

**DISADVANTAGE BUSINESS ENTERPRISE PROGRAM  
GREATER ROANOKE TRANSIT COMPNAY D/B/A VALLEY METRO**

**September 1, 1999**

**Amended February 27, 2012; Amended May 24, 2012; Amended June 20, 2012;  
Amended October 27, 2017**

**OBJECTIVES/ POLICY STATEMENT (Section 26.1, 26.23)**


The Greater Roanoke Transit Company (GRTC) has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. GRTC has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, GRTC has signed as an assurance that it will comply with 49 CFR Part 26.

It is the policy of GRTC to ensure that DBE's, as defined in part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also our policy to:

- Ensure nondiscrimination in the award and administration of DOT assisted contracts;
- Create a level playing field on which DBE's can compete fairly for DOT assisted contracts;
- Ensure that the DBE Program is narrowly tailored in accordance with applicable law;
- Ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBE's;
- Help remove barriers to the participation of DBE's in DOT assisted contracts;
- Assist the development of firms that can compete successfully in the market place outside the DBE program.

GRTC's Purchasing Supervisor, Tiffany Ollie has been delegated as the DBE Liaison Officer. In that capacity, the Purchasing Supervisor is responsible for implementing all aspects of the DBE Program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by GRTC in its financial assistance agreements with the Department of Transportation.

GRTC has disseminate this policy statement to GRTC's Board of Director's and all the components of GRTC's organization. We have distributed this statement to DBE and non-DBE business communities that perform work for GRTC on DOT-assisted contracts. To reach these parties, GRTC has posted its policy and a link to the entire program on its website ([valleymetro.com](http://valleymetro.com)), and a publication of notice in legal minority and industry publications.



Signature of General Manager of GRTC

10/27/17  
Date

## SUBPART A- GENERAL REQUIREMENTS

### **OBJECTIVES (Section 26.1)**

The objectives are found in the policy statement on the first page of this program.

### **APPLICABILITY (Section 26.3.)**

GRTC is the recipient of Federal transit funds authorized by Titles I, III, V, and VI of ISTEA, Pub. L. 102-240 or by Federal transit laws in Title 49, U.S. Code, or Titles I, II, and V of the Teas-21, Pub. L. 105-178.

### **DEFINITION (Section 26.5)**

GRTC will adopt the definitions contained in Section 26.5 for this program.

### **NON DISCRIMINATION REQUIREMENTS (Section 26.7)**

GRTC will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR Part 26 on the basis of race, color, sex, or national origin.

In administering its DBE program, GRTC will not, directly or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives of the DBE program with respect to individuals of a particular race, color, sex, or national origin.

### **RECORD KEEPING REQUIREMENTS - REPORTING TO DOT (Section 26.11(b))**

GRTC will report DBE participation to DOT as follows:

Report DBE participation on a semi-annually basis, using DOT Form 4630. These reports will reflect payments actually made to DBE's on DOT-assisted contracts.

### **FEDERAL FINANCIAL ASSISTANCE AGREEMENT ASSURANCE (Section 26.13)**

GRTC has signed the following assurance, applicable to all DOT-assisted contract and their administration:

GRTC shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT assisted contract or in the administration of its DBE Program or the requirements of 49 CFR Part 26. The recipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of DOT assisted contracts. GRTC's DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to GRTC of its failure to carry out its approved program, the Department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter

for enforcement under 18 U.S.C 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

This language will appear in financial assistance agreements with sub-recipients.

**REQUIRED CONTRACT CLAUSES (Section 26.13b) Contract Assurance**

GRTC will ensure that the following clause is placed in every DOT-assisted contract and subcontract:

The contractor, sub-recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT- assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate, which may include but not limited to:

- Withholding monthly progress payments;
- Assessing sanctions;
- Liquidated damages; and/or
- Disqualifying the contractor from future bidding as non-responsive.

