

**INVITATION FOR BIDS (IFB) 9-1787  
BOOK 1 OF 2**

**METROLINK TRAIN STATIONS  
PLATFORM DETECTABLE TILES  
REPLACEMENT AND PAINTED  
GUIDELINES RESTRIPIING PROJECT**



**ORANGE COUNTY TRANSPORTATION AUTHORITY  
550 South Main Street  
P.O. Box 14184  
Orange, CA 92863-1584  
(714) 560-6282**

**Key IFB Dates**

<b>Issue Date:</b>	<b>April 27, 2020</b>
<b>Pre-Bid Conference/Site Visit:</b>	<b>May 6, 2020</b>
<b>Questions/Approved Equal Submittal:</b>	<b>May 11, 2020</b>
<b>Bid Submittal Date:</b>	<b>May 27, 2020</b>

**FEDERAL TRANSIT ADMINISTRATION FUNDED PROJECT**

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April 27, 2020

**SUBJECT: NOTICE INVITING SEALED BIDS  
IFB 9-1787, "METROLINK TRAIN STATIONS PLATFORM  
DETECTABLE TILES REPLACEMENT AND PAINTED  
GUIDELINES RESTRIPIING PROJECT"**

**TO: ALL BIDDERS**

**FROM: ORANGE COUNTY TRANSPORTATION AUTHORITY**

The Orange County Transportation Authority (Authority) invites sealed bids for **METROLINK TRAIN STATIONS PLATFORM DETECTABLE TILES REPLACEMENT AND PAINTED GUIDELINES RESTRIPIING PROJECT.**

This project consists of the removal and replacement of detectable tiles and removal and restriping of painted guidelines at the Buena Park, Fullerton, Orange, Santa Ana, Laguna Niguel / Mission Viejo, and San Clemente North Beach Metrolink stations.

The estimated cost for this project is \$1,184,950.00. Bidders will be required to hold a valid State of California A license classification.

The Authority has set an **8%** Disadvantaged Business Enterprise (DBE) participation goal for this project.

**Bids must be submitted at or before 11:00 a.m., May 27, 2020.**

Bids delivered in person or by a means other than the U.S. Postal Service shall be submitted to the following:

**Orange County Transportation Authority  
Contracts Administration and Materials Management  
600 South Main Street, (Lobby Receptionist)  
Orange, California 92868  
Attention: Sonja Gettel, Senior Contract Administrator**

Or bids delivered using the U.S. Postal Service shall be addressed as follows:

**Orange County Transportation Authority  
Contracts Administration and Materials Management  
550 South Main Street  
P.O. Box 14184  
Orange, California 92863-1584  
Attention: Sonja Gettel, Senior Contract Administrator**

Bids and amendments to bids received after the date and time specified above will be returned to the bidders unopened.

Bidders interested in obtaining a copy of this Invitation for Bids (IFB) may do so by downloading the IFB from CAMM NET the Authority's on-line website at <https://cammnet.octa.net>.

All bidders and subcontractors interested in doing business with the Authority are required to register their business on-line at CAMM NET. The website can be found at <https://cammnet.octa.net>. From the site menu, click on CAMM NET to register.

To receive all further information regarding this IFB, bidders and subcontractors must be registered on CAMM NET with at least one of the following commodity codes for this solicitation selected as part of the vendor's on-line registration profile:

Category:

Facility; Equipment, Supplies

Rail Equipment  
Construction

Commodity:

Building: Maintenance,  
Equipment, Supplies, etc.  
Rail - Station Equipment  
Construction (General)  
Masonry  
Painting Contractor  
Railroad  
Tile / Store Install

A pre-bid conference will be held on May 6, 2020, at 9:00 a.m. at the Authority's Administrative Office, 550 South Main Street, Orange, California, in Conference Room 07. Immediately following the pre-bid conference, a job walk will be conducted at the Buena Park Metrolink Station followed by the Fullerton Metrolink Station. A job walk will be conducted at the Orange, Santa Ana, Laguna Niguel / Mission Viejo, and San Clemente Metrolink stations on May 7, 2020. All prospective bidders are strongly encouraged to attend.

