12.50000	40,000.00	11.45000	36,640.00	10.00000	32,000.00
GRANULAR BORROW	TON						
0020 303-022A	6,322.000	17.60000	111,267.20	14.50000	91,669.00	14.50000	91,669.00
3/4" AGGR TY B FOR BASE	TON						
0025 308-005A	134,023.000	1.30000	174,229.90	1.25000	167,528.75	1.30000	174,229.90
CEM RECYCLED ASPH BASE STAB	SY						

The bids for each line item, from each prime contractor bidding, will be shown.

There's also "Average Unit Price Price Reports" on the "Contractor Bidding" Tab.

The screenshot shows the ITD Business website interface. At the top is a purple header with the word "Business". Below it is a navigation bar with tabs: "Contractor Bidding", "Construction Resources", "Design Resources", "Misc. Hwy Bidding", "Other Solicitations", "Innovative Contracting", "Consultant Agreements", and "DBE Requirements". A message below the tabs says: "Click the topic boxes below to reveal more information for each topic. Click the tabs above for different categories of information." Below this is a list of links: "Notice to Contractors", "Bid Results & Abstracts", "Browse Projects & View Planholders", "Davis-Bacon Wage Decisions - US Dept. of Labor", and "Drive Idaho Podcast". Further down are several topic boxes: "Contractor Licensing", "Bid & Contract Information", "90-Day Bidding Forecast", and "Average Unit Price Reports". The "Average Unit Price Reports" box is highlighted with a red rounded rectangle and contains two links: "Average Unit Price Report - 2013 to 2019 | June 2019 (.csv format)" and "Item Average Price Report Spreadsheet - Instructions - PDF".

If you're experienced with spreadsheets, these can be downloaded, sorted and filtered to show prices for the work items you're interested in for different parts of the year, different parts of the state, or however you'd like to arrange the data.

Project Forecasts

ITD publishes a **90-Day Bidding Forecast** at <https://apps.itd.idaho.gov/apps/contractors/Bidding-Forecast.pdf>. This will give you a very general idea of the construction projects coming up in the next three months. This is only for general planning purposes. Actual advertisement dates may vary from those shown on the webpage and are subject to change without notice.

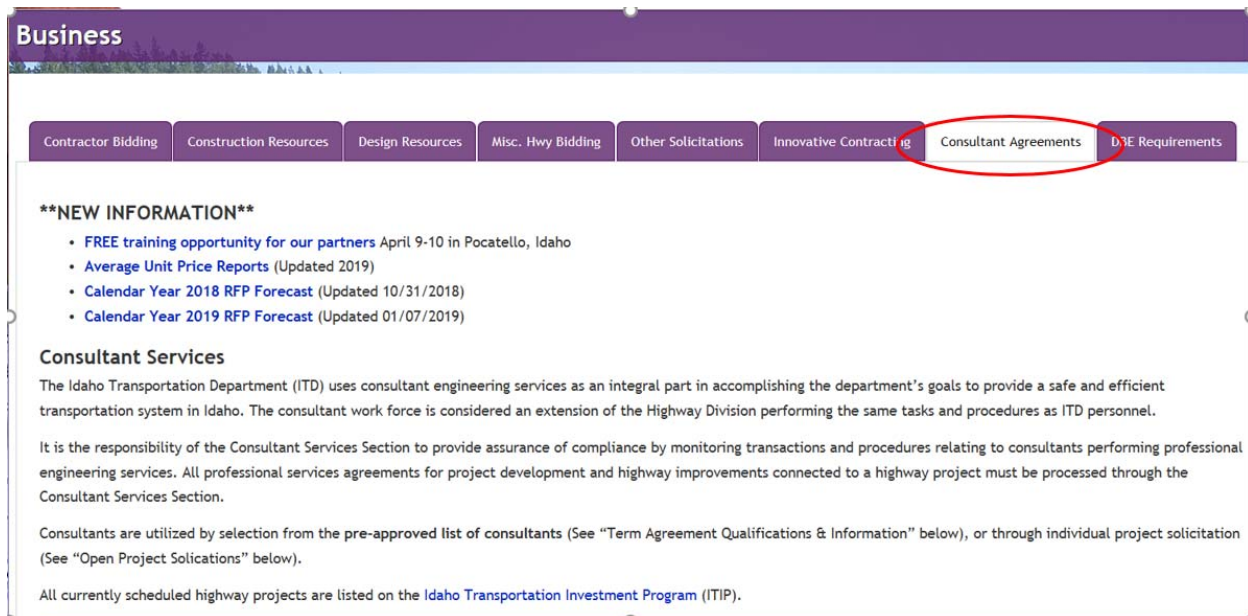
For really long-range planning, see ITD's **Idaho Transportation Investment Program (ITIP)**, a 6-year Master Plan of transportation projects at <http://itd.idaho.gov/funding/?target=itip>.

