



Bid Opening MBE Participation Submission Requirements

Bidders are responsible for the collection and submission of all MBE documentation and have a choice between **two (2) methods** to submit their MBE Participation Forms as described below:

The **first method** is to upload the forms with the bid submission. The upload portal is located in the Questionnaire Section of the Ocean State Procures (OSP) Solicitation under: “DOT Required Forms [10 Questions] – 10. MBE Participation Requirements (Optional Submission Method).”

The **second method** is for bidders to submit the forms no later than four o’clock (4:00 P.M.) on the third (3rd) business day after the bid opening. Documents must be sent electronically to DOT.Contracts@dot.ri.gov. The Rhode Island Contract Number (RIC No.) shall be clearly identified within the subject line of the e-mail AND all attachments/documentation must be included.

Submissions must be provided through one of the two methods listed above. Failure to submit by four o’clock (4:00 P.M.) on the third (3rd) business day after the bid opening shall result in the bid being deemed nonresponsive and may result in disqualification.

Form Name	MBE Signature Required	Submission Requirement
MBE-001 MBE Pre-Award Utilization Plan		All bidders shall submit an executed MBE-001 identifying MBE/WBE participation to be utilized by the bidder to achieve the assigned contract goal.
MBE-002 MBE Letter of Intent	✓	An executed MBE-002 form must be attached for each participating MBE/WBE firm named on the executed MBE-001. Upon OCR’s approval and RIDOT contract award, the bidder agrees to enter into a subcontract agreement with the named MBE/WBE firm for the identified scope of work and dollar amount.
MBE-006 MBE Good Faith Efforts (GFE)		In the event a bidder is unable to identify enough MBE/WBE participation achieve the assigned contract MBE goal pre-award, an executed MBE-006 and all supporting documentation must be attached to the submitted MBE-001.

Post-Award MBE Participation Form Submission Requirements

Important: All contract work performed by certified MBE/WBE firms must be reported to and monitored by the RIDOT Office of Civil Rights (OCR) whether contract MBE goal is assigned to the contract or not.

All post-award MBE documentation submissions must be submitted directly to the Office of Civil Rights (OCR) AND assigned RIDOT Construction Manager (CM) and Project Manager (PM).

Post-award MBE documentation shall be submitted electronically to: DOT.DBE@dot.ri.gov. The Rhode Island Contract Number (RIC No.) shall be clearly identified within the subject line of the e-mail AND all attachments/documentation must be included in the e-mail.

Form No.	Form Name	Completed by		Submission Requirement
		Prime Contractor	MBE/WBE Firm	
MBE-003	MBE Participation Statement*	✓	✓	For ALL Contracts: An executed MBE-003 and subcontract agreement or purchase order must be submitted to RIDOT OCR for each MBE/WBE firm. For MBE/WBE firms performing Trucking Operation or acting as a Regular Dealer please utilize appropriate forms named below.
MBE-004	MBE Trucking Agreement*	✓	✓	For ALL Contracts: An executed MBE-004 and subcontract agreement or purchase order must be submitted to RIDOT OCR. Note: MBE-004 should only be used for MBE/WBE firms performing trucking operations.
MBE-005	MBE Regular Dealer*	✓	✓	For ALL Contracts: An executed MBE-005 and subcontract agreement or purchase order must be submitted to RIDOT OCR. Note: MBE-005 should only be used for MBE/WBE firms performing as a Regular Dealer.
MBE-006	MBE Good Faith Efforts (GFE)	✓		Assigned Contract Goal: Termination/Substitution: In the event a MBE/WBE commitment identified on the OCR approved Pre-Award MBE Utilization Plan (MBE-001) is reduced and/or terminated, and the Prime is unable to identify additional MBE/WBE Participation to the extent needed to achieve the contract goal, executed MBE-006 and supporting documentation must be submitted to OCR for review. Note: Failure to submit may result in non-compliance determination. Contract Closeout: In the event a contractor is unable to achieve the approved MBE/WBE commitment as identified on MBE-001, the prime is expected to submit the executed MBE-006 (or equivalent) and supporting documentation demonstrating the efforts made by the firm to meet commitment. Note: Failure to submit may result in non-compliance determination. No Contract Goal: No submission/GFE required.
MBE-007	MBE/WBE Termination or Substitution Request	✓	✓	Assigned Contract Goal: In the event a MBE/WBE commitment identified on the approved pre-award utilization plan, or an approved substitution(s) is impacted by a reduction and/or termination the Prime Contractor must adhere to Termination/Substitution requirements. An executed MBE-007 must be submitted to RIDOT OCR for approval. No Contract Goal: Termination or Substitution requirements not applicable.

*To be utilized in the evaluation of the MBE/WBE firm's ability to perform a commercially useful function (CUF). A MBE/WBE firm's certified NAICS codes can be found in the [MBE Directory](#).

Note: Applicable MBE-003, MBE-004, and MBE-005 forms will serve as a cover sheet when submitting a subcontract agreement or purchase order.