The contract to be awarded is subject to a financial assistance contract between the Orange County Transportation Authority, and the U.S. Department of Transportation. All Bidders will be required to certify that they are not on the Comptroller General's List of Ineligible Contractors.

All bidders are encouraged to subcontract with small businesses to the maximum extent possible.

Bidders will be required to submit the name, business address, and California contractor license number of each subcontractor who will perform work or labor or render service to the bidder in or about the work in an amount in excess of one-half of one percent ( $1/2$  of 1 %) of the bidder's total bid. If a subcontractor's California contractor license number is submitted incorrectly, it will not be grounds for filing a bid protest or grounds for considering the bid nonresponsive if the corrected subcontractor's California contractor license number is submitted to the Authority within 24 hours after the bid opening.

The successful bidder will be required to comply with all applicable equal opportunity laws and regulations.

Award of this contract is subject to receipt of federal, state and/or local funds adequate to carry out the provisions of the agreement including the project specification.

All bidders must register with the Department of Industrial Relations pursuant to Labor Code Section 1725.5. A bidder is exempt from this requirement pursuant to Labor Code Section 1771.1(a) if the bidder submits a bid authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the bidder is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded.

A bid submitted by a contractor or subcontractor will not be accepted or entered into without proof of the contractor or subcontractor's current registration to perform public work pursuant to Labor Code Section 1725.5.

The bid requires an on-site Health Safety and Environmental (HSE) representative to be present at all times during construction. The representative must have a current Board of Certified Safety Professionals (BCSP) certification and a minimum of five years of experience enforcing HSE compliance. The complete requirements are found in the Level 3 HSE Specifications. BCSP certification requirements may be found at: <https://www.bcsp.org/Safety-Certifications>.

**SECTION I: INSTRUCTIONS TO BIDDERS**

## **SECTION I. INSTRUCTIONS TO BIDDERS**

### **A. PRE-BID CONFERENCE/SITE VISIT**

A pre-bid conference will be held on May 6, 2020 at 9:00 a.m. at the Authority's Administrative Office, 550 South Main Street, Orange, California, in Conference Room 07. Immediately following the pre-bid conference, a job walk will be conducted at the Buena Park Metrolink Station followed by the Fullerton Metrolink Station. A job walk will be conducted at the Orange, Santa Ana, Laguna Niguel / Mission Viejo, and San Clemente Metrolink stations on May 7, 2020. The site visit locations and schedule are as follows:

#### **May 6, 2020 - Immediately following the pre-bid conference**

1. Buena Park Station  
8400 Lakeknoll Drive, Buena Park, California 90621
2. Fullerton Station  
120 East Santa Fe Avenue, Fullerton, California 92832

#### **May 7, 2020 – 9:00 a.m.**

1. Orange Station  
194 North Atchison Street  
Orange, California 92866
2. Santa Ana Station  
1000 East Santa Ana Boulevard, Santa Ana, California 92701
3. Laguna Niguel / Mission Viejo Station  
28200 Forbes Road, Laguna Niguel, California 92677
4. San Clemente Station  
1850 Avenida Estacion, San Clemente, California 92672

All prospective bidders are strongly encouraged to attend the pre-bid conference and the site visit.

By investigation of the work site, bidder shall be satisfied as to the nature and location of the work and shall be fully informed as to all conditions and matters, which can in any way affect the work or the cost thereof. Prospective bidders should familiarize themselves with Authority safety rules that require that pedestrians must wear approved safety vests. **Please bring a safety vest for the job walk.**

**B. EXAMINATION OF DOCUMENTS**

By submitting a bid, the bidder represents that it has thoroughly examined and become familiar with the work required under this IFB and that it is capable of performing quality work to achieve the authority's objective.

A Bid Booklet has been furnished as Book 2 of this IFB.