Consultants

Consultants chosen by ITD through qualifications rather than price. There are three ways of working for ITD as a consultant:

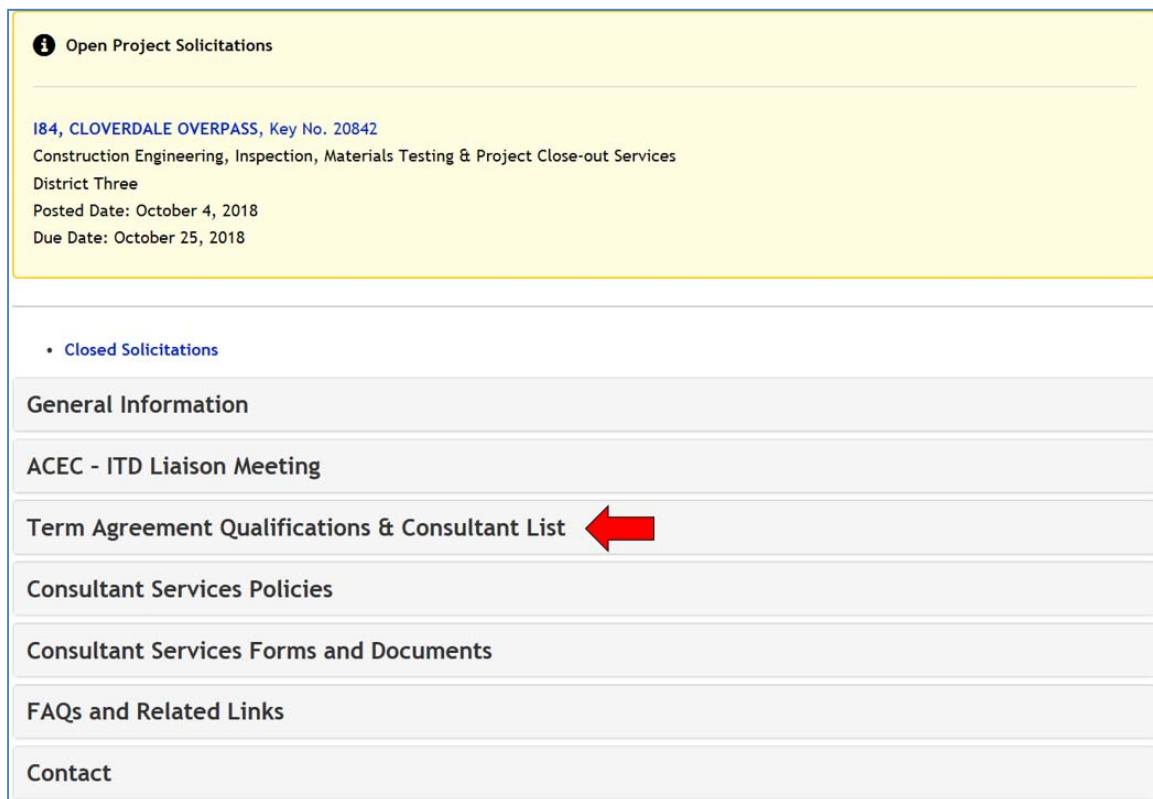
- Minor Agreements
- Term Agreements
- Requests for Proposal

Agreements are administered by ITD's **Consultant Administration Unit (CAU)**. Once, again, visit ITD's main procurement page at: <http://itd.idaho.gov/business>.



The screenshot shows the 'Business' section of the ITD website. A navigation bar at the top contains links to various services: Contractor Bidding, Construction Resources, Design Resources, Misc. Hwy Bidding, Other Solicitations, Innovative Contracting, **Consultant Agreements** (highlighted with a red circle), and DBE Requirements. Below the navigation bar, there is a section for '**NEW INFORMATION**' with links to training opportunities, price reports, and RFP forecasts. The main content area is titled 'Consultant Services' and provides information about the ITD's consultant engineering services, including a description of the Consultant Services Section and a list of currently scheduled highway projects.

On this main page, you will find links to important consultant agreement policies and specifications, policies, overhead rates, and current Requests for Proposal (RFPs).



The screenshot shows a list of links on the ITD Business page. The first link is 'Open Project Solicitations', which is highlighted with a yellow background. Below it, there is a link to 'I84, CLOVERDALE OVERPASS, Key No. 20842' with details about the project. The second link is 'Closed Solicitations'. Below these links, there is a list of other resources: 'General Information', 'ACEC - ITD Liaison Meeting', 'Term Agreement Qualifications & Consultant List' (highlighted with a red arrow), 'Consultant Services Policies', 'Consultant Services Forms and Documents', 'FAQs and Related Links', and 'Contact'.

