**FORM D24**

**EXHIBIT BB, ATTACHMENT 1**

**RN-DBE INSTRUCTIONS**

**For**

**Metro Subrecipient Agencies**

**April 2021**

 **RN-DBE LANGUAGE**

**RACE-NEUTRAL INSTRUCTIONS**

**FOR**

**DOT-ASSISTED CONTRACTS**

The County has not established a DBE contract goal for this Agreement**.** However, the County strongly encourages all bidders/offerors to include DBE subcontractors in their bids/proposals to the greatest extent possible. The successful bidder/offeror that lists DBE firms in its bid/proposal will be required to submit required DBE forms with its bid/proposal and report its DBE participation obtained through race-neutral means throughout the period of performance.

1. **DEFINITIONS**
2. 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 Title 49, Part 26.5, Code of Federal Regulations (CFR).
3. The term Disadvantaged Business Enterprise” or -DBE. DBE classes have been determined to have a statistically significant disparity in their utilization in previously awarded transportation contracts. RC-DBE’s include all DBE groups, specifically: Black Americans, Native Americans, Asian-Pacific Americans, Hispanic Americans, Subcontinent Asian Americans, and Women
4. The term “Race-Neutral” means a measure or program that is used to assist all small businesses. For the purposes of the DBE Program, “race-neutral” includes gender-neutrality. In addition, race-neutral participation is DBE participation obtained when a DBE goal is not established.
5. The term “Agreement” also means “Contract”.
6. Agency also means the local entity entering into this contract with the Consultant.
7. The term “Proposer” shall mean prime contractor or prime consultant submitting a bid or proposal to recipient organization. The terms “Bidder” or “Offeror” may also be used in lieu of “Proposer”.
8. The term “Small Business” or “SB” is as defined in 49 CFR 26.65.
9. **AUTHORITY AND RESPONSIBILITY**
	1. DBE’s and other small businesses are strongly encouraged to participate in the performance of Agreements financed in whole or in part with federal funds (see 49 CFR Part 26, “Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs”). The Contractor should ensure that DBE’s and other small businesses have the opportunity to participate in the performance of the work that is the subject of this solicitation and should take all necessary and reasonable steps for this assurance. The Proposer shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of subcontracts.
	2. Proposers are encouraged to use services offered by financial institutions owned and controlled by DBE’s.
10. **SUBMISSION OF RC-DBE INFORMATION**

If there is a RC-DBE contract goal on this contract, the Proposer, in order to be considered responsible and responsive, must make good faith efforts to meet the goal established for the contract. If the goal is not met, the Proposer must document adequate good faith efforts and submit documentation at the time of bid or proposal due date. If the Proposer fails to submit good faith effort documentation at the time of bid or proposal due date, the Proposer will be considered non-responsive. Only RC-DBE firms certified through the CUCP will be counted towards the contract goal; however, all DBE participation shall be collected and reported.

For contracts with RC-DBE contract goals, the resulting contractor shall utilize the specific DBEs listed unless the contractor obtains the County’s written consent and unless the County’s consent is provided, the contractor shall not be entitled to any payment for work or material unless it is performed or supplied by the listed DBE.

All Proposers are required to submit the following items to the County:

1. The name and addresses of DBE firms that will participate in the contract;
2. A description of the work that each DBE will perform. Each DBE must be certified in the NAICS code applicable to the work the firm will perform on the contract;
3. The dollar amount of the participation of each DBE firm;
4. Written documentation of the proposer’s commitment to use the DBE subcontractor (the signed RC-DBE Commitment Form and/or other documentation) whose participation it submits to meet a RC-DBE contract goal;
5. Written confirmation from each listed DBE firm that it is participating in the contract in the kind of work and amount of work provided in the proposer’s commitment; and
6. If the contract goal is not met, evidence of good faith efforts to do so.