**SUBPART B- ADMINISTRATIVE REQUIREMENTS**

**DBE PROGRAM UPDATES (Section 26.21)**

Since GRTC has received a grant of \$250,000 or more in FTA planning capital, and or operating assistance in a federal fiscal year, GRTC will continue to carry out this program until all funds from DOT financial assistance have been expended. GRTC will provide to DOT updates representing significant changes in the program.

**POLICY STATEMENT (Section 26.23)**

The Policy Statement is elaborated on the first page of this program.

**DBE LIASION OFFICER (DBELO) (Section 26.45)**

GRTC has designated the following individual as GRTC's DBE Liaison Officer:

GRTC, Purchasing Supervisor, Tiffany Ollie  
P.O. Box 13247  
Roanoke, Virginia 24032  
(540) 982-0305 Extension 116  
tollie@valleymetro.com

In that capacity, the DBELO is responsible for implementing all aspects of the DBE program and ensuring that GRTC complies with all provisions of 49 CFR Part 26. The DBELO has direct, independent access to the General Manager concerning DBE program matters. An organization chart displaying the DBELO's position in the organization is found in Attachment 1 to this program.

The DBELO is responsible for developing, implementing and monitoring the DBE program, in coordination with other appropriate officials. The DBELO has a staff of three (3) to assist in the administration of the program. Duties and responsibilities include the following:

- Gathers and reports statistical data and other information as required by DOT;
- Reviews third party contracts and purchase requisitions for compliance with this program;
- Works with all departments to set overall annual goals;
- Ensures that bid notices and requests for proposals are available to DBE's in a timely manner;
- Identifies contracts and procurements so that DBE goals are included in solicitations (both race-neutral methods and contract specific goals) and monitors results, when goals are included in solicitations;
- Analyzes GRTC's progress toward attainment and identifies ways to improve progress;
- Participates in pre-bid meetings;
- Advises the General Manager/governing body on DBE matters and achievements;
- Participates with legal counsel and project managers to determine contractor compliance with good faith efforts;
- Provides DBE's with information and assistance in preparing bids;
- Plans and participates in DBE training seminars;
- Provides outreach to DBE's and community organizations to advise them of opportunities; and
- Maintains GRTC's updated directory on certified DBE's.

Those assisting the DBELO in her duties will include:

Purchasing Agent, GRTC, A\*\*\*\*\*  
Accounting Supervisor, GRTC, S\*\*\*\*\*  
Director of Finance, GRTC, S\*\*\*\*\*

These individual will assist the DBELO in researching available DBE companies in the area, outreach to those companies, gathering and entering data, completing required forms, and preparing and monitoring procurement contracts.

#### **DBE FINANCIAL INSTITUTIONS (Section 26.27)**

It is the policy of GRTC to investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community, to make reasonable efforts to use these institutions, and to encourage prime contractors on DOT-assisted contract to make use of these institutions.

GRTC has searched the VDOT DBE directory for qualified companies offering financial and related services. That search found no DBE-certified financial services companies operating in the Roanoke region (defined as Counties of Bedford, Botetourt, Montgomery County, Roanoke, City of Roanoke, City of Salem, and Town of Vinton).

### **PROMPT PAYMENT MECHANISMS (Section 26.29)**

GRTC will include the following clause in each DOT-assisted prime contract:

The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than 30 days from the receipt of each payment the prime contractor receives from GRTC. The prime contractor agrees further to return retainage payments to each subcontractor within 30 days after the subcontractor's work is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of GRTC. This clause applies to both DBE and non-DBE subcontractors.

### **DIRECTORY (Section 26.31)**

GRTC maintains a directory identifying all firms eligible to participate as DBE's. The directory lists the firms name, address, phone number, date of most recent certification, and the type of work the firm has been certified to perform as a DBE. GRTC revises the directory annually. The directory is available at GRTC's Administration Facility located at 1108 Campbell Avenue, S.E., Roanoke, Virginia.

### **OVER CONCENTRATION (Section 26.33)**

GRTC has not identified that over concentration exists in the types of work that DBE's perform.

### **BUSINESS DEVELOPMENT PROGRAMS (Section 26.35)**

As a small transit agency, GRTC has not established a business development program.

