

ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT
SPECIAL PROVISION
JOB _____

GOALS FOR DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION

A Disadvantaged Business Enterprise (DBE) goal of _____% has been established for this contract. Therefore, the provisions of subsection 103.08 of the Standard Specifications for Highway Construction, Edition of 2003, as revised, apply.

In order to satisfy the requirements of Subsection 103.08(d), a Disadvantaged Business Enterprise Participation form and a Certification to Submit DBE Participation are included with the Proposal Forms.

Requirements of Subsection 103.08 apply to successful bidders that are certified by the Department as a DBE. The Prime Contractor must meet the DBE goal. If the Prime Contractor is a Department certified DBE, then the work the Prime Contractor performs with its own forces, as well as work committed to be performed by DBE subcontractors and suppliers will count toward the goal. Therefore, DBE bidders should list work to be performed with its own forces on the DBE Participation form, along with DBE subcontractors to be utilized in achieving the goal.

All payments made to DBE Contractors, suppliers, manufacturers, and/or non-construction service firms must be reported by the Prime Contractor. This includes all payments made to DBE firms utilized in achieving the project goal and DBE firms that perform work that is not listed in the Disadvantaged Business Enterprise Participation form submitted with the executed Contract.

As required by Subsection 103.08(h), the Prime Contractor must use the appropriate DBE Payment Log form included in this Special Provision during the progress of the Contract. Listed below are the instructions on when each form is required to be submitted.

- The Prime DBE Payment Log (page 4) must be submitted by the Prime Contractor when he/she is a certified DBE Contractor and work was performed by their own forces or money was earned by the DBE Prime Contractor for work performed by a Subcontractor during the estimate period.
- The DBE Subcontractor Payment Log (page 3) must be submitted by the Prime Contractor when a Subcontractor is a certified DBE Contractor and work was performed by a Subcontractor or money was earned by a Subcontractor for work performed by a Second-tier Subcontractor during the estimate period.
- The 2nd Tier DBE Payment Log (page 5) must be submitted by the Prime Contractor when a 2nd Tier Subcontractor is a certified DBE Contractor and work was performed by a 2nd Tier Subcontractor during the estimate period.
- The 2nd Tier DBE Payment Log (page 5) must be submitted by the Prime Contractor when payments are made to a Department Certified DBE supplier, manufacturer, and/or non-construction service firm by the Prime Contractor or any Subcontractor or 2nd Tier Subcontractor during the estimate period.

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GOALS FOR DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION

A separate DBE Payment Log form is required for each DBE firm receiving payments for work completed or services provided during each estimate period. The DBE Payment Log forms, along with instructions for their use, are available on the Department's website at:

http://arkansashighways.com/Construc/SpecBK03/DBE_Log.xls

All certifications of payments must be received by the Resident Engineer within thirty-five (35) calendar days following the end of each estimate period. Facsimile or scanned copies of the completed original payment log forms are acceptable to fulfill this requirement.

Upon completion of the contract, a final certificate of payments to all DBE firms -- page 6 of this Special Provision -- is required by Subsection 103.08 (h). The final amount paid to each DBE firm shall match the total to date reported on the last DBE payment log submitted for each firm. If necessary, an additional DBE payment log shall be submitted with the certificate of payment itemizing all payments made to DBE firms since the last estimate period. A signed, original of the Final Certificate of Payment must be furnished to the Resident Engineer.

**Arkansas State Highway and Transportation Department
DBE Subcontractor Payment Log**

Job Number _____ Prime Contractor _____
 Estimate No. _____ DBE Subcontractor _____
 Estimate Ending Date _____ Date Payment Made to DBE _____

Item Code*	Item Description	Subcontract Unit Price	2 nd Tier Unit Price	Quantity	Value Earned By Subcontractor

* Item Codes for pay items are shown on the estimate voucher

Total This Estimate	
Retainage Withheld This Estimate	
Net Total This Estimate	
_____% Retainage	Previous Total
	Total To Date

DBE Payment Log must be received within 35 calendar days of the ending date of the estimate.