Minor Agreements

“Minor” in this context means no more than \$50,000. These agreements are used for non-routine agreements for services in area of expertise where no Term Agreement exists. However, firms can (and are likely to be) chosen off the Term Agreement without further competition, particularly if the area of expertise needed for the agreement is covered on the Term Agreement List. But firms can be chosen informally from other sources, with reviews of qualifications.

After consultant selection, the agreement is negotiated.

Term Agreements

The Term Agreement List functions as a roster of consultants pre-qualified to provide professional services in specific service categories on an on-call basis. Consultants submit a Term Agreement application (rather like an open Request for Proposal); if accepted for the requested categories, the term lasts for two years, during which a consultant can perform individual task orders up to \$500,000, or up to \$1.5 million cumulatively.

For task orders less than \$150,000, ITD and the other local highway agencies can choose consultants right off the Term Agreement List without further competition, as long as the consultant is approved for the correct service categories.

For task orders between \$150,000 and \$500,000, consultants pre-qualified for specific services are “short-listed” to receive a Request For Information (RFI).

Selection criteria include:

- Quality Control
- Personnel
- Resources
- Understanding of Category Requirements

ITD and the successful proposer then negotiate:

- Scope of work
- Man-Day estimates
- Fixed Fees
- Total budget

Work is not guaranteed; as with everything else, marketing efforts to agreement administrators and consistent quality pay off.

Request for Proposal (RFP)

RFPs are used for large, complex, long-duration highway projects that are too large for the Term Agreement List. They're advertised on the "Open Project Solicitations" on the "Consultant Agreements" tab at <https://itd.idaho.gov/business/>.

The selection is qualification-based: a selection team evaluates and scores proposals. Finally, an agreement is negotiated with the highest ranking firm.

RFPs are the only type of consulting opportunities on which we set DBE project goals, based on work scope percentages.

Subconsulting

DBEs can obtain a subconsulting agreement by being part of a winning RFP team; or by being used as a subconsultant by a firm that has received a Term Agreement task order (all subconsultants must be on Term Agreement list as well as prime consultants on Term Agreement task orders).

DBE Goals on Consultant Agreements

RFPs are the only category of professional agreements in which ITD sets DBE goals. The DBE goal, if any, will be listed in the "DBE Participation" section of the RFP.

State Division of Purchasing

Many other non-highway ITD procurement opportunities can be found posted by the Idaho State Division of Purchasing (IDOP). These include supplies, equipment and professional services. (As these solicitations are state-funded, they won't have DBE goals assigned to them.)

Go to IDOP's homepage at <https://purchasing.idaho.gov> and read the instructions for registering on their on-line purchasing system, which is called "IPRO". Vendor registration is free; for awardees, fees are only charges on blanket purchase orders.

Statements of Confirmation

SAMPLE
A DBE Firm, Inc.

DATE _____

Prime Company X
555 W. 5th Street
Boise, Idaho 83705

To Prime Company Estimator:

This is to inform you that DBE Company Y is aware that they are being committed on Project XYZ for the following work items:

605-020A 10" Storm Sewer Pipe	\$100C.xx
605-025A 12" Storm Sewer Pipe	\$100C.xx
605-520A Catch Basin TY3	\$100C.xx

Sincerely,

DBE Owner
DBE Owner

When prime contractors use your quote when bidding on a job, they are required to list you on a DBE Commitment Form, either for a construction project or for a professional agreement. For the DBE Commitment Form to be valid, it must include a statement of confirmation from you. This is pretty simple: it's an acknowledgement from you that you understand that you are being committed on X project, performing Y work items for Z dollar amounts (or, if you're a consultant, performing Y parts of the work scope). This confirmation can be on your letterhead, or even on an email (as long as it has a clear signature block clearly identifying you).

You are responsible for providing the DBE Statement of Confirmation to the prime just as soon as the prime informs you that your sub-quote will be used. The faster the turnaround on your part, the better, since the prime is on a tight deadline to submit this paperwork to ITD's Office of Civil Rights. Don't be the DBE that causes a prime to miss the submittal deadline!

"Counting" DBE Credit

Primes can only be credited for using DBEs in the areas in which DBEs are certified and licensed. For instance, if you are a certified DBE, but are certified for performing public involvement work, a prime cannot receive credit towards a project goal for using you for installing guardrail.

You also must be DBE-certified in the state in which the project is taking place for the prime to get credit towards the goal. For instance, if you're solicited for quote on a Washington DOT project, the prime cannot receive credit for you unless you're certified in Washington, too. (See [Interstate Certification](#) for getting certified other states.)

Joint Ventures

Sometimes a contracting opportunity comes along that just too good to pass up. However, what if a DBE doesn't have the license or capacity to complete it alone, even with subcontractors? In situations like these, the DBE Program offers "joint ventures" as a solution.

This is when a DBE partners with another firm, with each firm performing a distinct, clearly defined portion of the work with its own forces and equipment. A special agreement is set up between the firms and approved by ITD. Only the work performed by a DBE can count towards DBE credit; if both firms are DBE-certified, both count towards DBE credit.

