

MICHIGAN  
DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION  
FOR  
**DISADVANTAGED BUSINESS ENTERPRISES GOAL AT TIME OF BID**

CSD:JDM

1 of 2

APPR:DAP:DBP:07-13-15  
APPR FHWA:07-28-15

**Add the following paragraphs directly below the first paragraph of the subsection 102.15, on page 22 of the Standard Specifications for Construction.**

If the electronic transmittal of the contract and bond forms to the determined low Bidder occurs later than 5 calendar days of the bid letting, and the Department has not received the DBE Participation Sheets or Abbreviated Contractor Good Faith Effort Application from the otherwise determined low Bidder, the Department may award the contract to the next low Bidder, or otherwise exercise its discretion in accordance with subsection 102.13.

If the electronic transmittal of the contract and bond forms to the determined low Bidder occurs prior to 5 calendar days of the bid letting, and the Department does not receive the DBE Participation Sheets or Abbreviated Contractor Good Faith Effort Application from the determined low Bidder within 5 calendar days of the bid letting, the Department may award the contract to the next low Bidder, or otherwise exercise its discretion in accordance with subsection 102.13.

**Add the following paragraph directly below the first paragraph of the subsection 102.17, on page 23 of the Standard Specifications for Construction.**

The determined low Bidder's failure to submit the overall DBE percentage with the bid or the determined low Bidder's failure to submit the DBE Participation Sheets or Abbreviated Contractor Good Faith Effort Application within 5 calendar days of the bid letting as specified in subsection 102.18 will result in the payment of the bid guaranty to the awarding authority if the Bid Appeal Committee denies the appeal as outlined in subsections 102.11 and 102.12.

**Delete the second paragraph of subsection 102.18, on page 24 of the Standard Specifications for Construction in its entirety and replace with the following:**

All Bidders must provide the overall DBE percentage they have attained at time of bid within the DBE Goal folder of the Expedite bid file on all projects with a DBE goal designation.

The two lowest Bidders, regardless of bid status (as checked, if available, or as submitted, if TBA), must provide Disadvantaged Business Enterprise (DBE) Participation Sheets within 5 calendar days of the bid letting. Submit this information using Form 0178 via e-mail to [MDOT-Awards@michigan.gov](mailto:MDOT-Awards@michigan.gov).

If either of the two lowest Bidders, regardless of bid status (as checked, if available, or as submitted, if TBA), are unable to meet the DBE participation goal, an Abbreviated Contractor Good Faith Effort Application must be provided within 5 calendar days of the bid letting. Submit this information using Form 0188A via e-mail to [MDOT-GFE@michigan.gov](mailto:MDOT-GFE@michigan.gov). This

submittal must include the DBE Participation Sheets that will be used to meet any portion of the DBE goal.

A Bidder who fails to meet the DBE participation goal will be deemed ineligible for award of the contract subject to the provisions of subsection 102.18.A.

**Delete subsection 102.18.A, on page 25 of the Standard Specifications for Construction in its entirety and replace with the following:**

If a determined low Bidder is unable to meet the DBE participation goal, additional information relating to their Abbreviated Contractor Good Faith Effort Application specified in subsection 102.18, will be required. That additional information will be submitted in accordance with the current Department DBE Program Procedures. The contract will not be awarded until a determination is made by the Department.