The Prime Contractor certifies that the payment listed has been made to the DBE Subcontractor and that the documentation of this payment is available for inspection upon request.

Authorized Signature _____ Title _____
 Typed or Printed Name _____ Date _____

Department Use Only

Received	By _____	Verified	By _____
	Date _____		Date _____
			RE Initials _____

**Arkansas State Highway and Transportation Department
DBE Prime Contractor Payment Log**

Job Number _____ DBE Prime Contractor _____

Estimate No. _____

Estimate Ending Date _____

Item Code*	Item Description	Contract Unit Price	Sub Unit Price	Quantity	Value Earned By DBE Prime

* Item Codes for pay items are shown on the estimate voucher

Total This Estimate	
Previous Total	
Total To Date	

DBE Payment Log must be received within 35 calendar days of the ending date of the estimate.

The Prime Contractor certifies that the information shown above is correct and represents the value earned by the DBE Prime Contractor during the above estimate period.

Authorized Signature _____ Title _____

Typed or Printed Name _____ Date _____

Department Use Only

Received	By _____	Verified	By _____
	Date _____		Date _____
			RE Initials _____

Arkansas State Highway and Transportation Department

DBE 2nd Tier Payment Log

Job Number _____ Prime Contractor _____
 Estimate No. _____ DBE Subcontractor _____
 Estimate Ending Date _____ DBE 2nd Tier Subcontractor _____
 Date Payment Made to DBE 2nd Tier _____

Item Code*	Item Description	2nd Tier Unit Price	Quantity	Value Earned by 2 nd Tier

* Item Codes for pay items are shown on the estimate voucher

Total This Estimate

Retainage Withheld This Estimate

Net Total This Estimate

_____% Retainage Previous Total

Total To Date

DBE Payment Log must be received within 35 calendar days of the ending date of the estimate.

The Prime Contractor certifies that the payment listed has been made to the DBE 2nd Tier Subcontractor and that the documentation of this payment is available for inspection upon request.

Authorized Signature _____ Title _____
 Typed or Printed Name _____ Date _____

Department Use Only

Received By _____ Date _____

Verified By _____ Date _____

RE Initials _____

**ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT
CERTIFICATE OF PAYMENT**

JOB _____ F.A.P. _____

JOB NAME _____

ORIGINAL CONTRACT AMOUNT \$ _____ DBE GOAL \$ _____
(Contract Commitment) *

DBE CONTRACT GOAL ___%

FINAL PAYMENT TO DBEs

The undersigned Contractor on the above mentioned project hereby certifies that the following amount(s) were paid to:

<u>DBE Subcontractor(s)</u>	<u>Amount Paid</u>	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
Total Paid to DBEs		\$ _____

Only payments related to work, services, or material actually provided by DBE firms should be shown. Payments under second tier subcontracts from DBE firms to non-DBE firms should not be included. **DBE prime Contractors should include the value of work performed by its own forces.**

Contractor:			
Signature:			
Typed or Printed Name:			
Title:		Date:	

THIS "CERTIFICATE OF PAYMENT" IS TO BE SUBMITTED TO THE RESIDENT ENGINEER PRIOR TO PROJECT ACCEPTANCE.

* If goal not met, brief explanation: _____

ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

CERTIFICATION TO SUBMIT DBE PARTICIPATION

JOB _____

If the bidder is not submitting the required DBE participation information or documentation of good faith efforts with the proposal, this form must be completed and submitted with the proposal.

The undersigned bidder irrevocably certifies that at least _____% of the total contract will be performed by certified Disadvantaged Business Enterprise (DBE) firms and the required DBE participation information will be submitted within 10 business days of notification of tentative award of the contract.

If DBE participation sufficient to achieve the DBE goal established for this project is not provided within 10 business days, the proposal will be rejected and the proposal guaranty shall become the property of the Commission, not as a penalty, but as liquidation of damages to the Department's DBE program.

Only work, materials, or services that will actually be provided by DBE firms will be credited toward the goal. The DBE firm's certification must be fully in effect at the letting date.

Bidder

Signature (Owner/Agent)

Date

Title