



DISADVANTAGED
BUSINESS
ENTERPRISE (DBE)
FOR
PROGRAM
PROFESSIONAL
SERVICES

Disadvantaged Business Enterprise Program

- The term “Disadvantaged Business Enterprise” or “DBE” means a for-profit small business concern owned and controlled by a socially and economically disadvantaged person(s) as defined in 49 Code of Federal Regulations (CFR) Part 26.5.
- Applies to federally funded projects

DBE Groups

- Asian Pacific Islander
- Black American
- Native American
- Women
- Latino/Hispanic
- Asian Subcontinent

The Race Conscious DBE Requirement

- The RC DBE requirement will apply to certain federal projects authorized on and after July 1, 2012.
- Contract goals for federally funded project must include All DBE groups
 - African American
 - Asian-Pacific American
 - Native American
 - Women
 - Hispanic American
 - Subcontinent Asian American

The Race Conscious (RC)DBE Requirement

- To determine the RC DBE goals for a project, please refer to the General Information section of the proposal.
- RC goal applies to All DBEs.
- Good Faith Effort (GFE) requirement as described in Exhibit 15H (See hand-out) must be demonstrated when RC goal is not met.
- Contractors can use the Good Faith Effort
 - In meeting contract goal for DBES
 - In substitutions during contract administration

"GOOD FAITH EFFORTS (gfe)" OUTREACH STEPS:

- The following steps are to be taken at a minimum to document a Good Faith Effort.
- These steps are to be recorded on Exhibit 15-H DBE Information Good Faith Effort form. Lowest, second lowest and third lowest bidders shall submit the following information to document adequate good faith efforts.
- Bidders should submit the following information even if the “Local Agency Bidder DBE Commitment” form indicates that the bidder has met the DBE goal. This will protect the bidder’s eligibility for award of the contract if the administering agency determines that the bidder failed to meet the goal for various reasons, e.g., a DBE firm was not certified at bid opening, or the bidder made a mathematical error.
- Submittal of only the “Local Agency Bidder DBE Commitment” form may not provide sufficient documentation to demonstrate that adequate good faith efforts were made.

" "GOOD FAITH EFFORTS (GFE)" OUTREACH STEPS:

- **Send written solicitation notices to approved DBE firms on a timely basis. Should include the following information:**
 - Name, location of project
 - Proposal due date
 - Items of work
 - Scope of work
 - Location where UDBEs can review plans and specifications
 - Contact name, phone number for bonding, insurance, line of credit, technical assistance
 - Date and time to submit quotes
 - And any special requirements

"GOOD FAITH EFFORTS (gfe)" OUTREACH STEPS:

- **Follow up of initial solicitation with DBE firms. Show documented activity of telephone calls and fax logs with the following information:**
 - Type of contact: Telephone, fax, or e-mail
 - Name of contact person
 - Name of DBE firm
 - Date and time of DBE contacted
 - Phone number of DBE contacted
 - Response of each DBE firm
 - Reason for firm not bidding on project

GOOD FAITH EFFORTS (gfe)"

OUTREACH STEPS:

- **Contact agencies in local market area for assistance in contacting, recruiting, and using DBE firms. Provide the agencies with the following information:**
 - Name, location of project
 - Bid date
 - Items of work
 - Scope of work
 - Location where DBEs can review plans and specifications
 - Contact name, phone number for bonding, insurance, line of credit, technical assistance.
 - Date and Time to submit quotes and any special requirements.

GOOD FAITH EFFORTS (gfe)" OUTREACH STEPS

- **Follow up of initial solicitation with DBE firms. Show documented activity of telephone calls and fax logs with the following information:**
 - Type of contact: Telephone, fax, or e-mail
 - Name of contact person
 - Name of DBE firm
 - Date and time of DBE contacted
 - Phone number of DBE contacted
 - Response of each DBE firm
 - Reason for firm not bidding on project

GOOD FAITH EFFORTS (gfe)" OUTREACH STEPS

- **Attend pre-bid meetings to meet potential DBE firms. Host DBE informational workshops in conjunction with local minority businesses organizations such as:**
 - Oakland Black Board of Trade and Commerce
 - Hispanic Chamber of Commerce
 - Oakland African American Chamber of Commerce
 - Bay Area Business Roundtable
 - Black Economic Council
 - Oakland Chinatown Chamber of Commerce
 - Oakland Metropolitan Chamber of Commerce
 - Vietnamese Chamber of Commerce

GOOD FAITH EFFORTS (gfe)" OUTREACH STEPS

- **Document all assistance provided to interested DBE firms with regards to plans. Specifications and special requirements of the contract to assist them in responding to the solicitation.**
- Identify the name of the DBE
- Nature of the information provided
- Date of contact
- Bonding assistance offered
- Lines of Credit assistance offered
- Assistance in obtaining insurance
- Assistance in securing necessary equipment
- Assistance in securing supplies and materials
- Any additional data to support a demonstration of good faith effort and provide copies of supporting documents

- A list of certified DBEs can be obtained from the City of Oakland or from the Caltrans website in order to identify available DBE's for subcontracting opportunities

<http://www.dot.ca.gov/hq/bep/>

FORMS REQUIRED WITH SUBMITTAL

- **Required with submittal**
- • Proposal
- • Acknowledgment of all Addenda - Please provide signed addenda with proposal
- • Schedule E - Fed- Project Consultant Team
- • Schedule O - Campaign Contribution Limits
- • Exhibit 10-Q - Disclosure of Lobbying Activities
- • Schedule Z Certification A Form- Debarment and Suspension Certification

Federal Exhibits due four (4) business days after the proposal submittal date:

- Exhibit 15-H - DBE Information - GOOD FAITH EFFORTS
- Exhibit 10-O2 - Local Agency Proposer DBE Information (Consultant Contracts)
- Schedule Z Certification B Form (Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction)
- Exhibit 10-O2 - Local Agency Proposer DBE Information (Consultant Contracts)

Other Forms to be submitted prior to full contract execution:

- **Combined Schedules**
- • C-1,P,V (includes) Compliance with The Americans With Disabilities Act; Nuclear Free Zone, Affidavit Of Non-Disciplinary Or Investigatory Action
- **Single Schedules:**
- • Schedule B-2 - Arizona resolution Declaration of Compliance
- • Schedule D - Ownership, Ethnicity and Gender Questionnaire
- • Schedule K - Dispute Disclosure
- • Schedule M - Independent Contractors Questionnaire, Parts A
- • Schedule N - Declaration Of Compliance With Living Age Ordinance
- • Schedule N-1 - Equal Benefits Declaration Of Nondiscrimination
- • Schedule Q - Insurance Requirement (form is informational only, but proof of insurance must be submitted)
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Compliance Contacts

- Shelley Darensburg, Senior Contract Compliance Officer (510) 238-7325.
- Sophany Hang, Contract Compliance Officer (510) 238-3723
- Vivian Inman, Contract Compliance Officer (510) 238-6261