**C. ADDENDA**

The Authority reserves the right to revise the IFB documents. Such, if any, will be made by written addendum to this IFB. Any written addenda issued pertaining to this IFB shall be incorporated into the terms and conditions of any resulting Agreement. The Authority will not be bound to any modifications to or deviations from the requirements set forth in this IFB as the result of oral instructions. Bidders shall acknowledge receipt of Addenda in their bids. Failure to acknowledge receipt of Addenda may cause the bid to be deemed non-responsive to this IFB and be rejected.

**D. AUTHORITY CONTACT**

All communication and/or contacts with Authority staff regarding this IFB are to be directed to the following Contract Administrator:

Sonja Gettel, Senior Contract Administrator  
Contracts Administration and Materials Management Department  
600 South Main Street  
P.O. Box 14184  
Orange, CA 92863-1584  
Phone: 714.560.5562, Fax: 714.560.5792  
Email: sgettel@octa.net

Commencing on the date of the issuance of this IFB and continuing until award of the contract or cancellation of this IFB, no bidder, subcontractor, lobbyist or agent hired by the proposer shall have any contact or communications regarding this IFB with any Authority's staff; member of the evaluation committee for this IFB; or any contractor or consultant involved with the procurement, other than the Contract Administrator named above or unless expressly permitted by this IFB. Contact includes face-to-face, telephone, electronic mail (e-mail) or formal written communication. Any bidder, subcontractor, lobbyist or agent hired by the bidder that engages in such prohibited communications may result in disqualification of the bidder at the sole discretion of the Authority.



**E. CLARIFICATIONS OF SPECIFICATIONS AND APPROVED EQUALS****1. Specifications Review**

Should a bidder find discrepancies in, or omissions from, the drawings or specifications, or be in doubt as to their meaning, the bidder shall notify the Authority in writing in accordance with item 3 ("Submitting Requests"), below. Should it be found that the point in question is not clearly and fully set forth; a written addendum clarifying the matter will be sent to all firms registered on CAMM NET under the commodity codes specified in the IFB.

**2. Preference for Materials**

In accordance with the California Public Contract Code Section 3400, reference to any equipment, material, article or patented process, by trade name, make, or catalog number, shall not be construed as limiting competition. In those cases where the specifications call for a designated material, product, or service by specific brand or trade name and there is only one brand or trade name listed, the item involves a unique or novel product application required to be used in the public interest or is the only brand or trade name known to the Authority.

Where the specifications or drawings identify any material, product or service by one or more brand names, whether or not "or equal" is added, and the bidder wishes to propose the use of another item as being equal, approval shall be requested as set forth in below.

**3. Submitting Requests**

- a.** All requests for approved equals, clarification of specifications, or questions must be put in writing and must be received by the Authority no later than 5:00 p.m., on May 11, 2020.
- b.** Requests for approved equals, clarifications, questions must be clearly labeled, "Written Questions". The Authority is not responsible for failure to respond to a request that has not been labeled as such.
- c.** Any of the following methods of delivering written questions are acceptable as long as the questions are received no later than the date and time specified above:

1. U.S. Mail: Orange County Transportation Authority,  
P.O. Box 14184, Orange, California 92863-1584
2. Courier/Overnight: Orange County Transportation Authority,  
600 South Main Street, 4<sup>th</sup> floor, Orange, California 92868
3. Facsimile: (714) 560-5792
4. E-Mail: sgettel@octa.net

- d. Any request for an approved equal or clarification of the specifications must be fully supported with technical data, test results, or other pertinent information as evidence that the substitute offered is equal to or better than the specification requirements. The burden of proof as to the equality, substitutability, and the compatibility of proposed alternates or equals shall be upon the bidder, who shall furnish all necessary information at no cost to the Authority. The Authority shall be the sole judge as to the equality, substitutability and compatibility of the proposed alternatives or equals.

#### 4. Authority Responses

Responses from the Authority will be posted on CAMM NET, no later than five (5) calendar days before the scheduled date of bid opening. Bidders may download responses from CAMM NET at <https://cammmnet.octa.net>, or request responses may be sent via U.S. Mail by e-mailing or faxing the request to Sonja Gettel, Senior Contract Administrator.

