

Welcome!

PortGen: The Importance of DBE Reporting and Participation

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Diversity in Contracting Programs

Women and Minority Business Enterprise (WMBE) Program

The WMBE Program is aimed at providing a level platform to all businesses including women and minority business Enterprise (WMBE) firms to compete and succeed on Port projects.

Guiding Document: Port Commission Resolution 3737

Contract Goal Type: Aspirational WMBE

Prime Requirements: Inclusion Plans, Affirmative Efforts, Contract Compliance.

Contract Types: A/E, Good and Services, Construction

Dollar Value: Above 199K or when subcontracting is available – **Port of Seattle funded**

Certification: Self Identified or Certified

Disadvantaged Business Enterprise Program (DBE)

DBE program is intended to remedy past and current discrimination against disadvantaged business enterprises, to ensure a "level playing field" and foster equal opportunity in DOT-assisted contracts

Guiding Document: 49 CFR Part 26

Contract Goal Type: Mandatory DBE

Prime Requirements: DBE Subcontracting Plan (at bid time), Good Faith Efforts (submit at bid - through contract life), Contract Compliance.

Contract Types: A/E and Construction

Dollar Value: Over \$1 Million Airport/Airfield Focused – **FAA funded and/or Federal funded grants**

Certification: Certified DBE at time of bid

- DOT has the important responsibility of ensuring that firms competing for DOT-assisted contracts for these projects are not disadvantaged by unlawful discrimination.
- The Department's most important tool for meeting this requirement has been its DBE program, which originally began in 1980 as a minority/women's business enterprise program established by regulation under the authority of Title VI of the Civil Rights Act of 1964 and other nondiscrimination statutes that apply to DOT financial assistance programs.

- The Department's Disadvantaged Business Enterprise (DBE) program is designed to remedy ongoing discrimination and the continuing effects of past discrimination in federally-assisted highway, transit, airport, and highway safety financial assistance transportation contracting markets nationwide.
- The primary remedial goal and objective of the DBE program is to level the playing field by providing small businesses owned and controlled by socially and economically disadvantaged individuals a fair opportunity to compete for federally funded transportation contracts.
- The DBE Program's governing rules/regulations can be found within the Code of Federal Regulations (49 CFR Part 26).

DBE Participation Requirements



Certification & NAICS Code

- Must be certified as a DBE in the State of Washington from the Office of Minority, Women and Business Enterprise (OMWBE)
- To qualify as a Disadvantaged Business Enterprise, an individual must be one of the following:
 - Sub continent Asian Americans
 - Asian-Pacific Islanders
 - Black and/or African-American
 - Hispanic
 - Native Americans
 - Women
 - 51% Majority Owner of the business
 - Personal Net worth less than \$1.32 million
- A **NAICS** (pronounced NAKES) **Code** is a classification within the North American Industry Classification System. The **NAICS** System was developed for use by Federal Statistical Agencies for the collection, analysis and publication of statistical data related to the US Economy
- Some agencies post contract bids to businesses within a given NAICS code
- **NAICS Code in which firm received certification –must match scope description on subcontracting plan and/or contract awarded**
- If a request for substitution/termination occurs and is granted, the replacement DBE firm needs to have the same NAICS code/scope of work as the original DBE firm in order to meet the DBE participation goal.

Good Faith Effort(GFE):

“An implied contractual term and it is defined as "what a reasonable person would determine is a diligent and honest effort under the same set of facts or circumstances.".

(49 CFR 26.53[a])

- Good Faith Efforts Form and DBE Proposal form must be submitted at time of bid showing DBE firms solicited and the responses
- Ensure lower Tier Subcontractors Satisfy GFE Requirements
- Follow-up with phone calls, emails
- Keep a log of DBE's who may be available to work on short notice

Note

- **It is the bidder's responsibility to make a portion of the work available to DBE subcontractors and suppliers and to select those portions of the work or material needs consistent with the available DBE subcontractors and suppliers so as to enable DBE participation.**
- **Good Faith Efforts documentation is required to ensure that the Primes, Subs and Owner-Agency are complying with the DBE rules/regulations.**

**DISADVANTAGED BUSINESS ENTERPRISE (DBE)
SEATTLE-TACOMA INTERNATIONAL AIRPORT**

**DOCUMENTATION OF GOOD FAITH EFFORTS FORM
(TO BE COMPLETED AND SUBMITTED WITH SCHEDULE OF CONTRACT PARTICIPATION
IF GOAL NOT MET AND UPON REQUEST.)**

Contact the DBE Office for
questions on completing this form.
Mian Rice
Disadvantaged Business Enterprise
Liaison Officer
phone: (206)787-7951,
or email at rice.m@portseattle.org

Prior to award of a Seattle Tacoma International Airport (SEA) contract, Good Faith Efforts (GFE) are required to be made and demonstrated on all applicable SEA contracts. If you have not attained the amount of DBE participation to meet the contract goal, you are required to complete and submit this Documentation of Good Faith Efforts Form, along with all required supporting GFE documentation.

