



Local Programs Procedures

LPP 04-01 Manual Update

Subject: “Local Agency Bidder-DBE-Information & Final Utilization.”

Reference: *Local Assistance Procedures Manual*, Chapters 15 and 17

Effective Date: January 15, 2004

Approved: **Original Signed By**
TERRY L. ABBOTT, Chief
Division of Local Assistance



USER- FRIENDLY FEATURES:

- The procedures incorporated herein are included in the electronic version of the *Local Assistance Procedures Manual* (LAPM), available on the Division of Local Assistance (DLA) website at: <http://www.dot.ca.gov/hq/LocalPrograms/lam/lapm.htm>. You may also purchase a compact disc (CD), which acts as a one-stop shop for information and promotes flexible access to helpful information for local project deliver.
- Additional user-friendly features were developed to make the manual easier to edit and to access on the DLA website. The added features will allow the user to navigate more quickly through the manual.
- The affected pages of Chapter 15 and 17 are included in this LPP and can be easily inserted into existing hard copies of the LAPM.
- To receive an electronic notification when new information is posted on the DLA website, please subscribe to the DLA list server at:
<http://www.dot.ca.gov/hq/LocalPrograms/sub.htm>.

WHAT IS AN LPP?

LPPs are Local Program Procedures. These documents are used for the rapid deployment of new procedures and policies between updates of the manual and guidelines. They are numbered according to calendar year and order in which released, (i.e., the first LPP issued during the year 2004 is LPP 04-01).

PURPOSE

The purpose of this LPP is to update Exhibits 15-G (Local Agency Bidder-DBE [Construction Contracts]-Information) and Exhibit 17-F (Final Report of Utilization of Disadvantage

Businesses) in the *Local Assistance Procedures Manual* due to the new Supplemental Disadvantaged Business Enterprise (DBE) Final Rule dated June 16, 2003.

BACKGROUND

Local Agency Bidder DBE Information Form 15-G and Final Report of Utilization Form 17-F are required by the Disadvantaged Business Enterprise Program and Federal Highway Administration (FHWA) to demonstrate DBE compliance on local agency projects.

PREVIOUS PROCEDURE

Exhibits 15-G and 17-F were submitted through the districts to Caltrans Headquarters (HQ) on a continuous basis. Once the information was received it was entered into a database and compiled on a quarterly basis for reporting to Civil Rights and FHWA.

NEW PROCEDURE

The local agencies are to submit Exhibits 15-G and 17-F to the DLAE for processing. Once the exhibits are received, each district will be responsible for entering the data directly into LP2000. Exhibits 15-G and 17-F will be maintained on file by the district for auditing purposes. HQ will continue to process the Uniform Report of DBE Awards/Commitments and Payments form quarterly. Civil Rights will process and submit the Uniform Report of DBE Awards to FHWA on a semi-annual basis. Please refer to LPP 01-06 (Reporting Award Information) for more information on submitting an Award Package on the DLAE.

SUMMARY OF CHANGES

LAPM Item	Change
Exhibit 15-G	CT Logo was added to the form to signify a revised form. Title was changed from Local Agency Bidder-DBE Information to Local Agency Bidder DBE (Construction Contracts)-Information. “Total Contract Amount” was added. Under the DBE Certification No., request for an expiration date was added. Also added were Agency, Project Description and Location. Instructions on completing the form were added.
Exhibit 17-F	CT Logo was added to the form to signify a revised form. The box to insert the “Estimated Contract Amount” was changed to “Final Contract Amount”. Request for an expiration date was added under the DBE Certification Number. DBE (Minority) was added under the “Contract Payments” and SMBE and SWBE were removed.



INSTRUCTIONS - LOCAL AGENCY BIDDER-DBE (CONSTRUCTION CONTRACTS)
INFORMATION FORM (Revised 12/03)

The form requires specific information regarding the construction contract: Agency, Location, Project Descriptions, Contract Number (assigned by Local Agency), Federal Aid Project Number (assigned by Caltrans-Local Assistance), Total Dollar Contract Amount, Bid Date, Bidder's Name and Advertised DBE Contract Goal.

The form has a column for the Contract Item Number (or Item No's) and Item of Work and Description or Services to be Subcontracted or Materials to be provided. The DBE should provide their certification number to the Contractor and notify the Contractor in writing with the date of the decertification if their status should change during the course of the contract. The form has a column for the Names of DBE certified to perform the work (must be certified on the date bids are opened and include DBE address and phone number).

There is a column for the total DBE dollar amount. Enter the Total Claimed Participation dollars and percentage amount of items of work (in the "List of Subcontractors") submitted with your bid pursuant to the Subcontractors Listing Law and the Special Provision. (If 100% of item is not to be performed or furnished by the DBE, describe exact portion of time to be performed or furnished by the DBE.)

Exhibit 15-G must be signed and dated by the person bidding. Also list a phone number in the space provided and print the name of the person to contact.

