

EXHIBIT M

For a current, fillable version of this form, see the DBE Program
Forms page at:

http://www.oregon.gov/ODOT/CS/CIVILRIGHTS/Pages/dbe_form.aspx



DISADVANTAGED BUSINESS ENTERPRISE (DBE) WORK PLAN PROPOSAL (FORM 3A) INSTRUCTIONS

WHO SUBMITS

The Disadvantaged Business Enterprise Work Plan Form 3A is required of every DBE subcontractor (both committed and non-committed) and any other committed DBE (regardless of work type) hired to do work on any federally-funded project.

The DBE subcontractor must complete, and the Prime contractor must sign and submit, the completed form. DBE firms shall submit their Work Plan Proposal Form to the Contractor in time for the Contractor to deliver same to the Project Manager at the pre-construction conference. For DBEs hired after the preconstruction conference the Work Plan must be submitted prior to starting work.

PURPOSE

The purpose of the DBE Work Plan proposal is to preview whether the proposed activities and type of work identified will comply with DBE program regulations, particularly with respect to commercially useful function and crediting rules.

This form must be completed with sufficient information about the intended work, personnel, equipment, materials, and performance so that agency reviewers can determine whether the DBE's proposed performance will meet commercially useful function requirements.

Additional information and documentation may be requested by the agency as needed to alleviate program compliance concerns and must be provided promptly according to [49 CFR 26.109](#).

WHAT IS A COMMERCIALY USEFUL FUNCTION (CUF)?

A DBE performs a commercially useful function when it is responsible for execution of the work of the contract and is carrying out its responsibilities by **actually performing, managing, and supervising the work involved**. To perform a commercially useful function, the DBE must also be responsible, with respect to materials and supplies used on the contract, for negotiating price, determining quality and quantity, ordering the material, and installing (where applicable) and paying for the material itself.

To determine whether a DBE is performing a commercially useful function, you must evaluate the amount of work subcontracted, industry practices, whether the amount the firm is to be paid under the contract is commensurate with the work it is actually performing and the DBE credit claimed for its performance of the work, and other relevant factors.

See [49 CFR 26.55](#) for additional information on how a Commercially Useful Function is to be evaluated and how DBE work is to be credited toward meeting DBE goals.

SUBMISSION INSTRUCTIONS

DBE Subcontractor

1. Save the Work Plan on your computer.
2. Print the Work Plan.
3. Sign and date the Work Plan.
4. Send the signed Work Plan to the Prime Contractor.

Prime Contractor

1. Review Work Plan and identify any concerns with the proposed activities. If you have any concerns, return the Work Plan to the DBE for resubmittal.
2. When the DBE Work Plan meets your expectations, sign, date, and send to the Project Manager for review.

Project Manager

Once review is complete and the form has been signed by both you and the OCR Field Coordinator, keep a copy for the project file, send a copy to the OCR Field Coordinator, and return a copy of the reviewed form to the Prime Contractor for their records and distribution to the DBE Subcontractor.



DISADVANTAGED BUSINESS ENTERPRISE (DBE) WORK PLAN PROPOSAL (FORM 3A)

PRIME CONTRACTOR/CONSULTANT
CONTRACT NUMBER

PROJECT NAME		REVISED? <input type="checkbox"/> Yes <input type="checkbox"/> No		REVISION NUMBER	
DBE NAME			DBE OWNER NAME		
ADDRESS				PHONE	FAX
CITY		STATE OR	ZIP	E-MAIL ADDRESS	

A. DBE Work

List the types of work the DBE Subcontractor will perform.

Complete all fields for each bid item. (To add another line, click the "+" button. To delete a line, click the "-" button.)

BID ITEM NUMBER	BID ITEM DESCRIPTION	PARTIAL?	IF YES, EXPLAIN	EST. START DATE	EST. COMPL. DATE

B. Personnel Required

- Supervisor or foreman: Indicate whether the DBE on-site supervisor or foreman is exclusively employed by the DBE (i.e., is not on another company's payroll and does not have ownership in another business.) If the answer is No, explain.