BIDDERS: *This completed form, along with all required supporting documentation, must be submitted along with the Schedule of Contract Participation by the apparent lowest bidder or upon request. Should the bidder fail to comply with this request, the bid shall be considered non-responsive.*

RESPONDENTS: *This completed form, along with all required supporting documentation, must be submitted along with the Schedule of Contract Participation. Should the respondent fail to comply with this request, the proposal shall be considered non-responsive.*

RFP / RFQ / Bid / Solicitation / Other # Bid / Proposal Amount: \$ Date: / /

Project Title:

has satisfied the requirements of the bid/proposal specifications for the above
Name of Bidder/Respondent Firm

BID / RFP / RFQ or solicitation by the SEA in the following manner: *(Please, check the appropriate box.)*

- ☐ The Bidder / Respondent is unable to meet the DBE contract goal and has completed and submitted DBE Documentation of Good Faith Efforts Form, along with all required supporting GFE documentation.
- ☐ The Bidder / Respondent is unable to meet the DBE contract goal, however is committed to a minimum of % DBE utilization on this contract and has completed and submitted Documentation of Good Faith Efforts Form, along with all required supporting GFE documentation.

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.

PRINTED NAME: SIGNATURE: TITLE

Instructions: Please, complete sections A through D, and include all specific supporting documentation, as outlined below. Attach additional pages, if necessary.

- ☐ **SPECIFIC PORTIONS OF WORK IDENTIFIED FOR DBE SUBCONTRACTOR:** Complete section A.
- ☐ **NOTIFYING CERTIFIED DBEs OF CONTRACTING OPPORTUNITIES:** Please, attach a copy of the announcement and written notices distributed to DBEs. Example: Newspaper, e-mail, mail correspondence, and community outreach notices, etc.
- ☐ **INITIAL SOLICITATION & FOLLOW-UP OF INITIAL SOLICITATION:** Bidders / Respondents may only solicit from the Washington State Office of Minority & Woman's Business Enterprises (OMWBE) Program DBE directory located at <http://www.omwbe.wa.gov/>
- ☐ **NEGOTIATE IN GOOD FAITH:** Please, provide a copy of all correspondence documenting negotiation efforts including written rejection notices and copies of DBE and non-DBE quotes.

DBE PROPOSAL FORM

Reference: Instructions to Bidders, paragraph IB-02.03

Project Name:

Bidder's Name, Address & Phone Number:

Work Project:

Completion of this form is a part of the DBE requirement. List Certified DBE (s) firm(s) only. For Joint Ventures or Partnerships, list certified DBE(s) venture partner(s) only and the dollar value of the work to be performed by the certified DBE(s) partner(s) only. Please complete fully.

BUSINESSES PROPOSED TO FULFILL THE DISADVANTAGED BUSINESS ENTERPRISE REQUIREMENT

Name/Address	Subcontractor/Supplier/Manufacturer	Contact Person	Phone No.	Type of Work	\$Value

Total DBE % or \$: _____

Bidder Signature _____

Date: _____

FOR POS USE ONLY

BID AMOUNT: _____

SUBMITTAL IS APPROVED/REJECTED: _____

Types of Participation

- ***Subcontracting (furnish and install) – 100%***

Furnish and install materials; provides labor

- ***Manufacturing/Fabricating – 100%***

Altering raw materials (e.g. structural steel)

- ***Material Supply /Regular Dealer– 60%***

Must be part of regular inventory

If bulk item (e.g. pipe), must regularly provide item and own or long-term lease distribution equipment (e.g. flatbed truck)

- ***Trucking – 100%***

Trucking firm is owned/operated by DBE and utilizes firm's trucks only

Owns and operates as least one truck plus employs driver, subcontracts other trucking service to DBE firm.

- ***Manufacturer's Representative/Broker – Commission***

or Fee (Must submit copies/documentation showing price/markup)

Federal laws and regulations require that an sponsor (a recipient of federal assistance) include specific clauses in certain contracts, solicitations, or specifications regardless of whether or not the project is federally funded.

