

EXPECTATIONS OF BIDDERS ON CONTRACTS WITH MBE/WBE PARTICIPATION CONTRACT GOALS

(Alert Date: May 15, 2013)

The Indiana Department of Transportation (INDOT) is committed to the participation of Minority and Women's Business Enterprises (MBE/WBE) in its procurement and contracting process. Bidders on INDOT contracts are expected to make the effort and document their good faith efforts to attain the MBE and WBE Contract Goals whenever they have been assigned. The goal amounts of 7% MBE and 5% WBE are mandated by the Indiana Department of Administration and will not be reduced, even though opportunity may be limited.

The MBE/WBE program is administered by the Minority and Women's Business Enterprises Division of the Indiana Department of Administration (MWBED). If a bidder is having difficulty achieving the Contract Goals they are expected to contact the MWBED office. Staff will be available to assist Bidders in locating MBE and WBE firms to engage in the contract. If a Bidder cannot achieve the Contract Goals, MWBED will expect them to have submitted a Waiver Application prior to bid. Should you have questions concerning the details of this program, information is available over the internet at <http://www.in.gov/idoa/2495.htm> or by contacting the MWBED at (317) 232-3061.

COMPLETING THE DBE OR MBE/WBE FOLDER FOR ELECTRONIC BIDDING

(Updated and Re-Posted: May 29, 2013)

This is a step-by-step guide for successfully entering the contract commitment data. The following instructions should answer most questions about entering DBE or MBE/WBE Commitments in the electronic proposal. Information has to be entered on two different screens for the DBE commitments to be included when the electronic Affirmative Action Certification is printed. The instructions are essentially the same for entering MBE and WBE commitments (except one folder is for MBE's, and a second folder is for WBE's). Therefore, most of the instructions will only mention DBE's.

Before DBEs are entered, of the current DBE.BIN file, which contain the certified DBE/MBE/WBE firms, should be downloaded from the Bid Express website. The DBE.BIN file must be saved to the same folder containing the individual contract data file(s) (EBS files). The DBE.BIN file can be found listed in the Downloads box on each LETTING page. Contractors should download the DBE.BIN file whenever an updated version is posted on the website.

DBE information can be entered anytime after the contractor has downloaded and saved the data files for a particular contract. Once the file for a particular contract has been opened, the contractor can start entering DBE information by first selecting DBE List from the tree of folders on the left side of the screen. A two-part screen will appear to the right. The top half will show the letting date, contract ID, call order and the number of DBE entries (which should show 0 initially). The bottom half of the screen shows the "DBE total entered" as both a percentage and dollar amount and the line below shows the "DBE Goal" also as both a percentage and dollar amount. A message will appear below these boxes to show whether or not the goal has so far been met.

In the lower left of this screen is a box marked "ADD DBE"; move your cursor to the box and click to open it. This opens the DISADVANTAGED BUSINESS ENTERPRISE screen that contains fields for entering information about a DBE firm that will be utilized on this contract.

Start by clicking on the drop down box for the name field. The field will originally show "Unknown." Once you click on the drop down box at the far right of this field, you can scroll through the list of DBE firms that were included in the DBE.BIN file downloaded earlier. (While it is INDOT's intent to provide a current and accurate list of the certified DBEs in the DBE.BIN file, it is the bidder's responsibility to confirm the current certification of all proposed DBE subcontractors prior to including them in their proposal bid.)

Select the DBE firm that will be utilized by clicking on its name from the list. This will result in not only the company's name appearing in the name field but also the correct entries for that firm in the ID, Addr1, and Certification Code fields. (Caution: Once this information is shown for a company, any changes to any of these fields will result in changing the name of the DBE firm since these four fields are linked.)

Under the "Item Numbers and Description of Work" enter the contract item numbers that will be performed by that DBE firm and provide a brief description of the work. The information shown in this field is similar to what a contractor shows on the Affirmative Action Certification for a paper bid. The item numbers and description should be accurate.

To the right of the field completed in the previous step are two fields (each with a drop down box) noted as "Used As." Click on the far right drop down box and select the appropriate category from (1) Lease, (2) Subcontractor, (3) MBE Supplier, (4) WBE Supplier, (5) DBE Supplier Broker, (6) DBE Supplier Manufacturer or (7) Supplier DBE Reg. Dealer. MBE and WBE Suppliers may be used ONLY on contracts with MBE and WBE goals.) When anything other than Supplier DBE Reg. Dealer is selected, the left-hand box will register an N, while a Y shows when Supplier DBE Reg. Dealer is selected. This shows whether the contractor will get 100% credit for all dollars paid to the DBE (N) or if 60% credit will apply (Y).

Next, click on the drop down box for the second field to the right of the "Work Code 1:" prompt and select the work description that most closely matches the work this DBE will perform on the project. (If you know the INDOT prequalification codes, you could also select from the drop down box for the field immediately to the right of the prompt. An entry in either field will cause the corresponding value to show in the companion field.) If the DBE firm will be doing more than one type of work, you should complete additional Work Codes (2 or more, through a maximum of 6). Unused work code fields may be left blank.

For the field marked "DBE Participation:," select RC from the drop down box if the utilization of this DBE will count towards the goal or RN if the DBE should not count towards the goal. (This is to show additional DBE utilization.)