### **MONITORING AND ENFORCEMENT MECHANISMS (Section 26.37)**

GRTC will take the following monitoring and enforcement mechanisms to ensure compliance with 49 CFR Part 26.

GRTC will bring to the attention of the Department of Transportation any false, fraudulent, or dishonest conduct in connection with the program, so that DOT can take the steps (e.g., referral to the Department of Justice for criminal prosecution, referral to the DOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided in Section 26.109. GRTC also will consider similar actions under GRTC's legal authorities, including responsibility determinations in future contracts.

GRTC shall require every prime contractor to provide to GRTC by the 15<sup>th</sup> day of the month for work performed in the previous month, report showing a running tally, which includes prior payments, current payments broken down by prime contractor and subcontractors. DBE participation will be credited towards overall and contract goals only when payments are actually made to the DBE firms.

GRTC shall enforce DBE requirements contained in its contracts, including but limited to, the following:

- (1) Breach of contract action, pursuant to the terms of the contract;

- (2) Breach of contract action, pursuant to the Commonwealth of Virginia Code.

In addition the federal government has available several enforcement mechanisms that it may apply to firms participating in the DBE program, including but not limited to, the following:

- (1) Suspension or debarment proceedings pursuant to 49 CFR Part 26;
- (2) Enforcement action pursuant to 49 CFR Part 31;
- (3) Prosecution pursuant to 18 HSC 1001.

GRTC will conduct on-site visits periodically to ensure that the work being performed by the DBE prime(s) and /or subcontractor(s) is in accordance to the signed contracts.

### **SUBPART C- GOALS, GOOD FAITH EFFORTS, & COUNTING**

#### **SET- ASIDES OR QUOTAS (Section 26.43)**

GRTC does not use quotas or set-asides in any way in the administration of this DBE program.

#### **OVERALL GOALS (Section 26.45) AMOUNT OF GOAL**

GRTC has established an overall goal for three (3) – fiscal years intervals FY2017-FY2019 in accordance with the 2-step process as specified in 49 CFR Part 26.45. The goal is 1% of the Federal Financial assistance GRTC will expend in DOT-assisted contracts exclusive of FAT funds for the purchase of transit vehicles. The three (3) year goal may be adjusted to the period to which it applies. The first step is to determine the relative availability of DBE's in the market area, "base figure". The second step is to adjust the "base figure" percentage from Step 1 so that it reflects as accurately as possible the DBE participation the recipient would expect in the absence of discrimination based on past participation, a disparity study and/or information about barriers to entry to past competitiveness of DBE's on projects.

In accordance with Section 26.45(f) GRTC will submit its overall goal to DOT on August 1 at three (3) year intervals. In establishing the overall goal each year, GRTC will consult with minority, women's and general contractor groups, community organizations, and other officials or organizations to obtain information concerning the availability of disadvantage and non-disadvantaged businesses, the effects of discrimination on opportunities for DBE's, and GRTC's efforts to establish a level playing field for the participation of DBE's.

Following this consultation, GRTC will publish a notice of the proposed overall goals, informing the public that the proposed goal and its rationale are available for inspection during normal business hours at GRTC's Administration Building for 30 days following the date of the notice, and informing the public that GRTC and DOT will accept comments on the goals for 45 days from the date of the notice. Notice will be issued in general circulation media and websites. Normally, GRTC will issue this notice by June 1 of each year. The notice will include addresses to which comments may be sent and addresses where the proposal may be reviewed.

GRTC's goal submission to DOT will include a summary of information and comments received during this public participation process and our responses.

GRTC will begin using GRTC's overall goal on October 1 of each year, unless we have received other instructions from DOT.

#### **TRANSIT VEHICLE MANUFACTURERS (TVM) (Section 26.49)**

GRTC will require each transit vehicle manufacturer, as a condition of being authorized to bid or propose on FTA-assisted transit vehicle procurements, to certify that it has complied with the requirements of section 49 CFR Part 26.49. Alternatively, GRTC may, at its discretion and with FTA approvals, establish project-specific goals for DBE participation in the procurement of transit vehicles in lieu of the TVM complying with this element of the program.

