



DBE INDUSTRY UPDATE MEETING
OCTOBER 11, 2024 NDDOT BID OPENING

SEPTEMBER 6, 2024 BID OPENING UPDATE

- September 6, 2024
 - 2 Federal Aid Projects
 - 23114 DBE Goal of 4% - ALB achieved 4.07%
 - 23434 DBE Goal of 0% - ALB achieved 3.42%
 - Overall DBE Participation 4.16% adjusted for FAS
 - \$469,904 to DBE Subcontractors
 - \$652,318 to DBE Suppliers
 - \$295,127 to DBE Manufacturers
 - \$25,344 to DBE Trucking
- Up to September bid opening we are at 4.20% - **New 2024-2026 Triennial DBE Goal is 4.25% per latest update (still pending FHWA approval)**
 - **Final FY24 % will be determined once Consultant & Other Fed \$ is added**

OCTOBER 11, 2024 BID OPENING

- 5 Federal Aid Projects – 23560 is not federally funded
- 1 project has a RGC DBE Goal

JOB NUMBER	DBE GOAL
22939	4.50%

- New DBE SP in both RGC & RGN projects
- New Bidders List Requirement
- New Distributor DBE Category
- New Supplier/Distributor Form C

NEW DBE SPECIAL PROVISIONS/FORMS

- Bidders List Requirement - 49 CFR 26.11(c)
 - New/Revamped Form B – SFN 52013
 - Required at time of bid – email to subquotes@nd.gov
 - From all bidders – not just ALB
 - Must collect the following from subs that quoted:
 - Firm Name
 - Firm Address including Zip Code
 - DBE/Non-DBE Status
 - Race & Gender of firms Majority Owner
 - NAICS Code
 - Age of Firm
 - Annual Gross Receipts
- Currently working with BidX to include the form as part of the bid & potentially streamline further once they go web-based

NEW DBE SPECIAL PROVISIONS/FORMS

- DBE Distributor Category - 49 CFR 26.55(e)(3)
 - New DBE Distributor Category – Counted at 40% DBE Participation of Total Contract Value (includes transportation cost – does NOT include sales tax)
 - Do not have to own/operate an establishment, maintain inventory or use own distribution equipment
 - Must demonstrate ownership of materials (paid for by DBE) and assume all risk for loss or damage during transportation
 - Will be required to provide evidence in terms of Purchase Order or Bill of Lading – Indicating Free on Board at point of origin or similar terms that transfer responsibility of the items in question to the DBE from point of origin until point of delivery
 - Materials must be delivered by a 3rd party (e.g. cannot be delivered by manufacturer)
 - New Form C for DBE Supplier/Distributor – SFN 62503
 - Required any time a DBE Supplier or Distributor is used
 - Answers to questions will determine if DBE should be counted at Supplier 60% DBE or Distributor 40% DBE
 - DBE Directory will be updated to identify Distributor/Supplier status, however, SFN 62503 overrides anything listed on DBE Directory

NEW DBE SPECIAL PROVISIONS/FORMS

■ Other DBE SP Updates:

- DBEs used on federal aid projects must be provided a copy of the Proposed Progress Chart within 7 days of project award
- Primes are not required to solicit DBEs that indicate on their Directory Listing that they do not work within ND, however, if a DBE quotes a Prime the quote must be addressed regardless (same for Districts)
- Provide documentation asking subs to solicit DBEs with GFE paperwork (copy of email)
- Non-DBE Subs/Suppliers no longer required to submit quotes to subquotes@nd.gov
- Attach quotes for every Form C
- Attach quotes for both DBE & Non-DBEs in any Bid Differential
- Initial solicitations to DBEs must be made via e-mail
 - Follow-ups can be made via email or telephone
 - Log must be kept, as well as copy of initial email(s)
- New/Updated DBE Category Descriptors
- DBE Trucking 1:1 eligibility may be revoked at any time – year end review being completed

OTHER INFORMATION

- 1 on 1 Meetings with DBE Suppliers that completed a CUF this season
 - Once completed DBE Directory listings may be updated changing status to Distributor
- New Goal Achievement Report for Web (coming October)
 - Award, DBE Goals, Achievement & DBEs Identified on Form Cs
 - Show location on web
- All DBEs added after award need Form C sent to CRD & need to be added to the contract in B2Gnow (can be attached to your sub request in system)
- DBE Directory TIPS Document on Web
- NEW in October – DBEs must confirm being added to a Utilization Plan before it can be submitted
- Updated Replacement Approval Request form:
 - 5 Days required for DBE replacement solicitations - per 49 CFR 26.53 (f)(5)
 - Not to be used as a DBE reduction form – all steps must be taken or Prime may be liable for dollars not paid to original DBE



DBE DIRECTORY UPDATES

New:

Big Knife Resources 9/19/24 (ND)

Removals:

PCS Insultation 9/6/2024 (MT)

Skyview Construction 9/20/2024 (SD)

B&S Martinez Trucking 9/20/2024 (ND)

De Lorenzo L Jackson 9/27/2024 (ND)

Withdrawals:

None

Certification Updates:

*DBEs should regularly check their DBE Directory Listing to make sure all information is up to date and correct. If anything is incorrect, please contact Jessica Stadick-Feist at jstadick@nd.gov



QUESTIONS?

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