The above information shall be provided at the time noted below:

1. Under sealed bids, as a matter or responsiveness, or with initial proposals under contract negotiation procedures, or
2. No later than 5 days after bid opening as a matter of responsibility.
	1. **DBE PARTICIPATION GENERAL INFORMATION**

It is the Proposer’s responsibility to be fully informed regarding the requirements of 49 CFR, Part 26, and Metro’s DBE program developed pursuant to the regulations. Particular attention is directed to the following:

* 1. A DBE must be a small business firm defined pursuant to 13 CFR 121 and be certified through the California Unified Certification Program (CUCP).
	2. A certified DBE may participate as a prime contractor, subcontractor, joint venture partner, as a vendor of material or supplies, or as a trucking company.
	3. A DBE Proposer not bidding as a joint venture with a non-DBE, will be required to document one or a combination of the following;
		1. The Proposer is a DBE and will meet the goal by performing with its own forces.
		2. The Proposer will meet the goal through work performed by DBE subcontractors, suppliers or trucking companies.
		3. The Proposer, prior to bidding, made adequate good faith efforts to meet the goal.
			1. A DBE joint venture partner must be responsible for specific contract items of work or clearly defined portions thereof. Responsibility means actually performing, managing, and supervising the work with its own forces. The DBE joint venture partner must share in the capital contribution, control, management, risks and profits of the joint venture commensurate with its ownership interest.
			2. A DBE must perform a commercially useful function pursuant to 49 CFR 26.55, that is, a DBE firm must be responsible for the execution of a distinct element of the work and must carry out its responsibility by actually performing, managing and supervising the work.
			3. The Proposer shall list only one subcontractor for each portion of work as defined in their bid and all DBE subcontractors should be listed in the bid list of subcontractors. Firms to be counted toward the DBE Goal must be certified by bid/proposal due date.
			4. A prime contractor who is a certified DBE is eligible to claim all of the work in the agreement toward the DBE participation except that portion of the work to be performed by non-DBE subcontractors.

h. In order to identify certified DBEs, you must only use the California Unified Certification Program Database (CUCP). ***Certifications from other agencies or organizations will not be accepted.***