GRTC is required to submit, within thirty (30) days of making an award for a federally-funded transit vehicle purchase, the name of the successful bidder, and the total dollar value of the third-party contract in the manner prescribed in the Award agreement. Recipients must also report when exercising an option or a piggybacking on an existing contract or ordering a vehicle from an authorized schedule.

To the extent that a vehicle manufacturer is responding to a solicitation for new or remanufactured vehicles with a vehicle to which the remanufacturer has provided post-production alterations or retrofitting (e.g., replacing major components such as engine to provide a "like" new: vehicle), the vehicle remanufacturer is considered a transit vehicle manufacturer.

#### **BREAKOUT OF ESTIMATED RACE-NEUTRAL & RACE-CONSCIOUS PARTICIPATION (Section 26.51 (a-c))**

GRTC's DBE Program is designed to be race-neutral and its overall DBE participation goal is similarly race-neutral.

GRTC will meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating DBE participation. GRTC uses the following race-neutral means to increase DBE participation by having the Company:

- Consider breaking down contracts into smaller parts, where economically feasible; prorating payments and delivery schedules;
- Use the least complicated bid forms appropriate to each procurement solicitation, and will consider adjusting time, whenever feasible, in order to minimize bidding constraints;
- Provide information on business opportunities for DBE's through the use of local newspaper and other media and by periodically informing the DBE's of such opportunity;
- Encourage formation of joint ventures among DBE's and between disadvantaged and non-disadvantaged firms, which will provide the opportunity for DBE's to gain experience;
- Offer information on its organization and contractual needs;
- Provide DBE's with the opportunity to review and evaluate similar successful bid documents;
- Make available its DBE directory through print and electronic means to the widest feasible universe of prime contractors;

- Hold pre-bid conferences on all major contracts to provide firms the opportunity to have questions answered and to provide GRTC an opportunity to explain DBE requirements.

GRTC estimate that in meeting the overall goal of 1%, GRTC will obtain 1% from race-neutral participation and 0% through race-conscious measures. This estimate is based on GRTC's historical DBE performance from July 1, 2017, through June 30, 2020. GRTC awards contracts to the lowest responsive and responsible bidder through the normal bid procurement process.

GRTC will adjust the estimated breakout of race-neutral and race-conscious participation as needed to reflect actual DBE participation (See Section 26.51(+/-)) and GRTC will track and report race-neutral and race-conscious participation separately. For reporting purposes, race neutral means, but is not necessarily limit to, the following:

- (1) Arranging solicitations, times for the presentation of bids, specifications, and delivery schedules in ways that facilitate participation by DBE's and other small businesses, and by making contracts more accessible to small business, by means such as those provided under Section 26.39 of this part;
- (2) Providing technical assistance and other services;
- (3) Carrying out information and communications programs on contracting procedures and specific contract opportunities (e.g., ensuring the inclusion of DBE's, and other small businesses, on recipient mailing lists for bidders; ensuring the dissemination to bidders on prime contract of lists of potential subcontractors; provisions of information in languages other than English were appropriate);
- (4) Implementing a supportive services program to develop and improve immediate and long-term business management, record keeping, and financial and accounting capability for DBE's and other small businesses;
- (5) Providing services to help DBE's and other small businesses, improve long-term development, increase opportunities to participate in a variety of kinds of work, handle increasingly significant projects, and achieve eventual self-sufficiency;
- (6) Establish a program to assist new, start-up firms, particularly in fields in which DBE's participation has historically been low;
- (7) Ensuring distribution of GRTC's DBE directory, through print and electronic means, to the widest feasible universe of potential prime contractors; and
- (8) Assisting DBE's and other small businesses, to develop their capability to utilize emerging technology and conduct business through electronic media.

**CONTRACT GOALS (Section 26.51(d-g))**

GRTC will use contract goals to meet any portion of the overall goal GRTC does not project being able to meet using race-neutral means. Contract goals are established so that, over the period to which the



overall goal applies, they will cumulatively result in meeting any portion of GRTC's overall goal that is not projected to be met through the use of race-neutral means.