Contractors and Consultants

A DBE construction contractor receives 100% credit for construction work or services performed by its own work forces. A DBE consultant receives 100% of the fees and commissions charged for providing bona fide services.

However, if a DBE lower-tier subcontracts (or subconsults) any work to a non-DBE, then the value of the lower-tier subcontract will be deducted from the DBE's credit.

For example: a DBE is selected as a prime contractor or prime consultant. If the DBE self-performs all the work with the DBE's own workforces and equipment, then 100% of the dollar value of the work can be counted for DBE credit on that project. However, if the DBE uses any *non*-DBE subcontractors or subconsultants, the dollar amount of the subs' work will not count towards the goal. (Of course, work performed by any DBE subcontractors or subconsultants can be counted towards the goal.)

Therefore, if a DBE gets a \$500,000 contract, but spends \$100,000 on non-DBE subcontractors, only \$400,000 will count as DBE credit.

This also applies for lower-tier subcontracting. For example: a DBE is subcontracted for \$100,000 for earthwork, and performs all of it independently. The prime gets \$100,000 credit towards the project goal. However, if the DBE sub-subcontracts a *non*-DBE erosion control firm for \$10,000, then the prime will only receive \$90,000 towards the project goal.

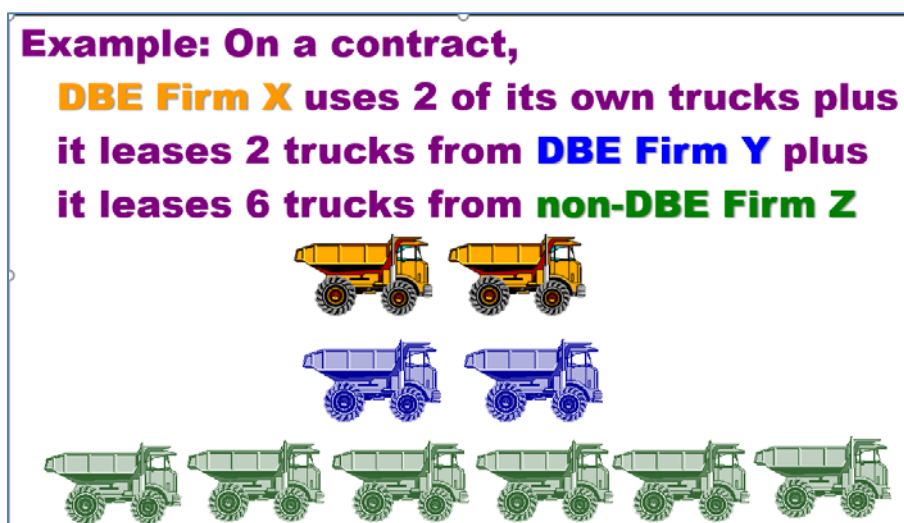
Truckers

Counting DBE Trucking participation can get a little trickier. ITD has chosen to credit DBE truckers in the following way:

1. The DBE must be responsible for the management and supervision of the *entire* trucking operation for which it is responsible on a particular contract;
2. The DBE must itself own and operate at least one fully licensed, insured, and operational truck used on the contract;

3. The DBE receives credit for the total value of the transportation services it provides on the contract using trucks it owns, insures, and operates using drivers it employs;
4. The DBE may lease trucks from another DBE firm, including an owner-operator who is certified as a DBE. The DBE who leases trucks from another DBE receives credit for the total value of the transportation services the lessee DBE provides on the contract;
5. The DBE may also lease trucks from a non-DBE firm, including from an owner-operator. The DBE that leases trucks equipped with drivers from a non-DBE is entitled to credit for the total value of transportation services provided by non-DBE leased trucks equipped with drivers not to exceed the value of transportation services on the contract provided by DBE-owned trucks or leased trucks with DBE employee drivers.
6. The DBE may lease trucks without drivers from a non-DBE truck leasing company. If the DBE leases trucks from a non-DBE truck leasing company and uses its own employees as drivers, it is entitled to credit for the total value of these hauling services.
7. The lease must indicate that the DBE has exclusive use of and control over the truck. This does not preclude the leased truck from working for others during the term of the lease with the consent of the DBE, so long as the lease gives the DBE absolute priority for use of the leased truck. Leased trucks must display the name and identification number of the DBE.

Let's (literally) illustrate this:



DBE credit would be awarded for the total value of transportation services provided by **DBE Firm X** and **DBE Firm Y**, and also for the total value of transportation services provided by 4 of the 6 **Non-DBE Firm Z** trucks.



Allowable Non-DBE =



In all, full credit would be allowed for the participation of 8 trucks.