* 1. **RESOURCES**
1. The CUCP database includes the certified DBEs from all certifying agencies participating in the CUCP. If you believe a firm is certified that cannot be located on the database, please contact the Caltrans Office of Certification toll free number 1-866-810-6346 for assistance. Proposers may call (916) 440-0539 for web or download assistance.
2. Access the CUCP database at: <https://californiaucp.dbesystem.com/>.
	* 1. Click on *Search for Certified Firms*
		2. Searches can be performed by one or more criteria
		3. Follow instructions on the screen
	1. **MATERIALS OR SUPPLIES PURCHASED FROM DBEs COUNT TOWARDS DBE CREDIT UNDER THE FOLLOWING CONDITIONS:**
		1. If the materials or supplies are obtained from a DBE manufacturer, 100 percent of the cost of the materials or supplies count towards the goal. A DBE manufacturer is a firm that operates, or maintains a factory, or establishment that produces on the premises that materials, supplies, articles, or equipment required under the Agreement and of the general character described by the specifications.
		2. If the materials or supplies purchased from a DBE regular dealer, count 60 percent of the cost of the materials or supplies. A DBE regular dealer is a firm that owns, operates or maintains a store, warehouse, or other establishment in which the materials, supplies, articles or equipment of the general character described by the specification and required under the Agreement are bought, kept in stock, and regularly sold or leased to the public in the usual course of doing business. To be a DBE regular dealer the firm must be an established, regular business that engages, as its principal business and under its own name, in the purchase and sale or lease of the products in question. A person may be a DBE regular dealer, in such bulk items as petroleum products, steel, cement, gravel, stone or asphalt without owning, operating or maintaining a place of business provided in this section.
		3. If the person both owns and operates distribution equipment for the products, any supplementing of regular dealers’ own distribution shall be, by a long-term lease agreement and not an ad hoc or Agreement-by-Agreement basis. Packagers, brokers, manufacturers’ representatives, or other persons who arrange or expedite transactions are not DBE regular dealers within the meaning of this section.
		4. Materials or supplies purchased from a DBE, which is neither a manufacturer nor a regular dealer, will be limited to the entire amount of fees or commissions charged for assistance in the procurement of the materials and supplies required or fees or transportation charges for the delivery of materials or supplies on the job site, provided the fees are reasonable and not excessive as compared with fees charged for similar services.
	2. **FOR DBE TRUCKING COMPANIES: CREDIT FOR DBEs WILL COUNT TOWARDS DBE CREDIT UNDER THE FOLLOWING CONDITIONS:**
		1. The DBE must be responsible for the management and supervision of the entire trucking operation for which it is responsible on a particular agreement, and there cannot be a contrived arrangement for the purpose of meeting the DBE contract goal.
		2. The DBE must itself own and operate at least one fully licensed, insured, and operational truck used on the agreement.
		3. The DBE receives credit for the total value of the transportation services it provides on the agreement 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. A DBE who leases trucks from another DBE receives credit for the total value of the transportation services the lessee DBE provides on the agreement.
		5. The DBE may also lease trucks from a non-DBE firm, including 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. Additional participation by non-DBE owned trucks equipped with drivers receives credit only for the fee or commission it receives as a result of the lease arrangement.
		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. For the purposes of this section, a lease must indicate that the DBE has exclusive use 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, as 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.
	3. **TRANSIT VEHICLE MANUFACTURERS (TVM):**
		1. The County shall require each Transit Vehicle Manufacturer (TVM), as a condition of being authorized to bid or propose on FTA-assisted transit vehicle procurements, to complete a TVM Certification Form acknowledging that it has complied with the requirements of 49 CFR 26.49 section. The County shall maintain the TVM Certification Form on file for DBE Program compliance. The County shall check the FTA Civil Rights webpage (<https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/eligible-transit-vehicle-manufacturers>) to validate TVMs that have an FTA approved DBE program and overall goal submissions. The County is required to submit TVM certification with its Semi-Annual Report when there is a TVM award during the reporting period.
		2. The County is required to submit within 15 days of making an award, the name of the successful bidder, and the total dollar value of the contract in the manner prescribed in the grant agreement. Metro’s Grant Administration Department will complete the TVM Report and will submit the report on behalf of the County to FTA using the FTA Vehicle Award Form at the following website link: <https://www.surveymonkey.com/r/vehicleawardreportsurvey>. Please contact your Metro Grants representative regarding TVM reporting should you have any questions.
	4. **DBE SUBCONTRACTING FLOW DOWN REQUIREMENTS:**
	5. **CONTRACT ASSURANCE**

Each contract you sign with a contractor (and each subcontract the prime contractor signs with a subcontractor) must include the following assurance: The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate, which may include, but is not limited to:

(1) Withholding monthly progress payments;

(2) Assessing sanctions;

(3) Liquidated damages; and/or

(4) Disqualifying the contractor from future bidding as non-responsible.

1. **PROMPT PAYMENT PROVISIONS**

The DBE Program, 49 CFR, Part 26, requires that any delay or postponement of payment over 30 days may take place only for good cause and with the County’s prior written approval. The California Business and Professions Code, under Section 7108.5, requires that on public works projects, a prime contractor or subcontractor pay to any subcontractor not later than seven (7) days after receipt of each progress payment, unless otherwise agreed to in writing. Any violation of this provision shall subject the violating Contractor or Subcontractor to the penalties, sanctions and other remedies specified in Section 7108.5 of the Business and Professions Code. These requirements shall not be construed to limit or impair any contractual, administrative, or judicial remedies otherwise available to the Contractor or Subcontractor in the event of a dispute involving late payment or nonpayment by the Contractor, deficient subcontract performance, or noncompliance by a Subcontractor. Any delay or postponement of payment from the above-referenced timeframes may occur only for good cause following written approval from the County. Failure to comply with this provision without prior approval from the County will constitute noncompliance, which may result in the application of appropriate administrative sanctions, including, but not limited to, withholding of payment to the Contractor of two percent (2%) of the invoice amount due per month, for every month that full payment is not made in accordance with these prompt payment requirements.

