

NOTICE TO BIDDERS

Michigan Department of Transportation DBE Solicitation Good Faith Effort Pilot Process

Notice is given to all bidders that this project is part of a pilot process to obtain DBE participation information from prime and DBE subcontractors for use in the review for determining DBE solicitation good faith efforts.

All pilot projects include the following contract requirements:

1. DBE percentage information will be required to be submitted by all bidders with the electronic bid. If a bidder fails to submit the required documentation with their bid, **that bid will not be considered by the department.**
 - A DBE folder titled “DBE Goal“, similar to the Designated and Specialty Items folder, has been added to the project Expedite bid (EBS) file for the purpose of providing the DBE percentage at the time of bid submittal. Each bidder is required to provide their overall DBE percentage on the project. Further instructions on how to complete the DBE Goal folder can be found at the bid letting information website.
2. Within 2 business days after the bid, the three lowest “as-submitted” bidders shall provide “blue sheet” type information that supports the overall DBE percentage submitted with their bid to Contract Services Division – Construction Contracts Section. The information shall include the project letting item number, the DBE firm name, the DBE firm work category, and the total DBE quote amount. The three lowest “as-submitted” bidders shall also supply information about DBE firms that submitted quotes, but were not selected. For the “as-checked” low bidder this may or may not be their final signed blue sheet (MDOT Form 0178).
3. Within 2 business days after the bid, DBE subcontractors who quoted the three lowest “as submitted bidders” shall submit their quotation information to the Contract Services Division – Construction Contracts Section. The information shall include the contract id or bid letting item number, the name of the prime contractor(s) quoted, the work item(s) quoted, and the unit price quotation(s) for the work item(s) quoted. DBE subcontractors shall submit this information by e-mail or fax within the above timeframe.
4. Within 5 business days after the bid, the “as-checked” low bidder shall submit their signed blue sheets (MDOT Form 0178). If the DBE participation goal is met, no further action is required. If the DBE participation goal is not met, the submittal shall include the low bidder’s Request for Modification/Waiver and their GFE documentation.

5. Within 5 business days of MDOT's receipt of the "as-checked" low bidder's Request for Modification/Waiver (MDOT Form 0188) and GFE submittal, the GFE Review Committee shall meet and issue a determination relative to the low bidder's request for DBE participation modification or waiver. Failure of the GFE Review Committee to issue a determination in this timeframe will result in the Chief Operating Officer and Chief Deputy Director issuing the determination. The GFE Review Committee determination shall include a copy of the committee member's notes and conclusions.
6. Within 2 business days of receipt of an adverse determination, the low bidder may appeal that decision. This appeal shall be made in writing to the Appeal Panel in accordance with the Program Procedures (Good Faith Effort Appeals). The low bidder may request to meet in person with the Appeal Panel.
7. Within 2 business days of receipt of the low bidder's appeal: The Appeal Panel shall meet and issue their determination. The determination of the Appeal Panel is administratively final (not appealable to the U.S. Department of Transportation).