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
LOCAL ASSISTANCE - FEDERAL - FINAL REPORT - UTILIZATION
OF DISADVANTAGED BUSINESS ENTERPRISES (DBE), FIRST-
TIER SUBCONTRACTORS



Revised 12/03

CONTRACT NUMBER		COUNTY	LOCATION	PROJECT DESCRIPTION	FEDERAL AID PROJECT NO.	ADMINISTERING AGENCY		CONTRACT COMPLETION DATE		
PRIME CONTRACTOR/CONSULTANT			BUSINESS ADDRESS			FINAL CONTRACT AMOUNT \$				
ITEM No.	DESCRIPTION OF WORK PERFORMED AND MATERIAL PROVIDED	SUBCONTRACTOR NAME AND BUSINESS ADDRESS	DBE CERT. NUMBER & EXP. DATE	CONTRACT PAYMENTS					FEDERAL SHARE \$	
				NON-DBE	DBE	DBE (MINORITY)	DBE (NON-MINORITY WOMEN)	DBE (MINORITY WOMEN)	DATE WORK COMPLETE	DATE OF FINAL PAYMENT
\$ _____ ORIGINAL COMMITMENT _____ NO.				TOTAL DBE PAYMENTS	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	DBE GOAL ATTAINMENT _____
List all First Tier Subcontractors and all Disadvantaged Business Enterprises (DBE's) regardless of tier, whether or not the firms were originally listed for goal credit. If actual DBE utilization (or item of work) was different than that approved at time										
CONTRACTOR/CONSULTANT REPRESENTATIVE'S SIGNATURE						BUSINESS PHONE NUMBER			DATE	
RESIDENT PROJECT ENGINEERS SIGNATURE						BUSINESS PHONE NUMBER			DATE	
AGENCY										

Distribution: (1) Original plus one copy to DLAE included in the Expenditures (original forwarded to Division of Structures, Office of External Liaison and Agreements)
(2) Copy - local agency files (3) Copy - OLP Area Engineer

EXHIBIT 17-F FINAL REPORT UTILIZATION OF DISADVANTAGED BUSINESSES

Form CP-CEM 2402(F) (Rev. 04/00)

FINAL REPORT – UTILIZATION OF DISADVANTAGED BUSINESS ENTERPRISES (DBE), FIRST-TIER SUBCONTRACTORS (FEDERALLY FUNDED PROJECTS)

The form requires specific information regarding the construction project: Contract Number, County, Route, Post Miles/ Post Kilometers, a box to check that the project is indeed a Federal Aid Project, the Administering Agency, the Contract Completion Date and the Estimated Contract Amount. It requires the Prime Contractor name and Business Address. The focus of the form is to describe who did what by contract item numbers and descriptions, asking for specific dollar values of item work completed broken down by subcontractors who performed the work, both DBE and nonDBE work forces. DBE prime contractors are required to show the date of work performed by their own forces along with the corresponding dollar value of work.

The form has a column to enter the Contract Item No (or Item No's) and Description of work performed or Materials provided, as well as a column for the Subcontractor Name and Business Address. For those firms who are DBE, there is a column to enter their DBE Cert No. The DBE should provide their certification number to the Contractor and notify the Contractor in writing with the date of the decertification if their status should change during the course of the project.

The form has five columns for the dollar value to be entered for the item work performed by the subcontractor.

The NonDBE Column is used to enter the dollar value of work performed for firms who are not certified DBE.

The decision of which column to be used for entering the DBE dollar value is based on what Program(s) the firm is Certified. This Program status is determined by the Civil Rights Certification Unit based on ethnicity, gender, ownership and control issues at time of certification. The certified firm is issued a certificate by the Civil Rights unit that states their program status as well as the firms Expiration Date. DBE Program status may be obtained by accessing the Civil Rights website (www.dot.ca.gov/hq/bep/) and downloading the Calcert Extract or by calling 916 227 2207. Based on this DBE Program status, the following table depicts which column to be used:

DBE Program Status	Column to be used
If program status shows DBE only with no other programs listed	DBE
If program status shows DBE, SMBE	DBE Minority
If program status shows DBE, SMBE, SWBE	DBE (Minority Women)
If program status shows DBE, SWBE	DBE (Non-Minority Women)

If a contractor performing work as a DBE on the project becomes decertified and still performs work after their decertification date, enter the total dollar value performed by this contractor on Form 2402(F) under the appropriate DBE Program Status (include all work performed after decertification) and complete and submit Form CEM-2403 (F) as appropriate. Any comments to be made on the Form 2402 (F) are to be explained on the reverse side of the Form. Indicate in the Comment section that Form CEM 2403(F) is being submitted.

If a contractor performing work as a Non-DBE on the project becomes certified as a DBE enter the dollar value of all work performed as a DBE on CEM-2402(F) and CEM-2403(F). Any comments to be made on the Form 2402 (F) are to be explained on the reverse side of the Form. Indicate in the Comment section that Form CEM 2403(F) is being submitted.

There is a space provided on the CEM-2402(F) where the TOTAL is entered for these five columns.

There is a column on the CEM-2402(F) to enter the Date Work Complete as well as a column to enter the Date of Final Payment, which is an indicator of when the Prime Contractor made the "final payment" to the subcontractor for the portion of work listed as being completed.

The Original Commitment area on the CEM-2402(F) is based on information at Award time of the project and is the total dollar value of those subcontractors listed at Award based on the above table.

The CEM-2402(F) has an area at the bottom where the Contractor and the Resident Engineer sign and date that the information provided is complete and correct.