

# NOTICE TO CONTRACTORS

## THE REQUIREMENT FOR SUBMISSION OF DBE PARTICIPATION INFORMATION HAS CHANGED.

The U.S. Department of Transportation has set forth new guidance concerning its DBE program regulations. Previously, for projects that had a DBE goal, ARDOT required only the apparent low bidder to submit the required DBE participation forms within five calendar days of the bid letting.

Beginning with the **January 8, 2020** letting, **all** bidders, not just the apparent low, will be required to submit the required DBE participation forms within five calendar days of the bid letting.

In accordance with existing specifications, the successful bidder must furnish the required DBE information within five calendar days of the bid letting or the proposal will be rejected and the proposal guaranty forfeited in those instances where an award, conditional or otherwise, is made. The proposal guaranty shall become property of the Commission, not as a penalty, but in liquidation of damages sustained to the DBE Program. The Commission will decide to either award the project to the next lowest, responsive bidder or readvertise the project. Furthermore, any bidder's proposal will be considered non-responsive if their required DBE participation information is not submitted within the required five-day period.

ARDOT will monitor bidders' compliance with the new requirement. Additional, more stringent measures may be implemented as necessitated by the industry's responsiveness.

For more information contact the Department's Program Management Division  
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