As for the remaining 2 trucks provided by **Non-DBE Firm Z**, DBE credit could be awarded only for the fees or commissions **DBE Firm X** receives as a result of the truck lease with **Non-DBE Firm Z**.



Net Fee Only

DBE Suppliers

DBE “regular dealers” who actually operate or maintain a store or warehouse where supplies and materials are bought, kept in stock and sold to the general public on a regular basis -- get credit for 60% of the purchase price.

If a DBE “supplier” is actually doing nothing more than arranging a drop shipment from a wholesaler or manufacturer without actually taking physical possession of the items or transporting them, then this firm is a broker. In this case, only the fees or commission charges the prime pays to this broker can be counted towards the DBE goal.

ITD determines whether a DBE supplier is acting as a regular dealer or a broker during the review of the prime contractor’s DBE Commitment Form. ITD will send the DBE supplier claiming Regular Dealer status a Regular Dealer Verification Form for

completion. The DBE will complete and sign the form, obtain the prime's signature on it, and return the form to the ITD. After approving the commitment form, ITD proceeds with the contract award process.

Situations where the DBE supplier is determined by ITD to be a broker rather than a regular dealer, impacting the prime contractor's ability to meet the project goal, will be resolved on a case-by-case basis

Manufacturers

100% of the cost of materials or supplies obtained from a DBE manufacturer counts towards DBE goals. Examples of this include companies that actually fabricate and deliver bridge railing, or companies that actually manufacture and deliver concrete barrier.

Performing a Commercially Useful Function

ITD requires that a Commercially Useful Function (CUF) Review be performed on every DBE on federally-funded projects.

If you're a construction contractor DBE, expect your project supervisor to be approached by ITD personnel on the job site to answer questions about your workforce, payroll, equipment, and work items.

This helps ITD confirm that you, as a DBE, are independently performing the work for which you've been contracted.

Here are some of the things our project inspectors will be looking for when determining a CUF:

- The work the DBE is subcontracted to perform might reasonably be subcontracted to any firm;
- The DBE is not an inactive "pass-through";
- The DBE must order and pay for own materials/supplies;
- The DBE must employ its own separate work force;
- The DBE must control and supervise its work with its own workforce;
- The DBE may lower-tier subcontract out some of their own work, but *never* back to prime! The DBE must self-perform at least 30% of the work.
- The DBE may lease or rent equipment, but again, never from the prime.

If the ITD project inspector determines that a DBE firm is not performing a CUF, the project's resident engineer (RE) will notify the prime in writing, specifying those actions which violate the terms of the contract. The RE will give the prime five calendar days to correct the violation.

If the prime fails to remedy the violation, RE shall impose one or more sanctions such as withholding payments and other actions allowable for material breach of contract, and the payments made to that DBE will not be credited toward the contract goal. Depending on the time left in the contract, the RE may require the prime to make up any shortfall towards the DBE goal by subbing out another portion of work to a DBE.

At the request of the RE, the DBE Program Coordinator will investigate the non-performing DBE to determine if its job performance contains a pattern of relationships with non-minority businesses that brings the DBE's independence and control, and therefore its eligibility to participate, into question.

Substitution/Termination

A DBE Commitment on a federal-aid project is exactly that – a commitment from the prime to ITD that the prime will use a DBE for specific work items in order to meet a project goal. The prime contractor is required to use DBEs for the work items, quantities and dollar amounts for which they are committed (unless, of course, work is eliminated or there is a change in scope or quantities).

A prime *cannot* terminate a committed DBE just for its own convenience – for instance, deciding to do the work itself. However, there are circumstances in which a prime can terminate a committed DBE. A DBE unexpectedly might be tied up on another job because of scheduling conflicts. Or (and we really hate to see this happen), a DBE continues to perform sub-standard work despite several warnings.

In these cases, the prime can request to terminate the DBE from the project's ITD resident engineer (RE). Here are the steps involved:

1. The prime must notify the DBE, in writing, of the intent to terminate allowing for five calendar days of response time to dispute the termination.
2. After the five days have elapsed, the prime then notifies the RE of their intent to terminate the DBE, giving a justification for the action.
3. The RE forwards the request to Office of Civil Rights (OCR) with a recommendation for approval or denial.
4. OCR confers with the DBE, obtains from DBE a written acknowledgement if

possible that they agree with the termination, and then will notify the RE on whether the commitment is or is not terminated for good cause.

5. If the termination is approved, the prime must replace the terminated DBE with another DBE to the extent needed to meet the contract goal, or make and document Good Faith Efforts (GFEs) to do so.
6. The prime must obtain the written approval of substitute DBE(s) from the RE and OCR.
7. If the termination is not approved, the prime must continue with the DBE sub as previously committed.
8. A prime's inability to find a replacement DBE *at the original price* is insufficient to support a finding that GFEs have been made to replace the original DBE. The fact that the prime has the ability and/or desire to perform the contract work with its own forces does not relieve the contractor of the obligation to make GFEs to find a replacement DBE, and it is not a sound basis for rejecting a prospective replacement DBE's reasonable quote.