- The term **sponsor** is used in this document to mean either an obligated sponsor on a project that is not federally funded, or a sponsor on an AIP funded project.
- The term **Owner** is generally used in the solicitation or contract clauses because of its common use in public contracts.
- An Owner becomes an obligated sponsor upon acceptance of the Airport Improvement Program (AIP) grant assurances associated with current or prior AIP grant funded projects.
- For purposes of determining requirements for contract provisions, the term **contract** includes subcontracts and supplier contracts such as purchase orders.
- For purpose of remaining compliant with its obligations, a sponsor must incorporate applicable contract provisions in all its procurements and contract documents. Unless otherwise stated, these provisions flow down to subcontracts and sub-tier agreements.

- **Note:** Not incorporate the entire contract provisions guidelines in its solicitation or contract documents, whether by reference or by inclusion in whole, could result in the following: A sponsor that fails to properly incorporate applicable contract clauses may place themselves at risk for audit findings or denial of Federal funding.
- Incorporate applicable contract provisions using mandatory language as required.
- (a) Mandatory Language - Whenever a clause or provision has mandatory text, the sponsor must incorporate the text of the provision **without change**, except where specific adaptive input is necessary (e.g. such as the sponsor's name).
 - Require the contractor (including all subcontractors) to insert these contract provisions in each lower tier contract (e.g. subcontract or sub-agreement).
 - Require the contractor (including all subcontractors) to incorporate the applicable requirements of these contract provisions by reference for work done under any purchase orders, rental agreements and other agreements for supplies or services.
 - Require that the prime contractor be responsible for compliance with these contract provisions by any subcontractor, lower-tier subcontractor or service provider.

Contract Language - Example Clause

Part 26.13(b): Each contract you sign with a contractor (and each subcontract the prime contractor signs with a subcontractor) must include the following assurance: 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 is not limited to: (1) Withholding monthly progress payments; (2) Assessing sanctions; (3) Liquidated damages; and/or (4) Disqualifying the contractor from future bidding as non-responsible.

Contract Provisions

- Affirmative Action Requirement
- Breach of Contract
- Buy American Preferences
- Civil Rights – General
- Civil Rights - Title VI Assurances
- (1) Notice - Solicitation
- (2) Clause - Contracts
- Clean Air/Water Pollution Control
- Copeland Anti-Kickback
- Contract Work Hours and Safety Standards
- Davis Bacon Requirements
- Debarment and Suspension
- Equal Employment Opportunity
- (1) EEO Contract Clause
- Federal Fair Labor Standards Act
- Foreign Trade Restriction
- Lobbying Federal Employees
- Occupational Safety and Health Act
- Veteran's Preference

Commercially Useful Function:

“Firm is responsible for the execution of the work of a contract or a distinct element of the work . . . by actually performing, managing, and supervising the work involved.” (49 CFR 26.55[c])

- DBE must perform at least 30% of work with its own workforce
- DBE firms must own or lease trucks and equipment it uses; leases from Primes are not countable unless the Prime firm is a DBE
- Involves Fraud Detection

Commercially Useful Function Elements

All five (5) elements should be reviewed to determine whether the DBE firm is performing a commercially useful function.

- In order for DBE participation to count toward the goal, it is the responsibility of the Agency, Prime, and DBE Firm to know with certain that the DBE firm is indeed performing the scope of work contracted, by conducting a CUF visit.
- A DBE firm **MUST** meet all five elements in order to be CUF compliant. A CUF Failure means no work performed will count toward the goal. There are some exceptions.

1. Management and Supervision
2. Workforce
3. Equipment
4. Materials and Supplies
5. Performance

Applies to ALL Federal contracts and subcontractors (DBE & non-DBE alike)

- Payment required to subcontractor firms for satisfactory completion and acceptance of work.
- Implement Appropriate Mechanisms to Ensure Compliance by All Program Participants
- Ensure work performed by DBE's as indicated in DBE Participation/Subcontracting plan is **paid to DBE firm only**
- **Port of Seattle's Prompt pay clause requires, payment to all subcontractor(s), supplier(s), etc. no later than 10 days upon receiving payment from the Port (i.e. barring no compliance issues)**
- Each project's assigned Contract Administrator submits Pay Estimate for payment after reviewing all contract compliance requirements are met (i.e. Electronic Payroll, Certified Payroll, Apprenticeship Participation/Utilization, Updated Monthly Amounts Paid to all subs)

- The Davis Bacon Act (Davis Bacon, or DBA) was passed by Congress [during the Great Depression](#) to protect workers from low pay due to intense competition for public works projects.