To receive e-mail notification of Authority responses when they are posted on CAMM NET, bidders and their subcontractors must be registered on CAMM NET with at least one of the following commodity codes for this solicitation selected as part of the vendor's on-line registration profile:

<u>Category:</u>	<u>Commodity:</u>
Facility; Equipment, Supplies	Building: Maintenance, Equipment, Supplies, etc.
Rail Equipment	Rail - Station Equipment
Construction	Construction (General)
	Masonry
	Painting Contractor
	Railroad
	Tile / Store Install

Inquiries received after 5:00 p.m. on May 11, 2020, will not be responded to.

**F. SUBMISSION OF BIDS**

**1. Date and Time**

**Bids must be submitted at or before 11:00 a.m., May 27, 2020.**

Bids received after the time due will be rejected without consideration or evaluation.

Bids will be publicly opened in the Authority's Administration Office, 600 South Main Street, Orange, California 92868 at the submission time indicated above.

**2. Address**

Bids delivered in person or by a means other than the U.S. Postal Service shall be submitted to the following:

**Orange County Transportation Authority  
Contracts Administration and Materials Management (Camm)  
600 South Main Street, (Lobby Receptionist)  
Orange, California 92868  
Attention: Sonja Gettel, Senior Contract Administrator**

Or bids delivered using the U.S. Postal Services shall be addressed as follows:

**Orange County Transportation Authority  
Contracts Administration and Materials Management (Camm)  
P.O. Box 14184  
Orange, California 92863-1584  
Attention: Sonja Gettel, Senior Contract Administrator**

**3. Bid Booklet and Identification of Bids**

Bids must be submitted on the forms provided in the Bid Booklet (Book 2 of 2) that accompanies this IFB. Bids shall include properly completed bidding forms. The bid forms must be enclosed in a sealed package clearly marked as follows:

**IFB 9-1787, "METROLINK TRAIN STATIONS  
PLATFORM DETECTABLE TILES REPLACEMENT AND  
PAINTED GUIDELINES RESTRIPIING PROJECT"**

Bidder shall be entirely responsible for any consequences, including disqualification of the bid, resulting from any inadvertent opening of

unsealed or improperly identified packages. It is the bidder's sole responsibility to see that its bid is received as required.

**G. PRE-CONTRACTUAL EXPENSES**

The Authority shall not, in any event, be liable for any pre-contractual expenses incurred by bidder in the preparation of its bid. Bidder shall not include any such expenses as part of its bid.

Pre-contractual expenses are defined as expenses incurred by bidder in:

1. Preparing a bid in response to this IFB;
2. Submitting that bid to the Authority;
3. Negotiating with the Authority any matter related to this bid; and
4. Any other expenses incurred by bidder prior to date of award, if any, of the Agreement.

**H. JOINT BIDS**

Where two or more firms desire to submit a single bid in response to this IFB, they should do so on a prime-subcontractor basis rather than as a joint venture. The Authority intends to contract with a single firm and not with multiple firms doing business as a joint venture.

**I. TAXES**

Bids are subject to State and Local sales taxes. However, the Authority is exempt from the payment of Federal Excise and Transportation Taxes. Contractor is responsible for payment of all taxes for any goods, services, processes, and operations incidental to or involved in the contract.

**J. BID SECURITY FORMS**

Bids shall be accompanied by a certified or cashier's check, or an acceptable bid bond for an amount not less than ten percent (10%) of the bid, made payable to the order of the Orange County Transportation Authority. A corporate surety (not an individual surety), registered in the state of California and registered to do business in the county of Orange must issue bid bonds. Said check or bond shall be given as a guarantee that the bidder will enter into a contract if awarded the work and in case of refusal or failure to enter into said contract, the check or bond, as the case may be, shall be forfeited to the Authority.

**K. WITHDRAWAL OF BIDS**

Bidders may withdraw its bid at any time prior to the time set for opening of bids by means of written request signed by the bidder or its proper authorized representative. Such written request shall be delivered to the Contracts Administrator at the address noted in the cover notice of this IFB.