Note: The prime is ultimately responsible for following these same steps in obtaining written approval from ITD OCR for the termination/replacement of lower-tier DBE subs, too.

9. If the prime makes a termination/substitution of a DBE without following the steps listed above, the contractor will not be entitled to any payment for those contract work items or materials, nor will the RE approve those pay estimates until the correct procedures are followed and ITD approves the termination.

Please remember that while we always will enforce commitments to DBEs who are performing acceptable work on schedule, a DBE commitment *does not* mean that a prime contractor must be held hostage to a DBE whose work is unacceptable.

Responding to Diversity Tracking System Audits

Every two weeks, ITD will upload payments made to prime contracts and consultants during the previous audit period. Primes will be prompted by the system to submit information on all payments made to their subs and suppliers during that period. Subs and suppliers, in turn, are prompted to either verify these payments, or enter information prompting the prime to respond. If necessary, ITD will investigate/resolve payment discrepancies.

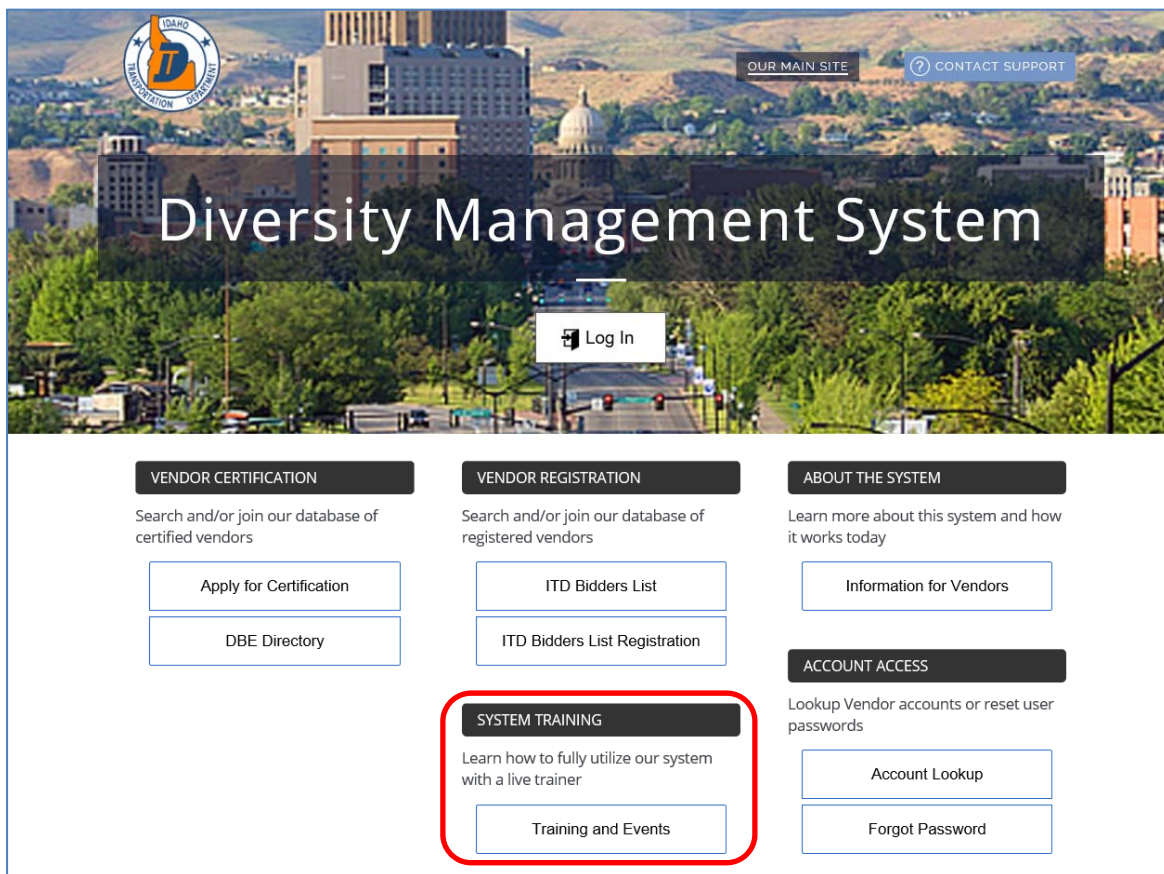
It will be the responsibility of the primes to ensure that all their subs and suppliers are entered as subcontractors for each contract they hold with ITD.

This is a contractual responsibility for both primes and subs, and it helps ITD do at least two things: accurately count the money actually being paid to DBEs, and ensuring that primes are abiding by the prompt payment provisions in our contracts.