What is certified payroll reporting?

Davis Bacon requires contractors who win a bid on a federally-funded construction contract over \$2,000 to pay their laborers the local prevailing wage and fringe benefits for their work, and to complete a certified payroll report for those employees.

- Certified payroll is a federal form WH-347, submitted weekly to the agency overseeing a government contract.
 - The form lists every employee, their **wages**, the benefits they're entitled to, the type of work they did, and the hours they worked. It shows withholdings and gross **wages** and includes a statement of compliance.
- The primary purpose is to provide the government with a method of oversight to guarantee that its contractors compensate employees "prevailing **wages**" in accordance with **requirements**.

DBE Trucking Credit Worksheet

- A DBE need not provide all the trucks on a contract to receive credit for transportation services, but it must control the entire trucking operations for which it seeks credit (49 CRF 26.55)
- Trucking Credit Worksheet are used to verify that the DBE Firm and/or Owner operator as indeed, certified to perform DBE trucking services.
- Based off of the information contained within the credit worksheet(s), the Port calculates how much participation of trucking service(s) will count toward the DBE goal.
- Must own & operate at least one truck (licensed, insured & operational) using a driver it employs.
- Must control & manage their entire trucking operation.
- Leasing is permitted and counted 100% if leased from another DBE firm
- Leasing from non-DBE, can count/receive credit only for fees/commissions.
- Lease MUST indicate that the DBE has exclusive use of & control over truck(s).
- There can not be a false arrangement for the purpose of meeting DBE goals

DBE Trucking Credit Worksheet

License Plate #	Unit #	Name of DBE Hauling Firm Or DBE Truck Owner/Operator	Amt Paid to DBEs for Work Performed this Month	Total Amt Paid to DBEs to Date	Amt Paid To Non-DBE Haulers	Port of Seattle Use Only
AWASH123	12	ABC Trucking	\$3,000.00	\$4000.00	-	
23WASHB	1	ABC Trucking			-	
CABWASH4	6	T's Truck Service	250.00	250.00	500.00	
DBEWASH5	4	TODAY, LLC	1000.00	500.00	1500.00	

DBE Reporting Requirements



Purpose of Reporting

Why ?

What ?

When ?

How ?



Purpose of DBE Reporting

The numbers TELL a story. The past, present and future for the project and the organization as a whole.

- Reporting dollars paid to subcontractors and paid to date dollars are a contractual requirement
- Federal Aviation Administration (FAA), DOT and State Agencies along with the Port, have a fiduciary duty as stewards of public and federal funds to be accountable and transparent on knowing where the money is actually being spent
- The Port of Seattle wants to ensure that the DBE program is being administered according to the regulations.
- Shows the DBE and Small Business community that The Port of Seattle is committed to increasing opportunities in the community (Not just lip service)



Purpose of DBE Reporting - (Why??)

- Reporting how the money is being spent ensures that project personnel are being transparent (i.e. no fraudulent behavior)
- The integrity and intent of the program is being upheld (i.e. using DBE, LBE, SBE, M/WBE firms)
- Fulfill contractual agreement and compliance policies
Is it really my responsibility?
- YES !!!Everyone is RESPONSIBLE!
- The consequences of not reporting affects EVERYONE at every level (project and organization overall)



Purpose of DBE Reporting - (What??)

- **All money paid to DBE's, Suppliers, Manufacturer's, Truckers and/or Trucking Firms**
- Materials
- Supplies
- Services (Professional & Construction)
- Trucking Credit
- **Certified Payroll**
- **EEO 1 Report (Annual-Due end of July/August)**
- **Apprenticeship Hours**
- Commercially Useful Functions (Onsite Reviews)
- Safety Data (i.e. Any incidents- Safety Dept./Personnel determines when/how/what information is reported, to whom and the format)

Purpose of DBE Reporting - (What??)