## L. PREVAILING WAGES

This project is funded under a financial assistance contract by the U.S. Department of Transportation and is subject to all conditions of the Davis-Bacon Act (40 U.S.C. 3141–48), as supplemented by the Department of Labor regulations 29 CFR part 5, and the Labor Code of the State of California commencing in Section 1770 et. seq. It is required that all mechanics and laborers employed or working at the site be paid not less than the current basic hourly rates of pay and fringe benefits. Wage schedules are available at the Authority's Offices, which shall be made available to any interested party upon request, or on the internet at:

[http://www.dir.ca.gov/OPRL/statistics\\_research.html](http://www.dir.ca.gov/OPRL/statistics_research.html) and  
<http://www.access.gpo.gov/davisbacon/>.

A copy of said rates shall be posted at each job site during the course of construction.

Bidders shall utilize the relevant prevailing wage determinations in effect on the first advertisement date of the Notice Inviting Sealed Bids. In the event there are any differences between the minimum wage rates as determined by the United States Secretary of Labor and those determined by the State of California, the highest rate must be paid.

This Agreement is subject to compliance monitoring and enforcement by the Department of Industrial Relations. The Department of Industrial Relations shall monitor and enforce compliance with applicable prevailing wage requirements for this Agreement. The reporting requirements may be found at <https://www.dir.ca.gov/Public-Works/Contractors.html>. Bidder is responsible for complying with all requirements of the Department of Industrial Relations, including filing electronic payroll reports.

A contractor or subcontractor will not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work on a public works project unless registered with the Department of Industrial Relations pursuant to Labor Code Section 1725.5. It is not a violation of Labor Code Section 1771.1 for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded.

A contractor or subcontractor will not be qualified to bid on, be listed in a bid proposal, subject to Section 6190 of the public Contract Code, or engage in the performance of any contract for public work on a public works project if the contractor or subcontractor is ineligible to perform work pursuant to Section 1777.1 or 1777.7 of the Labor Code.

A bid submitted by a contractor or subcontractor will not be accepted or entered into without proof of the contractor or subcontractor's current registration to perform public work pursuant to Labor Code Section 1725.5.

## M. SUBCONTRACTORS AND ASSIGNMENTS

The successful bidder shall perform work equivalent to **at least ten percent (10%) of the total amount of the construction work** at the site; and, perform the work on the site with its own staff.

Pursuant to the provisions of the California Public Contract Code Section 4104, every bidder shall in the bid set forth:

1. The name, business address, California contractor license number, and public works contractor registration number issued pursuant to Section 1725.5 of the Labor Code of each subcontractor who will perform work or labor or render service to the bidder in or about the work in an amount in excess of one-half of one percent (1/2 of 1 %) of the bidder's total bid; and
2. The portion of the work that will be done by each subcontractor. The bidder shall list only one subcontractor for each portion of work as defined by the bidder in its bid.
3. The dollar amount of the work, which will be done by each such subcontractor.

Bidder shall complete Exhibit D "List of Subcontractors" with the above requested information.

If a subcontractor's California contractor license number or public works contractor registration number are submitted incorrectly in the bid, it will not be grounds for filing a bid protest or grounds for considering the bid nonresponsive if the corrected subcontractor's California contractor license number is submitted to the Authority within 24 hours after the bid opening.

If the bidder fails to specify a subcontractor for any portion of the work to be performed under the contract in excess of one-half of one percent (1/2 of 1 %) of the bidder's total bid, or if the bidder specifies more than one (1) subcontractor for the same portion of the work to be performed under the contract in excess of one-half of one percent (1/2 of 1 %) of the bidder's total bid, the bidder agrees to perform that portion. **The successful bidder shall not, without the express written consent of the Authority, either:**

1. Substitute any person, firm, or corporation as subcontractor in place of the subcontractor designed in the original bid; or
2. Permit any subcontract to be assigned or transferred; or

3. Allow it to be performed by anyone other than the original subcontractor listed in the bid.

Each bidder shall set forth in its bid the name and location of the place of business address of each subcontractor certified as a Disadvantaged Business Enterprise who will perform work or labor or render service to the prime contractor in connection with the performance of the contract.