For a quick overview on the audit process, visit

<https://apps.itd.idaho.gov/apps/ocr/documents/B2GNowVendorTrg.wmv> (keep in mind that we've gone from monthly to bi-weekly audits). There are also free on-line training classes for vendors listed on an ongoing basis on the homepage at:

<https://itd.dbesystem.com>.



There is also a Vendor Training Manual at:

https://itd.dbesystem.com/upload/help/B2GnowVendorTrainingManual.pdf?&PID=498&Type=M&Description=Diversity_Help_Vendor_Training_Manual&ID=30000334&Parameter=&DiversityID=30000334

Whoever you designate within your business to complete these audits, make sure they get training!

TIP: It's a good idea to use a consistent designated email address for your Diversity Tracking System vendor account. This ensures that you always receive emails

regarding certification, contract audits and other important issues despite staffing changes.

Contract Sanctions

In case you're wondering if a prime contractor or consultant fails to comply with DBE Program requirements, the answer is written into the contract specifications. It's considered a material breach of contract, and can lead to (if uncorrected):

- Withholding monthly progress payments;
- Assessing sanctions;
- Liquidated damages; and/or
- Disqualifying the contractor from future bidding

Please let us know immediately if a prime contractor or consultant is not abiding by its DBE commitment or other DBE Program requirements, and we'll get it straightened out!

Fraud

In case you are ever tempted to perhaps misrepresent the current state of your personal net worth, ownership of your business, or other factors directly affecting your certification ... DON'T. This is a federal program which comes with all the penalties you'd expect, including decertification, debarment, and even federal prosecution. You can find cases in every state (including Idaho) of DBEs and non-DBEs ending up being fined and imprisoned for cases of fraud.

The same pitfalls await any DBEs persuaded to act as a "pass-through" or "front" by prime contractors who hope to secure federal transportation projects with DBE goals without actually utilizing DBEs.

Check out the U.S. Department of Transportation (USDOT)'s Office of Inspector General webpage at www.oig.dot.gov/investigations for tales of outrageous behavior, hubris and just plain crookedness by all kinds of people involved with USDOT programs. Investigation and prosecution just doesn't end with the USDOT: often, the FBI and the IRS get involved in the investigation, too. It all ends badly.

DBE Supportive Services

ITD receives an annual grant from the Federal Highway Administration (FHWA) to offer a **Business Development Program (BDP)** to DBEs. Currently, ITD subcontracts this grant to Boise State University's Small Business Development Center (SBDC). The purpose of the BDP is to provide firm-specific training and counseling in business management.

ITD's BDP has two components:

- I. Goal One is to provide assistance for DBEs in the **Developmental Stage**.
- II. Goal Two is to provide assistance for DBEs in the **Transitional Stage**.

To participate, DBEs must be:

- 1) Currently certified in the State of Idaho;
- 2) Primarily based in Idaho;
- 3) "Ready, willing and able", and primarily engaged in highway design/construction activities;
- 4) A Small Emerging Business;
 - a) Federal definition: any small business concern whose size is no greater than 50% of the numerical size standard applicable; and
 - b) In business for less than 10 years;
- 5) Able to provide services in an underutilized area, or have a history of submitting quotes on federal-aid projects, but not being awarded contracts; and
- 6) (For Goal Two) Determined to become prime contractor or expand into new areas of expertise.

The SBDC helps DBEs who wish to take advantage of this program by helping the DBEs creating a formal Business Self-Assessment (BS), and using it to create a business development plan. Money is available for reimbursing specific goals in the business development plan, such as training, professional memberships, software, employee uniforms, etc.

There are SBDC offices located throughout Idaho in six locations. In addition to providing DBE Supportive Services, they also offer many other resources, including low-cost workshops. To find out more, visit <https://idahosbdc.org>.



Doing Business with the Government Workshops

ITD partners with the U.S. Small Business Administration (SBA), the Procurement Technical Assistance Center (PTAC), the Idaho SBDC and other agencies in order to present “Doing Business with the Government” workshops throughout the state. These are generally scheduled for the winter to take advantage of the construction shutdown, since we know how busy contractors get once the weather warms up.

We cover DBE certification and ITD procurement opportunities, of course, and the other agencies will give presentations on their programs, certifications and services. Each workshop also features a contracting officer (aka “Federal Mystery Guest”) from a federal agency to discuss their specific procurement opportunities and practices.