RIDOT Pre- Award MBE Utilization Plan

RI Contract Number: _____

Contract Goal: _____

The contractor agrees to ensure that Minority Business Enterprises (MBE) and Women Business Enterprises (WBE) as defined in R.I.G.L 37-14.1 have the maximum opportunity to participate in the performance of federally funded contracts and subcontracts. The contractor shall not discriminate on the basis of race, color, national origin or sex in the award and the performance of Contracts.

An executed MBE-001 must be submitted to RIDOT Contracts no later than 4:00 pm on the 3rd business day after the bid opening. Documents must be submitted electronically to: DOT.Contracts@dot.ri.gov.

Contract Name: _____

Bidder: _____ Contract Value: _____

The MBE and/or WBE firms listed below have been contacted regarding participation on this project. If the contractor is successful and is awarded the contract, it shall assure subcontracts and/or supply agreements are executed with the named MBE and/or WBE(s).

MBE/WBE Commitments (Use additional sheets as needed)

MBE/WBE Firm Name		Commitment

MBE/WBE Firm Name		Commitment

MBE/WBE Firm Name		Commitment

MBE/WBE Firm Name		Commitment

MBE/WBE Firm Name		Commitment

MBE/WBE Firm Name		Commitment

MBE/WBE Firm Name		Commitment

MBE/WBE Firm Name		Commitment

I, acting in my capacity as an officer of the undersigned bidder (or bidders in a joint venture), hereby assure the Department that on this contract, my company: (check one)

Met or exceeded the contract MBE goal. Contract MBE participation is as follows:

Total Contract MBE Commitment \$ _____ **Total Contract MBE Participation** % _____

Did NOT meet contract MBE goal. Good Faith Effort documentation (form MBE-006 or equivalent) is attached. Contract MBE participation is as follows:

Total Contract MBE Commitment \$ _____ **Total Contract MBE Participation** % _____

Attached is documentation demonstrating my company's efforts to achieve the contract MBE goal including but not limited to MBE/WBE Letter(s) of Intent, demonstrating MBE/WBE availability and use of each MBE/WBE indicated above and/or Good Faith Efforts documentation. This contractor understands, once the MBE Utilization Plan has been approved by RIDOT Office of Civil Rights (OCR), a commitment has been made to the above firms, and any changes or reductions to the above MBE/WBE commitments are subject to termination and substitution guidelines. Final contract MBE/WBE credit to be assessed by RIDOT OCR based upon Commercial Useful Function (CUF) performed by the firm and subcontractor payments during contract closeout.

Bidder's Signature and Date

Please note **ALL** MBE/WBE participation must be submitted to and reviewed by OCR **PRIOR** to the start of work to review for MBE/WBE eligibility only. All Subcontractor Agreements are subject to the Construction Management approval process.



RIDOT MBE Letter of Intent

RI Contract Number: _____

Contract Goal: _____

Pre-Award- The Bidder is responsible to attach an executed Letter of Intent and work quote for **EACH** MBE/WBE firm identified on the MBE-001 (MBE Pre-Award Utilization Plan) for the above-named contract.

Executed MBE-002 must be submitted to RIDOT Contracts no later than by 4:00pm on the 3rd business day after the bid opening. Documents must be submitted electronically to: DOT.Construction@dot.ri.gov.

Contractor Information

Bidder: _____	MBE/WBE Subcontractor: _____
Bidder Rep: _____	MBE/WBE Rep: _____
Address: _____	Address: _____
Phone Number: _____	Phone Number: _____

MBE/WBE Performance (to be completed by Prime firm)

In accordance with R.I.G.L. 37-14.1 and 49 CFR 26.55, MBE and WBE Eligibility is dependent upon the firm's ability to perform a Commercially Useful Function (CUF).

Contract MBE/WBE Participation:

Subcontractor	Regular Dealer	Broker
Professional Services	Manufacturer	Joint Venture (JV)

Summary of work and line items to be performed by MBE/WBE Firm:

Applicable NAICS Code:

Estimated Dollar Value of Work: _____

Proposed Bidder Contract Value: _____

Estimated Percentage of Total Contract Value _____

If awarded the contract, the bidder intends to enter into a subcontract with the above-named MBE/WBE firm to perform the work described above. The MBE/WBE affirms they have the ability to manage, supervise and perform the intended scope of work.

Bidder Signature

Date

MBE/WBE Signature

Date

Note: If the bidder is not awarded the prime contract, any and all representation outlined in the Letter of Intent shall be null and void.



MBE Good Faith Efforts (GFE) Documentation

RI Contract Number: _____

Contract Goal: % _____

Instructions:

Pre-Award: In the event a bidder is unable to secure adequate MBE participation to meet contract goal, the firm must demonstrate that it made all reasonable efforts to secure MBE participation in order to achieve the contract MBE goal. An executed MBE-006 must be attached to submitted MBE-001 form and submitted to RIDOT Contracts no later than 4:00 pm on the 3rd business day after the bid opening. Documents must be submitted electronically to: DOT.Contracts@dot.ri.gov.