*Prompt Progress Payments to Subcontractors*

Contractor will include a contract clause that will require Subcontractors to pay each lower tiered Subcontractor participating on the Project for satisfactory performance of its contract no later than 7 days from the receipt of each payment the Subcontractor receives from Contractor. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the County. This clause applies to both DBE and non-DBE Subcontractors.

You must ensure prompt and full payment of retainage from the prime contractor to the subcontractor no later than 30 days after the subcontractor's work is satisfactorily completed.

**Prompt Payment of Withheld Funds to Subcontractors**

The County shall identify one of the provisions below and include the selected provision in their federal-aid contracts to ensure prompt and full payment of retainage, if applicable, to subcontractors in compliance with 49 CFR 26.29.

□ Provision #1 – No retainage will be held by the agency from progress payments due to the prime contractor. Prime contractors and subcontractors are prohibited from holding retainage from subcontractors. Any delay or postponement of payment may take place only for good cause and with the agency’s prior written approval. Any violation of these provisions shall subject the violating contractor or subcontractor to the penalties, sanctions, and other remedies specified in Section 7108.5 of the California Business and Professions Code. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor, deficient subcontractor performance, and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

□ Provision #2 – No retainage will be held by the agency from progress payments due the prime contractor. Any retainage kept by the prime contractor or by a subcontractor must be paid in full to the earning subcontractor in \_\_days (insert number of days and cannot be more than 30 days) after the subcontractor’s work is satisfactorily completed. Any delay or postponement of payment may take place only for good cause and with the agency’s prior written approval. Any violation of these provisions shall subject the violating contractor or subcontractor to the penalties, sanctions, and remedies specified in Section 7108.5 of the California Business and Professions Code. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor, deficient subcontractor performance, and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

□ Provision #3 – The agency shall hold retainage from the prime contractor and shall make prompt and regular incremental acceptances of portions, as determined by the agency of the contract work and pay retainage to the prime contractor based on these acceptances. The prime contractor or subcontractor shall return all monies withheld in retention from all subcontractors within \_\_ days (insert number of days and cannot be more than 30 days) after receiving payment for work satisfactorily completed and accepted including incremental acceptances of portions of the contract work by the agency. Any delay or postponement of payment may take place only for good cause and with the agency’s prior written approval. Any violation of these provisions shall subject the violating prime contractor to the penalties, sanctions, and other remedies specified in Section 7108.5 of the California Business and Professions Code. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies otherwise available to the contractor or subcontractor in the event of: a dispute involving late payment or nonpayment by the contractor; deficient subcontractor performance and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

1. **TERMINATION/SUBSTITUTION**

The contractor must promptly notify the County, whenever a DBE subcontractor performing work related to this contract is terminated or fails to complete its work and must make good faith efforts to engage another DBE subcontractor to perform at least the same amount of work. The contractor may not terminate any DBE subcontractor without prior written consent of the County. The contractor may not terminate any DBE subcontractor and perform that work through its own forces or those of an affiliate without prior written consent of the County. The contractor must give the DBE five days to respond to the contractor’s written notice and advise the County and the contractor of the reasons, if any, why it objects to the proposed termination of its subcontract and why the County should not approve the contractor’s action. If required in a particular case as a matter of public necessity (e.g., safety), the County may provide a respond period shorter than five days. The County shall review the termination/substitution request based on the reasons provided in 49 CFR 26.53. The contractor will include a contract clause stating: The contractor shall utilize the specific DBEs listed to perform the work and supply the materials for which each is listed unless the contractor obtains the written consent of the County and that, unless the written consent of the County is provided, the contractor shall not be entitled to any payment for work or material unless it is performed or supplied by the listed DBE.

1. **FAILURE TO COMPLY**

Failure of the Contractor to comply with any DBE requirement of 49 CFR Part 26 as amended, may subject Contractor to formal enforcement action or appropriate sanctions by the County, such as the termination of the contract, progressive payment withholding until deficiencies are remedied, and any additional enforcement allowed by the contract.