- Form WH-347 has been made available for the convenience of contractors and subcontractors required by their Federal or Federally-aided construction-type contracts and subcontracts to submit weekly payrolls.
- **Properly filled out**, this form will satisfy the requirements of Regulations, Parts 3 and 5 (29 C.F.R., Subtitle A), as to payrolls submitted in connection with contracts subject to the Davis-Bacon and related Acts.
- While completion of Form WH-347 is optional, **it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. §§ 3.3, 5.5(a).**
- The Copeland Act (40 U.S.C. § 3145) requires contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week."
- **U.S. Department of Labor (DOL) Regulations at 29 C.F.R. § 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed.**
- DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.
- Under the Davis-Bacon and related Acts, **the contractor is required to pay not less than prevailing wage, including fringe benefits, as predetermined by the Department of Labor.** The contractor's obligation to pay fringe benefits may be met either by payment of the fringe benefits to bona fide benefit plans, funds or programs or by making payments to the covered workers (laborers and mechanics) as cash in lieu of fringe benefits.
- This payroll provides for the contractor to show on the face of the payroll all monies to each worker, whether as basic rates or as cash in lieu of fringe benefits, and provides for the contractor's representation in the statement of compliance on the payroll (as shown on page 2) that he/she is paying for fringe benefits required by the contract and not paid as cash in lieu of fringe benefits

Purpose of DBE Reporting - (What??)

U.S. Department of Labor
Wage and Hour Division

PAYROLL

(For Contractor's Optional Use; See Instructions at www.dol.gov/whd/forms/wh347instr.htm)

Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.



Rev. Dec. 2008

OMB No.: 1235-0008
Expires: 04/30/2021

1 NAME OF CONTRACTOR <input checked="" type="checkbox"/> OR SUBCONTRACTOR <input type="checkbox"/>		ADDRESS		2	
Build-It Construction Co.		17999 Foltz Industrial Parkway, Strongsville, OH 44149			
3 PAYROLL NO. 29	4 FOR WEEK ENDING 07/31/2019	5 PROJECT AND LOCATION 9/021-Lake County Truss Rebuild	6 PROJECT OR CONTRACT NO.		

(1) Name and Individual Identifying number (e.g. last four digits of Social Security number) of worker	(2) # of W/H Exmp	(3) Work Classification	(4) DAY AND DATE							(5) Total Hours	(6) Rate of Pay Non-Hourly*	(7) Gross Amount Earned	(8) DEDUCTIONS					(9) Net Wages Paid For Week		
			10 Earn Code	THU	FRI	SAT	SUN	MON	TUE				WED	FICA	Fed W/H Tax	State & Local W/H Tax	Union Deductions		Other	Total Deductions
				07/25	07/26	07/27	07/28	07/29	07/30				07/31							
				HOURS WORKED EACH DAY																
7 Stevens, Rick L 7451 E. 56th Ave. Cleveland, OH 44132 ***-**-9549	S1	Electrician	9 OT			4.00					4.00	17.50	805.00	61.58	94.24	40.69		210.15	6.66	398.34
	8		REG		8.00	8.00	8.00	8.00	8.00	40.00	17.50	805.00							15 6.66	Race: BL Gender: Ma
Cashman, Arthur A 306 Cavanaugh Hall Cleveland, OH 44132 ***-**-1269	S0	Operators- Foreman							4.00	4.00	21.75	1,000.50	76.54	156.70	56.05			289.29	711.21	
			REG		8.00	8.00	8.00	8.00	8.00	40.00	21.75	1,000.50								Race: WH Gender: Ma
Brandon, Michael A 123 Abbot Berea, OH 44123 ***-**-9856	M0	Laborer	OT						3.00	3.00	19.00	845.50	64.68	73.03	44.95			182.66	662.84	
			REG	10.00	10.00	10.00	10.00			40.00	19.00	845.50								Race: A Gender: Ma

While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. §§ 3.3, 5.5(a). The Copeland Act (40 U.S.C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) regulations at 29 C.F.R. § 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

Public Burden Statement

We estimate that it will take an average of 55 minutes to complete this collection, including time for reviewing instructions searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, ESA, U. S. Department of Labor, Room S3502, 200 Constitution Avenue, N. W., Washington, D. C. 20210.

Equal Employment Opportunity
EMPLOYER INFORMATION REPORT EEO-1

1. Indicate by marking in the appropriate box the type of reporting unit for which this report is submitted. (Mark ONLY ONE BOX.)

