

**DISADVANTAGED BUSINESS ENTERPRISE (RACE AND GENDER NEUTRAL) for PROFESSIONAL CONTRACTS:**

12-20-07

SP1G63

**Policy**

It is the policy of the North Carolina Department of Transportation that Disadvantaged Business Enterprises (DBEs) as defined in *49 CFR Part 26* shall have the equal opportunity to compete fairly for and to participate in the performance of contracts financed in whole or in part by Federal Funds.

The Firm is also encouraged to give every opportunity to allow DBE participation in Supplemental Agreements.

**Obligation**

The Firm, subconsultant, and subfirm shall not discriminate on the basis of race, religion, color, national origin, age, disability or sex in the performance of this contract. The Firm shall comply with applicable requirements of *49 CFR Part 26* in the award and administration of federally assisted contracts. Failure by the Firm to comply with these requirements is a material breach of this contract, which will result in the termination of this contract or such other remedy, as the Department deems necessary.

**Goals**

Even though specific DBE goals are not established for this project, the Department encourages the Firm to have participation from DBE contractors and/or suppliers.

**Listing of DBE Subcontractors**

The firm, at the time the Letter of Intent is submitted, shall submit a listing of all known DBE firms that will participate in the performance of the identified work. The participation shall be submitted on the Department's Form RS-2. In the event the firm has no DBE participation, the firm shall indicate this on the Form RS-2 by entering the word 'None' or the number 'zero' and the form shall be signed. Form RS-2 may be accessed on the website at <https://apps.dot.state.nc.us/quickfind/forms/Default.aspx>.

**Certified Transportation Firms Directory**

Real-time information about firms doing business with the Department and firms that are certified through North Carolina's Unified Certification Program is available in the Directory of Transportation Firms. The Directory can be accessed by the link on the Department's homepage or by entering <https://apps.dot.state.nc.us/vendor/directory/> in the address bar of your web browser. Only firms identified as DBE certified in the Directory shall be listed in the proposal.

The listing of an individual firm in the Department's directory shall not be construed as an endorsement of the firm's capability to perform certain work.

## **Reporting Disadvantaged Business Enterprise Participation**

When payments are made to Disadvantaged Business Enterprise (DBE) firms, including material suppliers, firms at all levels (Firm, subconsultant or subfirm) shall provide the Contract Administrator with an accounting of said payments. The accounting shall be listed on the Department's Subcontractor Payment Information Form (Form DBE-IS). In the event the firm has no DBE participation, the firm shall indicate this on the Form DBE-IS by entering the word 'None' or the number 'zero' and the form shall be signed. Form DBE-IS may be accessed on the website at <https://apps.dot.state.nc.us/quickfind/forms/Default.aspx>.

A responsible fiscal officer of the payee Firm, subconsultant or subfirm who can attest to the date and amounts of the payments shall certify that the accounting is correct. A copy of an acceptable report may be obtained from the Department of Transportation. This information shall be submitted as part of the requests for payments made to the Department.