Post Award: In the event a MBE/WBE commitment outlined on the approved utilization plan is reduced and/or terminated, and the Prime is unable to identify additional MBE/WBE Participation to the extent needed to achieve the contract goal an executed MBE-006 must be submitted to RIDOT OCR to evaluate the additional efforts demonstrated. Documents must be submitted electronically to: DOT.DBE@dot.ri.gov.

To determine whether the bidder/prime contractor has demonstrated Good Faith Efforts (GFE) to achieve the advertised MBE goal on named contract, OCR will consider AT A MINIMUM, the evidence of GFE as demonstrated on this completed form and required supporting documentation. See RIDOT MBE GFE Guidance for additional information.

Contract Information

Contract Name: _____

Prime Contractor: _____ Contract Value: _____

Contract MBE Goal

Type of Request (Check one only)

Pre-Award

Advertised MBE Goal _____%

VS

MBE Commitment _____%

Post -Award

(Includes Termination and/ or reduction in scope of work)

Approved MBE Goal _____%

VS

Proposed MBE Commitment _____%

Project Summary Amounts

Total Prime Bid

Total Dollars committed to Non-MBE/WBE Subcontractors

Total Dollars committed to MBE/WBE Subcontractors
(Excluding suppliers)

Total Dollars committed to MBE/WBE Suppliers
(DBE credit assessed at 60% of supplier commitment)

Total Dollars Performed by the Prime
(Prime bid minus dollars allocated to MBE/WBEs and non-MBE/WBE firms)



MBE Good Faith Efforts (GFE) Documentation

RI Contract Number: _____

Contract Goal: % _____

MBE/WBE's Quoted but NOT Selected*

*All MBE/WBE quotes received but not selected must be attached.

MBE/WBE Subcontractor & and Contact Information	Quoted Dollars	Type of Work Quoted	Reason Not Selected	Explanation (use separate sheet as needed)
			Price Capabilities Other	
			Price Capabilities Other	
			Price Capabilities Other	
			Price Capabilities Other	
			Price Capabilities Other	
			Price Capabilities Other	
Total Number of MBE/WBEs Solicited:				

Non- MBE/WBE Subcontract Agreements*

*In the event a MBE/WBE and non-MBE/WBE firm submitted quotes for the same type of work and the non-MBE/WBE was selected, the non-MBE/WBE quote must be attached.

Non-MBE/WBE Subcontractor & Contact Information	Subcontracted Dollars	Date Subcontract or P.O. Executed	Type of Work
Total dollars to Non- MBE/ WBE for same type of work			

*Please make additional copies of this page as needed



MBE Good Faith Efforts (GFE) Documentation

RI Contract Number: _____

Contract Goal: % _____

Methods Used by the Prime to Solicit MBE Participation

(Select all that apply)

☐	FAX	Attach copies of sample of fax notice. Transmittal including identifying information as to each MBE/WBE such as name, fax number, and copy of fax transmission page. All fax dates must be clearly visible.
☐	TELEPHONE	Attach copy of telephone log displaying the date and time of contact made with each MBE/WBE firm. Log should include telephone number, contact name, and brief notes as to the conversation.
☐	E-MAIL	Attach copies of e-mails sent/responses received in addition to the distribution list
☐	MAIL	Attach copy of Sample Letter, Distribution List, and copies of any returned solicitations
☐	WEBSITE	Website Address: _____
☐	ADVERTISEMENT (attach copy)	Advertisement placed in: _____ Advertisement date: _____
☐	COMMUNITY EVENT	Date/ location of event attended: _____ Name of Prime Staff who attended event _____
☐	OTHER	Describe any additional efforts taken. Attach sample copies if applicable

Good Faith Efforts (GFE) Summary

Attach a separate detailed summary, **on your firm's letterhead** outlining your efforts to obtain MBE participation that are not apparent from the information provided. This is an opportunity for your organization to "tell its story" of how you demonstrated adequate *good faith efforts*. Please remember, OCR will utilize GFE guidance as identified in RIDOT DBE Special Provisions and 49 CFR 26, Appendix A to make a GFE determination. Please consider the following questions, when providing summary. The questions posed below are not intended to be a checklist or an exhaustive list of what is considered in evaluating GFE. Information that is not provided at time of submission will NOT be considered by OCR in the GFE determination.

Additional guidance can be found in the RIDOT MBE GFE Guidance Form

Certification

Good Faith Efforts (GFE) summary and supporting documentation attached.

The undersigned certifies that the provided information is true the best of his/her knowledge.

Prime Representative

Date

Office of Civil Rights Use Only

Date GFE received by OCR

OCR Signature

Date

OCR GFE Determination

Comments:

Approved

Denied

Contractor Notification Date