For the field marked “If Race Conscious, click Yes to show goal achieved,” click on the drop down box and select “Y” if this DBE’s participation is to count towards the DBE goal and N if it isn’t to be counted. (Note: When some of the work performed by a DBE is to be counted towards the goal and some of it is not, it is possible to enter the DBE firm multiple times to make a distinction between the work that is RC – counted towards the goal – and RN – not counted.)

The list of folders on the left side of the screen should now show the name of the DBE firm under the DBE list folder. There should be a “+” symbol to the left of the name. Take your cursor to the “+” symbol and click on it to show the “DBE Items” folder.

Click on the “DBE Items” folder to open it. A new two-part screen will open to the right. The top part of this screen will resemble the Schedule of Pay Items except that there is also a check box on the left side. The bottom half of the screen will have blank fields until you take the next step.

The next step is show the number of dollars being committed to the DBE firm. (Note: At this time, INDOT is not requiring that the data be accurately entered. Only the total dollars committed to that DBE needs to be correct. INDOT will allow you to manipulate the data to show the total dollars being committed to that DBE firm. This can be done in a number of ways, including:

- * Selecting any lump sum item in the contract (by clicking in the box to the left of the line number for that pay item). A check mark should show in the box and the bottom half of the screen should now be activated.

Enter in the “Unit Price” box at the bottom, the number of dollars that are being committed to that DBE. Then either click on another field in the bottom half of the screen or hit the tab key on your keyboard for that information to register. Be sure to save the information using the save button on the Expedite Bid toolbar. (Note: The notes field at the bottom of the screen is for the contractor to use as it chooses.)

- * Select any pay item that has multiple units and enter a sufficient unit price to result in the dollars being committed to that DBE when the unit price is multiplied by the number of units. (Note: This does not have to be an item on which the DBE will actually work.) Register and save the information as above.

- * Any item can be selected and the quantity and unit price can be manipulated in the bottom half of the screen to get the total dollars being committed to that DBE.

(Note: As you proceed through any of those options, it may appear that these values are being entered into the Schedule of Pay Items. This is not the case. Once you have completed entering information for a DBE, you can check this by then selecting the “Schedule of Items” folder on the left side of the screen. Your original values should be intact.)

Save your information before you leave the screen used in Step 13. Save by clicking on the save button on the Expedite Bid toolbar.

To add another DBE, select the "DBE List" folder again from the tree of folders on the left side of the screen. Repeat steps 3 through 14. As you continue to enter information, the box at the bottom of the DBE List screen will keep a running total of all dollars committed to DBEs (for which a Y was selected in the field "If Race Conscious, click Yes to show goal achieved"). A companion box will show the percentage of DBE participation that has been achieved. You may have to leave the DBE section of Expedite Bid and then return to it for the totals to properly calculate.

Since the official INDOT DBE Directory available through INDOT's website at https://fs85.gmis.in.gov/psc/guest/EMPLOYEE/ERP/c/SOI_APPS_MWBE.SOI_DBE_CERT.GBL may be updated more frequently than the DBE.BIN file, you may want to use a DBE firm whose name you can't find when you scroll through the list. In this case, the name, ID (taxpayer identification), address and certification code will have to be entered manually. Be careful not to select the drop down boxes for those fields once you start to type information in those four fields. Otherwise, proceed with steps 3 through 14 as noted above.

Another folder listed on the left is the DBE RACE NEUTRAL TOTAL. You will need to enter the dollars of DBE utilization that exceed the goal in this field. For MBE/WBE commitments, an entry in this field is not required.

COUNTING DBE CREDIT FOR INDOT FIELD OFFICES

Please be advised that INDOT will count DBE participation for the "FIELD OFFICE" pay item in accordance with the federal regulations under 49 CFR 26.55(e). As of the August 18, 2010 letting, INDOT will consider all field office suppliers that are currently certified by INDOT as DBE'S including Eilts Consulting, Mirich Construction Company, Quality Setters, and Victory Trucking & Supply as regular dealer (suppliers). Pursuant to federal regulation, prime contractors are allowed to count 60% of the pay item value that these DBE field office suppliers perform towards the DBE goal regardless of how the DBE's participation was counted on previous contracts.

Prime contractors can check INDOT's DBE directory to determine how INDOT classifies a particular DBE and therefore how much DBE participation credit INDOT will allow the prime contractor to receive for use of a Particular DBE. You may also contact INODT's Economic Opportunity Division at (317) 233-6511 for any questions regarding a DBE's status.

CONSTRUCTION LETTING EMAIL BOX

An email mailbox application was created so contractors have a way to submit electronic or scanned copies of contract documents they can not submit through Bid Express. These include the drug testing plan and the performance bond with the power of attorney letter and insurance license.

To use the email mailbox, you need the correct email address and the correct format for the subject line of the email. This will ensure your documents get to the correct contract folder with a time stamp, and can not be altered.

Use this email address: ConstructionLetting@indot.in.gov .

Use this format for the subject line, to ensure your documents get into the correct contract folder:
CompanynameDocumentmmddy-R12345A

For example, if Jones Construction Co., Inc. is submitting a drug plan for Contract B -27780-A of the November 1, 2006 letting, the subject line should look like this:

JonesConstructionDrugplan110106-B27780A

Note the only dash is between the letting date and the contract number