

DISADVANTAGED, MINORITY, WOMEN BUSINESS ENTERPRISES (RACE AND GENDER NEUTRAL) PROFESSIONAL SERVICES CONTRACTS ONLY

(8-05-08)

SP1G69

Policy

It is the policy of the North Carolina Department of Transportation that small businesses shall have an equal opportunity to compete fairly for and to participate in the performance of contracts financed in whole or in part by federal and state funds.

The Department is committed to its annual aspirational goal(s) set on all federally-assisted and state funded contracts. Professional Services Contracts are race and gender neutral and do not contain goals. However, the firm is encouraged to give every opportunity to allow DBE/MBE/WBE subconsultant participation on all contracts and supplemental agreements.

Obligation

In compliance with *Title VI, 23 CFR 200, 230, 635, 117 (d) and (e) and 49 CFR Parts 21 and 26*, the Firm and subconsultant shall not discriminate on the basis of race, religion, color, creed, national origin, age, disability or sex in the performance of this contract. 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.

Definitions

Department - North Carolina Department of Transportation

Disadvantaged Business Enterprise (DBE) – A firm certified through the federally-mandated North Carolina Unified Certification Program.

Minority-Owned and Women-Owned Business Enterprises (MBE/WBE) - Firms certified through the state-mandated North Carolina Unified Certification Program.

Small Professional Services Firm (SPSF) – Small professional subconsultant firms who have been certified by the Unified Certification Program administered by NCDOT, and prequalified by the North Carolina Prequalification Unit.

Form RS-2 - Form to be completed showing the participation of all known consultants and subconsultants (SPSFs) who will participate in the performance of the identified work

Form DBE-IS – Form required to record payments made to subconsultants (SPSFs), including material suppliers. The accounting shall be listed on the Department's Subcontractor Payment Information Form (Form DBE-IS).

North Carolina Unified Certification Program (UCP) - A program that provides comprehensive information to applicants for certification, such that an applicant is required to apply only once for a SPSF certification that will be honored by all recipients of USDOT funds in the state and not limited to the Department of Transportation only. The Certification Program is in accordance with *49 CFR Part 26*.

USDOT - United States Department of Transportation, including the Office of the Secretary, the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), and the Federal Aviation Administration (FAA).

Participation

Specific project goals are not established for Professional Services agreements as identified in the scope of work for this contract. However, the Department encourages the utilization of Small Professional Services Firms (SPSF) subconsultants and/or suppliers on professional services contracts let by NCDOT. All DBE/MBE and WBE firms currently certified by the NCDOT Unified Certification Program (UCP) automatically qualify as a SPSF.

Listing of Subconsultants

The firm, at the time the Letter of Interest is submitted, shall submit a listing of all known small professional services firms (SPSF) that will participate in the performance of the identified work. The participation of each SPSF shall be submitted on a separate Form RS-2. In the event the firm has no SPSF/subconsultant 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 and submitted with the Letter of Interest. Form RS-2 may be accessed on the website at: <https://apps.dot.state.nc.us/quickfind/forms/Default.aspx>.

Directory of Approved Transportation Firms

Real-time information about firms doing business with the Department, and firms that are prequalified and approved through North Carolina's Prequalification Unit, 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 small business professional consulting firms (SPSF) and approved (certified and prequalified) in the Directory will be considered for subconsultant utilization.

Reporting Participation

When payments are made to subconsultants, 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 subconsultant 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, or subconsultant, who can attest to the date and amount of the payments shall certify that the accounting is correct on the Form DBE-IS by affixing his/her signature. This information shall be submitted as part of the requests for payments made to the Department.