

# Oregon Department of Transportation

## COURTESY REMINDER TO BIDDERS

### Changes to Disadvantaged Business Enterprise (DBE) Provisions Implementing the DBE Waiver Effective October 1, 2012

For federally-funded construction projects, the Oregon Department of Transportation has revised its DBE provisions in order to implement a modified [DBE program waiver approved by the U.S. Department of Transportation](#) on August 20, 2012. The revised DBE provisions went into effect for projects first advertised on or after October 1, 2012. Following is a summary of the key changes:

#### **Key Changes to DBE Provisions**

The DBE Supplemental Required Contract Provisions were revised as follows:

**SADBE Added** - The abbreviation *SADBE* and term *Subcontinent Asian American owned Certified Disadvantaged Business Enterprise Contractor or Subcontractor* were added.

**AFDBE Retained** - The abbreviation *AFDBE* and term *African American owned Certified Disadvantaged Business Enterprise Contractor or Subcontractor* were retained.

**ASDBE Deleted** - The abbreviation *ASDBE* and the term *Asian American owned Certified Disadvantaged Business Enterprise Contractor or Subcontractor*, which included both Asian-Pacific American- and Subcontinent Asian American-owned DBEs were deleted.

Throughout the DBE provisions, the term *ASDBE* has been replaced with the term *SADBE* as follows:

In order to increase *AFDBE* and [SADBE](#) Participation on ODOT contracts, the project is assigned a DBE goal for *AFDBE* and [SADBE](#) participation. The Contractor is required to select a portion of work available on the project for *AFDBE* and [SADBE](#) participation. The Contractor may use *AFDBE* or [SADBE](#) subcontractors, suppliers, manufacturers or professional service providers to fulfill the goal as long as the *AFDBE* or [SADBE](#) is certified in the types of work selected. The contract goal on the project remains in effect throughout the life of the contract. Dollar values of participation shall be credited toward meeting the goal based on *AFDBE* and [SADBE](#) gross earnings.

#### **DBE Commitment Certification and Utilization Form**

The DBE Commitment Certification and Utilization Form must be filled out, signed and turned in at the time of bid to be considered responsive. For construction contracts, only amounts committed to AFRICAN-AMERICAN- and/or SUBCONTINENT ASIAN AMERICAN-owned DBEs will count towards meeting the assigned DBE contract goal. Commitments made to other DBEs will not count toward the contract goal. Failure to commit a sufficient amount to *AFDBEs* and/or *SADBEs* to meet an assigned DBE contract goal will result in a non-responsive bid.

#### **Directory of Certified Firms**

A firm's DBE status and ethnicity may be verified in the Directory of Certified Firms available from the Office of Minority, Women and Emerging Small Business (OMWESB) at: <http://www4.cbs.state.or.us/ex/dir/omwesb>.