NAME OF DBE ON-SITE SUPERVISOR OR FOREMAN	EXCLUSIVELY EMPLOYED BY DBE?
IF NO, EXPLAIN	

- Other personnel: List the names and craft classifications for all personnel. Indicate whether each individual is regularly employed by the DBE and/or the source from which the individual was/is to be recruited. Complete all fields for each employee. If names are not known, provide the number of employees in each craft in the "employee name" field:

EMPLOYEE NAME	CRAFT CLASSIFICATION	REGULARLY EMPLOYED?	IF NO, RECRUITMENT SOURCE

Optional: Instead, attach a list of employee information. Check here if list is attached:

C. Equipment Required

- List the primary items, implements, or tools that will be used to perform the work of the DBE's subcontract on the project. Equipment includes motorized vehicles such as bulldozers, tractors, concrete rollers, cars, pickups, etc. It also includes flagging signs, radios, and paddles, or other smaller tools if primary to performance of the work. If rented or leased, agency consent to the agreement must be obtained prior to work beginning. Complete all fields for each equipment item:

TYPE OF EQUIPMENT	OWNED, LEASED, RENTED?	LEASE/RENTAL AGREEMENT ATTACHED?

Optional: Instead, attach an equipment list with the required information. Check here if equipment list is attached:

- Trucks: When the DBE has been subcontracted to perform trucking on the project, provide the following additional information regarding all trucks the DBE will use to perform the work. Complete all fields for each truck:

LIC. PLATE NO.	MAKE / MODEL	OWNER NAME	DRIVER NAME	OWNED/LEASED	DBE/NON-DBE

Optional: Instead, attach a truck list with the required information. Check here if truck list is attached:

Attach agreement(s) for any leased or rented equipment, including trucks. Check here if agreement(s) attached:

D. Supplies and Materials Required

- List the supplies and materials to be used on the project. Indicate the source from which the supplies and materials will be obtained. For a DBE supplier committed to meet a DBE goal, attach documentation showing how the DBE meets manufacturer, regular dealer, or broker requirements, as applicable to the credit being claimed. Complete all fields for each supply or material item:

TYPE OF SUPPLY OR MATERIAL	BUSINESS NAME OF SOURCE	SOURCE CONTACT PERSON NAME	SOURCE PHONE NO.

E. Prime Contractor Resources

Describe any plans for the DBE to share any resources of the prime contractor. Prior consent required. Complete all fields for each resource:

DO YOU PLAN TO USE ANY OF THESE PRIME CONTRACTOR RESOURCES?	YES/NO	IF YES DESCRIBE
Personnel		
Equipment		
Tools		
Facilities		
Materials		

F. Additional Information

Provide comments or explanation of any information provided above. Include any plans the DBE has to subcontract work to a lower tier or perform work through a specialty contractor.

COMMENTS OR EXPLANATIONS

The work plan must be signed by the prime contractor and the DBE subcontractor.

By signing below, you certify that the information contained in this report is true and accurate to the best of your knowledge, and that you are authorized to submit this report on behalf of your firm.

DBE SUBCONTRACTOR PRINT NAME AND TITLE	DBE SUBCONTRACTOR SIGNATURE X	DATE
PRIME CONTRACTOR PRINT NAME AND TITLE	PRIME CONTRACTOR SIGNATURE X	DATE

Reviewers: Identify any concerns with the proposed activities meeting DBE program regulations and, if needed, recommend any corrective action required to comply with the regulations.

PROJECT MANAGER COMMENTS		
PROJECT MANAGER PRINT NAME	PROJECT MANAGER SIGNATURE X	DATE

OCR FIELD COORDINATOR COMMENTS		
OCR FIELD COORDINATOR PRINT NAME	OCR FIELD COORDINATOR SIGNATURE X	DATE