Bidder shall not assign any interest it may have in any Agreement with the Authority, nor shall bidder assign any portion of the work under any such Agreement with a value in excess of one-half of one percent ( $1/2$  of 1%) of Agreement price to be sub-contracted to anyone other than these subcontractors listed in Exhibit D in the "List of Subcontractors," except by prior written consent of Authority. Authority's consent to any assignment shall not be deemed to relieve bidder of its obligations to fully comply with its obligations under its Agreement with the Authority. Bidder with its own forces shall perform minimum of ten percent (10%) (calculated as a percentage of the total cost of the project) under this Agreement. Bidder shall also include in its subcontract agreements the provisions of its Agreement with Authority including the stipulation that each subcontractor shall maintain adequate insurance coverage compatible to the insurance coverage required of the bidder.

#### **N. BIDDER'S LICENSING REQUIREMENTS**

In conformance with the current statutory requirements of Section 7028.15 of the Business and Professions Code of the State of California, regarding submission of a bid without a license, the bidder shall provide as part of the bid a valid State of California license number, class or type and date of expiration.

Furthermore, the bidder shall ensure that all subcontractors fully comply with the appropriate licensing requirements. The bidder shall also certify that all information provided and representations made in the bid are true and correct, and made under penalty of perjury. Bidders shall provide this information on Exhibit D, "List of Subcontractors" presented in the IFB. Failure to provide the information on the certification form or elsewhere as part of the bid shall render the bidder nonresponsive to this solicitation and will result in the rejection of the bid.

#### **O. PERMITS AND INSPECTION COSTS**

Successful bidder shall procure all permits and licenses; pay all charges, assessments and fees, as may be required by the ordinances and regulations of the public agencies having jurisdiction over the areas in which the work is located, and shall comply with all the terms and conditions thereof and with all lawful orders and regulations of each such public agency relating to construction operations under the jurisdiction of such agency.

**P. LIQUIDATED DAMAGES**

In the event bidder, after entering into an Agreement with the Authority, fails to complete the work within the time specified in the Agreement, the bidder will be required to pay the Authority the amount of **\$900.00 per calendar day** of delay as agreed to liquidated damages.

**Q. PROTEST PROCEDURES**

The Authority has on file a set of written protest procedures applicable to this solicitation that may be obtained by contacting the Contract Administrator responsible for this procurement. Any protest filed by a bidder in connection with this IFB must be submitted in accordance with the Authority's written procedures.

**R. CONTRACT AWARD**

Any contract awarded as a result of this IFB, will be awarded to the lowest responsive and responsible bidder and shall be on a lump sum basis, in accordance with the requirements of this IFB. The contract to be awarded is the Agreement presented in Section VI of this IFB.

**S. EXECUTION OF CONTRACT**

The successful bidder shall submit to the Authority the required contract bonds, "Guaranty" and acceptable insurance certificates within ten (10) calendar days after notification of contract award from the Authority. Failure to sign the contract and submit applicable bonds, "Guaranty", and acceptable insurance certificates within the specified time shall be cause to cancel the award and the forfeiture of the Bid Bond. Transfers of contract, or of interest in contracts, are prohibited.

**T. AUTHORITY'S RIGHTS**

1. The Authority reserves the right to accept or reject any and all bids, or any item or part thereof, or to waive any informalities or irregularities in bids.
2. The Authority reserves the right to withdraw or cancel this IFB at any time without prior notice. The Authority makes no representations that any contract will be awarded to any bidder responding to this IFB.
3. The Authority reserves the right to issue a new IFB for the project.
4. The Authority reserves the right to postpone the bid opening for its own convenience.
5. Each bid will be received with the understanding that acceptance by the Authority of the bid to provide the goods and services described herein shall constitute a contract between the bidder and Authority which shall bind the



bidder on its part to furnish and deliver at the prices given and in accordance with conditions of said accepted bid and specifications.