GRTC will establish contract goals only on those DOT-assisted contracts that have subcontracting possibilities. GRTC need not establish a contract goal on every such contract, and the size of the contract goals will be adapted to the circumstances of each such contract (e.g., type and location of work, availability of DBE's to perform the particular type of work)

To ensure that GRTC's DBE program continues to be narrowly tailored to overcome the effects of discrimination, GRTC will adjust the use of contract goals as follows:

If GRTC approved projection estimates that GRTC can meet the entire overall goal for a given year through race-neutral means, GRTC must implement the program without setting contract goals during that year, unless it becomes necessary in order to meet the overall goal.

GRTC will express our contract goals as a percentage of the Federal share of a DOT-assisted contract.

### **GOOD FAITH EFFORTS PROCEDURES (Section 26.53)**

#### **Demonstration of good faith efforts**

The obligation of the bidder/offer is to make good faith efforts. The bidder/offeror can demonstrate that it has done so either by meeting the contract goal or documenting good faith efforts.

The following personnel are responsible for determining whether a bidder/offeror who has met the contract goal has documented sufficient good faith efforts to be regarded as responsive: GRTC General Manager, Purchasing Supervisor and Purchasing Agent.

GRTC will ensure that all information is complete, accurate and adequately documents the bidder/offeror's good faith efforts before GRTC commit to the performance of the contract by the bidder/offeror.

#### **Information to be submitted**

GRTC treats bidder/offeror's compliance with good faith efforts requirements as a matter of responsiveness.

Each solicitation for which a contract goal has been established will require the bidders/offerors to submit the following information at the time of bid:

- The names and addresses of DBE firms that will participate in the contract;
- A description of the work that each DBE will perform;
- The dollar amount of the participation of each DBE firm participating;
- Written and signed documentation of commitment to use a DBE subcontractor whose participation it submits to meet a contract goal;
- Written and signed confirmation from the DBE that it is participating in the contract as provided in the prime contractor's commitment; and
- If the contract goal is not met, evidence of good faith efforts.

### **Administrative reconsideration**

Within five (5) days of being informed by GRTC that it is not responsive because it has not documented sufficient good faith efforts, a bidder/offeror may request administrative reconsideration. Bidder/offerors should make this request in writing to the following reconsideration official: Mr. Carl Palmer, General Manager, P.O. Box 13247, Roanoke, Virginia 24032, (540) 982-0305, [cpalmer@valleymetro.com](mailto:cpalmer@valleymetro.com). The reconsideration official will not have played any role in the original determination that the bidder/offeror did not document sufficient good faith efforts.

As part of this reconsideration, the bidder/offeror will have the opportunity to provide written documentation or argument concerning the issue of whether it met the goal or made adequate good faith efforts to do so. The bidder/offeror will have the opportunity to meet in person with GRTC reconsideration official to discuss the issue of whether it met the goal or made adequate good faith efforts to do. GRTC will send the bidder/offeror a written decision on reconsideration, explaining the basis for finding that the bidder/offeror did or did not meet the goal or make adequate good faith efforts to do so. The result of the reconsideration if not administratively appealable to the Department of Transportation.

### **Good Faith Efforts when DBE is replaced on a Contract**

A prime contractor may not terminate a DBE subcontractor listed without prior written consent. This includes work that a prime contractor can perform with its own forces, or with a non-DBE firm or another DBE firm. Prior to the termination request, GRTC requires the prime contractor to notify the DBE Liaison officer immediately, in writing, of the intent to terminate allowing for five (5) days of response time in opposition of the rejections. The prime contractor must have good cause in which to terminate the DBE firm. A good cause includes:

- DBE fails or refuse to execute a written contract;
- DBE fails or refuses to perform the work consistent with normal industry standards;
- DBE becomes bankrupt or has credit unworthiness;
- DBE is ineligible to work because of suspension and debarment;
- It has been determined that the DBE is not a responsive contractor;
- DBE voluntarily withdraws, with written notification from the contract;
- DBE is ineligible to receive credit for the type of work required;
- DBE owner dies or becomes disabled resulting in the inability to perform the work on the contract; and
- Or other documented compelling reasons.