(1) ☐ Single establishment (Employer Report)

(2) ☐ Multiple establishment (Employer Report)

(3) ☐ Consolidated Report (Required)

(4) ☐ Federal Government (Required)

(5) ☐ State or Local Government (Required)

(6) ☐ Non-Federal Government (Required)

(7) ☐ Other (Specify in Remarks)

2. Total number of reports being filed by this Company (Employer or Consolidated Employer only)

3. Period: Company

4. Name of Company (Do not include postal or other address; if same as last year, enter "Same")

5. City or town

6. State

7. ZIP code

8. Telephone number (Area code and number)

9. Name of person completing report

10. City or town

11. State

12. ZIP code

13. Employer identification number (EIN) or a DIGIT TAX NUMBER

14. Was an EEO-1 report filed for this establishment last year? ☐ Yes ☐ No

15. Section C—EMPLOYERS WHO ARE REQUIRED TO FILE (To be answered by all employers)

16. Yes ☐ No ☐ 1. Does the entire company have at least 100 employees in the pay (or what) reporting unit?

17. Yes ☐ No ☐ 2. Is your company affiliated through common ownership, control, management, or other activities with an enterprise with a total employment of 100 or more?

18. Yes ☐ No ☐ 3. Under the company or any of its subsidiaries (a) have 50 or more employees AND (b) is not exempt as provided by 41 CFR 101-11.6 (d) either (1) a former government contractor or former subcontractor, and has a contract, subaward, or purchase order (amounting to \$50,000 or more, or (2) owned as a subsidiary of a government entity in any amount, or is a financial institution when it is leasing and paying agent for U.S. Savings Bonds and Savings Bonds?

If the response to question C-3 is yes, please enter your DUNS and Standard Classification number (if you have one):

NOTE: If the answer is yes to questions 1, 2, or 3, complete the entire form, otherwise skip to Section G.



Purpose of DBE Reporting - (How??)

- Project reporting is done via the **Port's CDS System** (Contractors are given their on login to enter the required information per their contract and for each project)
 - Each Prime must enter the **(MAPS) monthly amounts paid** to subs each month (regardless of tier, this includes suppliers, trucking, etc.)
 - Each project has a system of how the information gets to the Reporting Stage (TEAM effort)
 - DBE, LBE, SBE M/WBE Subcontractor submits Invoices, etc.
 - Resident Engineers reviews/approves
 - Pay Estimate approval submitted for payment
 - Contract Administrator/personnel verifies contract requirements are met for payment
 - Information entered into Accounting system
 - Check is Issued
 - Monthly Reports are generated and reviewed during project staff meeting(s)
 - (i.e. Monitoring compliance)



Purpose of DBE Reporting - (When??)

- Monthly
 - Owner/Agency will determine if the reported information is due on a certain date (i.e. 10th, 15th or 30th of each month) Prompt Pay is required due to contractual obligation (pay subcontractor within a specific timeframe (i.e. 10 days) after payment is received from Port of Seattle)
 - Contract Administrator presents DBE Utilization/Participation reports at least once a month to project staff personnel. DBE Program Manager reviews and compares to certified payroll, CUF reports, and MAPS to ensure overall compliance.
- Quarterly
 - DBE Program Manager compiles project(s) data and submits to Executive Leadership/Management by the Diversity in Contracting Dept. overall, detailing DBE projects and goal attainment to date
- Yearly
 - DBE Program Manager submits yearly FAA report on or before Dec. 1, detailing Federally-funded projects, number of DBE Firms, project dollars paid to Primes and to DBE firms.



- Monthly payment report shows how much the subcontractor (all tiers) was paid and when payment was issued
- Can validate information when audited
- Creates a level of consistency and transparency
- Monitoring and ensuring subcontractors are being compliant

Compliance is easy to do, especially when you know the rules and it's apart of the company culture.

Its expected, not a requirement.



DBE Participation and Reporting is a Team Effort!

The DBE Program works best when Owners, Agencies, Primes and DBE Firms know, understand and apply the regulations.

DBE participation and reporting is a critical and required component which Primes and DBE firms should comprehend.

Knowing the purpose behind the documentation requirements, enables all stakeholders to ensure the integrity, continuity, and overall success of the DBE Program.

United States Department of Transportation (USDOT) –US Office of Civil Rights DBE Program

<https://www.transportation.gov/civil-rights/disadvantaged-business-enterprise>

Office of Minority Women’s Business Enterprise (OMWBE) Washington

<https://omwbe.wa.gov/>

49 CFR Part 26

https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr26_main_02.tpl

Department of Labor

www.dol.gov

Federal Aviation Administration

www.faa.gov

Port of Seattle – Diversity in Contracting

www.portseattle.org

Mian Rice – Diversity in Contracting Director

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Tamaka Thornton – DBE Program Manager

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Lawrence Coleman – WMBE Program Manager

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Tina Boyd – WMBE and Disadvantaged Business Coordinator

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