

MEMO



To: Disadvantaged Business Enterprise firms

From: Civil Rights Division

Date: February 19, 2014

Re: DBE Confirmation

On federally-assisted ODOT construction projects with Disadvantaged Business Enterprise (DBE) goals, the bidder must make a good faith effort to meet the advertised DBE goal. The bidder must provide the names of DBE firms that will participate in the contract and include a description and dollar value of the work that each DBE will perform. In addition, the DBE firm identified by the bidder must provide written confirmation of their respective type of work and dollar value for the work representing their participation. This is identified as the DBE confirmation and the as-read low bidder is required to submit this to the Office Engineer Division **no later than the close of business on Wednesday following the bid opening.**

Previously, we have allowed the prime bidder to submit the DBE's quote as proof of their commitment to utilize DBE firms to meet the goal. We have found this is insufficient to meet the requirements of the DBE regulation. We require the bidders to use an ODOT form, **DBE Form-6 DBE Confirmation of Intent to Subcontract** to document their commitment to subcontract with a DBE firm and a written confirmation from the DBE firm to perform the work as stated in the bidder's proposal. This is only required if the project has a DBE goal and your firm was named to meet that goal. The form is available from the Office Engineer Order Desk, or can be obtained on the ODOT website by clicking on DBE Information/Reporting Forms/DBE Form-6.

If your firm is named by a bidder to meet a DBE project goal, and that bidder is the as-read low bidder, you will be required to sign this form and return it to the prime contractor. ODOT cannot award contracts to bidders who do not comply with this requirement, therefore, it is extremely important that if you are required to complete this form, you do so and promptly return to the prime contractor so they may attach it to your quote and return to the Office Engineer Division. Should you have any questions, please contact the Civil Rights Division at 405-521-6046.

Civil Rights Division