**INSTRUCTIONS - BIDDER'S LIST OF SUBCONTRACTORS**

**(DBE AND NON-DBE)**

 **(CONSTRUCTION CONTRACTS)**

**ALL PROPOSERS:**

The U.S. Department of Transportation (DOT) requires THE COUNTY to maintain a “Bidders List” containing information about all firms (DBE and non-DBE) that bid, propose or quote on THE COUNTY’s DOT-assisted contracts, in accordance with 49 CFR Part 26.11, for use in the Metro’s overall triennial DBE goal-setting process. Therefore, the Proposer shall provide the requested information for every firm who submitted a quote, bid, or proposal, including the primary Proposer, whether successful or unsuccessful in their attempt to obtain a contract:

a. Firm name;

b. Firm address;

c. Phone number

d. A description of the work that each DBE will perform;

e. Range of annual gross receipts for the last year;

It is the Proposers responsibility to verify that the DBE(s) falls into one of the following six groups in order to count towards the DBE contract goal or DBE credit: 1) Black American; 2) Asian-Pacific American; 3) Native American; 4) Hispanic American, 5) Subcontinent Asian American, and 6) Women.

RFP FORM \_\_ – Bidders List

|  |  |
| --- | --- |
|       |       |
| **Proposer** | **RFP Number** |
| The U.S. Department of Transportation (DOT) requires the County to create and maintain a Bidders List containing information about all firms (DBEs and non-DBEs) that bid, propose, or quote on the County’s DOT-assisted contracts in accordance with 49 C.F.R., Part 26.11. The “Bidders List” is intended to be a count of all firms that are participating, or attempting to participate, on DOT-assisted contracts, whether successful or unsuccessful in their attempt to obtain a contract. The Proposer is to complete all requested information for every firm that submitted a bid, proposal, or quote, including the Proposer itself and any proposed and rejected subconsultants. The Bidders List form shall be submitted with each proposal submitted by the Proposer to the County and for all bids, proposals, or quotes received by the Proposer for the Project. ***The Bidders List content will not be considered in evaluating the proposal or determining award of any contract.*** |
| Proposer’s Information |
| Name of Prime’s Firm:       | Phone: (       )      -      |
| Firm Address:       | Email Address:        |
|        | Type of work/services/materials provided: |
| City |       | ST |       | ZIP |       |       |
| Number of years in business:       |
| Contact Person:        | Title:        |
| Is the firm currently certified as a DBE under 49 C.F.R., Part 26? [ ]  Yes [ ]  No | Check the box below for your firm’s annual gross receipts last year: |
| Proposer has DBE Certification in the following categories (place an “X”): [ ]  Black American [ ]  Asian Pacific American [ ]  Native American [ ]  Women [ ]  Hispanic American [ ]  Subcontinent Asian American [ ]  Other | [ ]  Less than $1 million[ ]  Less than $5 million[ ]  Less than $10 million[ ]  Less than $15 million[ ]  More than $15 million |

 RFP FORM \_\_ (CONT’D) – BIDDERS LIST

Note: Each proposed subconsultant shall complete this form, and the Proposer will submit it with its proposal.

|  |
| --- |
| Subconsultant’s Information |
| Name of Subconsultant’s Firm:       | Phone: (       )      -      |
| Firm Address:       | Email Address:        |
|        | Type of work/services/materials provided: |
| City |       | ST |       | ZIP |       |       |
| Number of years in business:       |
| Contact Person:        | Title:        |
| Is the subconsultant’s firm currently certified as a DBE under 49 C.F.R., Part 26? [ ]  Yes [ ]  No | Check the box below for your firm’s annual gross receipts last year: |
| Subconsultant has DBE Certification in the following categories (place an “X”): [ ]  Black American [ ]  Asian Pacific American [ ]  Native American [ ]  Women [ ]  Hispanic American [ ]  Subcontinent Asian American [ ]  Other | [ ]  Less than $1 million[ ]  Less than $5 million[ ]  Less than $10 million[ ]  Less than $15 million[ ]  More than $15 million |

If necessary, this Bidders List form can be duplicated to include all firms (DBEs and non-DBEs) that have submitted a bid, proposal, or quote on this DOT-assisted Project, whether successful or unsuccessful in their attempt to obtain a contract.