GRTC will require the prime contractor to notify the DBE Liaison Officer immediately of the DBE's inability or unwillingness to perform and provide reasonable documentation. In this situation GRTC will require the prime contractor to obtain GRTC's prior approval of the substitute DBE and to provide copies of new or amended subcontract, or documentation of good faith efforts. If the contractor fails or refuses to comply in the time specified, GRTC's contracting office will issue an order stopping all or part of payment/work until satisfactory action has been taken. If contractor still fails to comply, the contracting officer may issue a termination for default proceeding.

### **Sample Bid Specification**

The requirements of 49 CFR Part 26, Regulations of the U.S. Department of Transportation, applies to this Contract. It is the policy of GRTC to practice nondiscrimination based on race, color, sex, or national

origin in the award or performance of this contract. All firms qualifying under this solicitation are encouraged to submit bid/proposals. Award of this contract will be conditioned upon satisfying the requirements of the bid specification. These requirements apply to all bidders/offerors, including those who qualify as a DBE. A DBE contract goal of \_\_\_\_% has been established for this contract. The bidder/offeror shall make good faith efforts, as defined in Appendix A, 49 CFR Part 26 (Attachment 1), to meet the contract goal for DBE participation in the performance of this contract.

The bidder/offeror will be required to submit the following information:

- (1) The names and addresses of DBE firms that will participate in the contract;
- (2) A description of the work that each DBE firm will perform;
- (3) The dollar amount of the participation of each DBE firm participating;
- (4) Written documentation of the bidder/offeror's commitment to use a DBE subcontractor whose participation it submits to meet the contract goals;
- (5) Written confirmation from the DBE that it is participating in the contract as providing in the commitment made under (4); and (5) if the contract goal is not met, evidence of good faith efforts.

**COUNTING DBE PARTICIPATION (Section 26.55)**

GRTC will count DBE participation toward overall and contract goals as provided in 49 CFR 26.55. GRTC will not count the participation of a DBE subcontract toward a contractor's final compliance with its DBE obligations on a contract until the amount being counted has actually been paid to the DBE.