Time	Topic	Speaker
8:00am	Sign-in	
8:30am	Overview of Presentation Schedule Evaluations Part I Introductions	
8:40am	Bidding & Proposing ITD Work (Construction & Design) Disadvantaged Business Enterprise Program	La Heals, ITD
9:40am	U.S. Small Business Administration Programs	Larry Demireh SBA
10:35am	Idaho Procurement Technical Assistance Center	Lee Velters PTAC
11:30am	Doing Business with Idaho National Laboratory	Stacey Francis, INL
12:00pm	Doing Business with the U.S. Forest Service	Amelia Velasco & Linda Neely, USFS
12:25pm	Summation Evaluations Part II Adjournment	

Download the Workshop Workbook at:
<http://apps.itd.idaho.gov/apps/oct/documents/2-19Workbook.pdf>

This workshop not only provides you with valuable information (some people come every year to keep up-to-date to the latest program changes): it also gives you the opportunity to meet us in person and ask any questions you have about your certification or the DBE Program. It's also an excellent way to find out about other federal certifications such as HUBZone and 8(a), and weigh their pros and cons.

Watch your emails for workshop notifications! We also post other training opportunities on Davis-Bacon Prevailing Wages and other topics at:

<https://apps.itd.idaho.gov/Apps/ocr/training.aspx>.

Taking Advantage of your Local PTAC

Speaking of the PTAC, they provide great services including bid-matching and help with federal procurement. Membership is free (they're funded by the federal Defense Logistics Agency). To find out the PTAC for your area, visit <http://www.aptac-us.org/>. PTAC counselors can help you with acquiring a DUNS number, signing up for the federal (System for Award Management) SAM system, putting together capability statements, deciphering FAR regulations, and more.

The Idaho PTAC hosts an annual “**Business Opportunity Conference**” in various locations on a rotating basis. These serve as a reverse trade show where business owners can come in and market themselves to contracting officers from many federal, state and local agencies. In addition, the conferences feature many break-out sessions on important procurement topics. It goes without saying that you can find ITD among the agencies there.

TIP: There are also regional PTACs specifically dedicated to assisting American Indian businesses. These are listed at the website shown above.

Other Business Support Services

USDOT Small Business Training Resource Center (SBTRC)

Throughout the U.S. you will find SBTRCs providing technical assistance to DBEs in building their capacity. Services include:

- Business Analyses
- Market Research and Procurement Assistance
- General Management & Technical Assistance

- Business Counseling & Coaching
- Regional Planning Committees
- Liaison between Prime Contractors and Sub-Contractors
- Outreach/Conference Participation
- Capital Access and Surety Bond Assistance
- Women & Girls In Transportation Initiative (WITI)

To locate your nearest SBTRC, visit www.transportation.gov/osdbu/SBTRCs. Idaho SBTRC is located in Washington State.

Zions Bank Business Resource Center

Zion has a Business Resource Center located in Boise which offers one-on-one counseling on topics like financial projection, cash flow and profit explanation, free workshops and other services to all, regardless of where you bank. To learn more, visit <https://brc.zionsbank.com/>.

ITD Office of Civil Rights



The main ITD Office of Civil Rights webpage:
<https://apps.itd.idaho.gov/Apps/ocr/index.aspx>

ITD's Office of Civil Rights consists of three staff members: **Russ Rivera**, the **Civil Rights Manager**; the Contract Compliance Officer; and (most importantly, from your standpoint), **Ester Ceja**, the **DBE Program Coordinator**.

The DBE Program Coordinator processes all certification actions, sets annual DBE goals, sets goals on construction projects and consultant agreements, approves and tracks DBE contract and agreement commitments, oversees the Diversity Tracking System, updates the DBE Program and DBE Standard Operating Procedures as needed, oversees the DBE Supportive Services Program, and of course all other things DBE-related.



The ITD DBE Program webpage:

<https://apps.itd.idaho.gov/Apps/ocr/ocrDBEPROGRAM.aspx>

Here you can find out DBE Program Plan, current DBE participation statistics, our most recently completed Disparity Study, and more.

Other Important ITD Contact Information

ITD Headquarters

3311 W. State Street, Boise, ID 83703
(208) 334-8000

District Offices



ITD District One

600 West Prairie Avenue, Coeur d'Alene, ID 83815-8764
(208) 772-1200
<https://itd.idaho.gov/d1/>

ITD District Two

2600 Frontage Rd, Lewiston, ID 83501
(208) 799-5090
<https://itd.idaho.gov/d2/>

ITD District Three

8150 Chinden Boulevard, Boise, ID 83714-1367
(208) 334-8300
<https://itd.idaho.gov/d3/>

ITD District Four

216 South Date Street, Shoshone, ID 83352
(208) 886-7800
<https://itd.idaho.gov/d4/>

ITD District Five

5151 S. 5th Ave., Pocatello, ID 83204-2202

(208) 239-3300

<https://itd.idaho.gov/d5/>

ITD District Six

206 North Yellowstone, Rigby, ID 83442

(208) 745-7781

<https://itd.idaho.gov/d6/>

Local Highway Technical Assistance Council (LHTAC)

Although LHTAC is not a part of ITD, it works with local highway districts and is often considered ITD's unofficial 7th District.

3330 W. Grace Street, Boise, ID 83703

(208) 344-0565

<https://lhtac.org>