**INSTRUCTIONS - LOCAL AGENCY PROPOSER DBE COMMITMENT**

**ALL PROPOSERS:**

**PLEASE NOTE: It is the proposer’s responsibility to verify that DBE(s) fall into one of the following groups in order to count towards the RC-DBE contract goal or Race-Neutral (RN) DBE credit: 1) Black Americans; 2) Asian-Pacific Americans; 3) Native Americans; 4) Hispanic Americans, 5) Subcontinent Asian Americans, and 6) Women. This information must be submitted with your proposal. Failure to submit the required DBE commitment will be grounds for finding the proposal nonresponsive.**

A “DBE” is a firm meeting the definition of a DBE as specified in 49 CFR and is one of the following groups: Black Americans, Native Americans, Asian-Pacific Americans, Hispanic American, Subcontinent Asian American, or Women.

The form requires specific information regarding the consultant contract: Local Agency, Location, Project Description, Proposal Date, Proposer’s Name, and Contract RC-DBE goal when applicable. If no DBE contract goal has been established, include N/A.

The form has a column for the Work Item Number and Description or Services to be subcontracted to DBEs (or performed if the proposer is a DBE). The DBE prime contractors shall indicate all work to be performed by DBEs including work to be performed by its own forces, if a DBE. The DBE shall provide a certification number to the Consultant and notify the Consultant in writing with the date of decertification if their status should change during the course of the contract. Enter DBE prime consultant and subconsultant certification numbers. The form has a column for the Names of certified DBEs to perform the work (must be certified on the date proposals are due and include DBE address and phone number).

There is a column for the percent participation of each DBE. Enter the Total Claimed DBE Participation percentage of items of work submitted with proposal pursuant to the Special Provisions. (If 100% of item is not to be performed or furnished by the DBE, describe exact portion of time to be performed or furnished by the DBE.) **Note**: If the proposer has not met the contract goal, the local agency must evaluate the proposer’s good faith efforts to meet the goal in order to be considered for award of the contract.

The DBE Commitment Form must be signed and dated by the consultant submitting the proposal. Also list a phone number in the space provided and print the name of the person to contact.

Local Agency Proposer DBE Commitment

This form must be submitted with the proposal.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Local Agency |       | Location |       |  |
| Project Description |       |  |
| Proposal Date |       |  |
| Proposer’s Name |       |  |
| Contract RC-DBE Goal (%) |       |  |
|  |
| Work ItemNumber | Description or Servicesto be Subcontracted(or contracted if theProposer is a DBE) | DBE CertificateNumber andExpiration Date | Name of Each DBE(must be certified prior to submission-includeDBE addressand phone number) | PercentParticipationof Each DBE |
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|  |  |  |  |  |
| **FOR AGENCY TO COMPLETE** | Total Claimed DBE Commitment:      % |
| Agency Proposal Number |       |  |
| Federal-Aid Project Number |       |  |
| Federal Share |       |  |
| Proposal Date |       |  |
|  |  |
| Agency certifies that the DBE certifications have been verified and all information is complete and accurate/unless noted otherwise. |  |  |  |
|  | Signature of Proposer |
|  |  |
|  |  |  |  |       (       )       -       |  |
| Signature of Agency Representative Date | Date Phone Number |
|  |  |
|  |  |  |  |  |  |
| Agency Representative (please print or type) | Person to Contact (please print or type) |
|  |  |
|  | (       )       -       |  |
| Phone Number |
|   |

**Distribution**: (1) Original - Agency files Local Agency Proposer RC-DBE Commitment (Consultant Contracts) – Rev 062113

# INSTRUCTIONS – SUMMARY OF MONTHLY DBE PAYMENTS INFORMATION COUNTY FORM NO. XXX

**SUCCESSFUL PROPOSER:**

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

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

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

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

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

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