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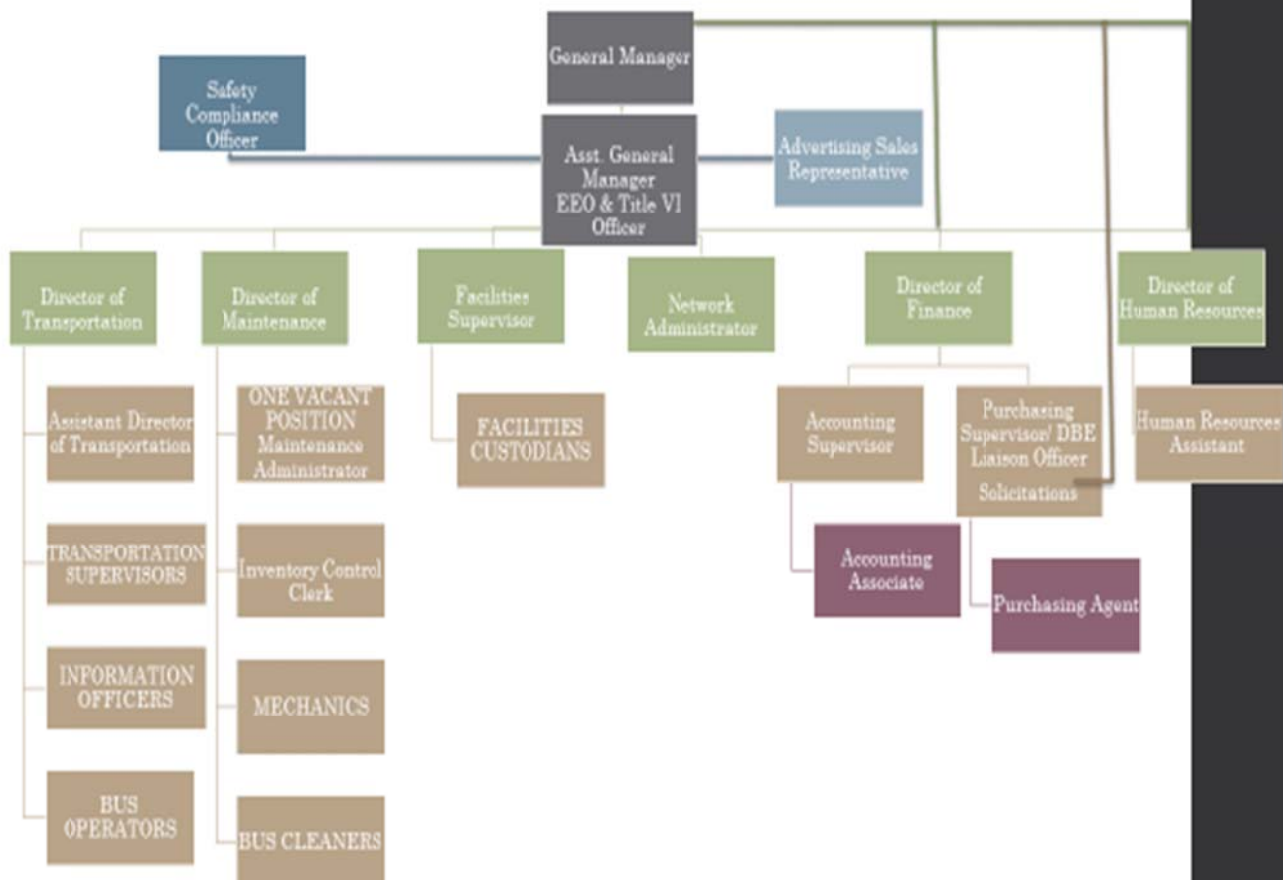
**ATTACHMENTS**

- Attachment 1 Organizational Chart
- Attachment 2 Forms 1 & 2 for Demonstration for Good Faith Efforts
- Attachment 3 Regulations 49 CFR Part 26

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## ATTACHMENT 1- ORGANIZATIONAL CHART

### Southwestern Virginia Transit Management Company Organizational Chart 2017



**ATTACHMENT 2- FORMS 1 & 2 for DEMONSTATION OF GOOD FAITH EFFORTS**

**FORM 1:**

**DISADVANTGE BUSINESS ENTERPRISE (DBE) UTILIZATION**

The undersigned bidder/offeror has satisfied the requirements of the bid specification in the following manner (please check the appropriate space):

\_\_\_ The bidder/offeror is committed to a minimum of \_\_\_% DEB utilization on this contract.

\_\_\_ The bidder/offeror (if unable to meet the DBE goal of \_\_\_%) is committed to a minimum of \_\_\_% DEB utilization on this contract and submits documentation demonstrating good faith efforts.

Name of bidder/offeror's firm: \_\_\_\_\_

State Registration Number: \_\_\_\_\_

By \_\_\_\_\_  
(Signature)

Title: \_\_\_\_\_

**FORM 2:**

**LETTER OF INTENT**

Name of bidder/offeror's firm: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Name of DBE firm: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_  
(Office) (Cell)

Description of work to be performed by DBE firm:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The bidder/offeror is committed to utilizing the above named DBE firm for the work described above. The estimated dollar value of this work is \$ \_\_\_\_\_.

**Affirmation**

The above named DBE firm affirms that it will perform the portion of the contract for the estimated dollar value as stated above.

By \_\_\_\_\_  
(Signature) (Title)

If the bidder/offeror does not receive award of the prime contract, any and all representations in this Letter of Intent and Affirmation shall be null and void.

(Submit this page for each DBE subcontractor)

### **ATTACHMENT 3- REGULATIONS 49 CFR PART 26**

**The regulations can be found at the following link.**

<https://www.gpo.gov/fdsys/pkg/CFR-2010-title49-vol1/pdf/CFR-2010-title49-vol1-part26.pdf>