6. The Authority reserves the right to investigate the qualifications of any bidder, and/or require additional evidence of qualifications to perform the work.
7. Submitted IFBs are not to be copyrighted.

**U. PUBLIC RECORDS AND INFORMATION**

Bids received by Authority are considered public information and will be made available to the public if requested to do so.

**V. CONFLICT OF INTEREST**

All bidders responding to this IFB must avoid organizational conflicts of interest, which would restrict full and open competition in this procurement. An organizational conflict of interest means that due to other activities, relationships or contracts, a bidder is unable, or potentially unable to render impartial assistance or advice to the Authority; a bidder's objectivity in performing the work identified in the Project Specifications is or might be otherwise impaired; or a bidder has an unfair competitive advantage. Conflict of Interest issues must be fully disclosed in the bidder's bid.

**W. CODE OF CONDUCT**

Bidders agree to comply with the Authority's Code of Conduct as it relates to Third-Party contracts, which is hereby referenced and by this reference is incorporated herein. Bidders agree to include these requirements in all of its subcontracts.

**X. SAFETY REQUIREMENTS**

The complete safety requirements for this IFB are included in Section IX: Level 3 Safety Specifications Exhibit I. The Contractor will be required to demonstrate compliance with all requirements of the Safety Specifications after Notice to Proceed but prior to mobilization. These requirements include, but are not limited to, an on-site Health Safety and Environmental (HSE) representative to be present at all times during construction. The representative must have a current Board of Certified Safety Professionals (BCSP) certification and a minimum of five years of experience enforcing HSE compliance. BCSP certification requirements may be found at: <https://www.bcsp.org/Safety-Certifications>.

**SECTION II: INSTRUCTIONS TO BIDDING FORMS**

## **SECTION II. INSTRUCTIONS TO BIDDING FORMS**

The Bidder shall complete all the forms identified below, and contained in the Bid Booklet Book 2 of this IFB. The bid may not contain exceptions to or deviations from the requirements of this IFB.

### **A. BID FORM**

The bidder must complete and execute the Bid Form, which must be submitted in its entirety. Failure to submit the executed Bid Form in its entirety will result in the bid being non-responsive. In addition to providing the lump sum bid, the bidder affirms the Bid Form statements.

### **B. BID SECURITY FORM - BID BOND**

The bidder shall include the Bid Security Form and include the appropriate bid bond or cashier check with the bid.

### **C. INFORMATION REQUIRED OF BIDDER**

Bidder must provide all the information requested in this form.

### **D. NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION TO ENSURE EQUAL EMPLOYMENT OPPORTUNITY (EXECUTIVE ORDER 11246) (NO FORM REQUIRED)**

The bidder shall include the Notice of Requirement for Affirmative Action to Ensure Equal Employment Opportunity provides notice to Bidder regarding the "Equal Opportunity Clause" and the "Standard Federal Equal Employment Opportunity Construction Contract Specifications".

### **E. BIDDER'S CERTIFICATE OF COMPLIANCE - WORKERS' COMPENSATION INSURANCE**

In conformance with current statutory requirements of Section 1860, et. seq., of the Labor Code of the State of California, bidder shall execute the bidder's Certificate of Compliance Regarding Workers' Compensation Insurance.

### **F. BIDDER'S CERTIFICATE OF COMPLIANCE - BUSINESS AND PROFESSIONS CODE SECTION 7028**

Bidder shall execute the Bidder's Certificate of Compliance Regarding State of California Business and Professions Code Section 7028.15.

**G. LIST OF SUBCONTRACTORS FORM**

Bidder shall complete Exhibit D, which lists all subcontractors performing work in excess of one-half of one percent ( $\frac{1}{2}$  of 1%) of the bid amount per the instructions set forth in Section I "Instructions to Bidders".

**H. CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS - PRIMARY PARTICIPANT AND LOWER-TIER PARTICIPANTS (NO FORM REQUIRED)**

Unless otherwise permitted by law, any person or firm that is debarred, suspended, or voluntarily excluded may not take part in any federally funded transaction, as either a participant or a principal, during the period of debarment, suspension, or voluntary exclusion. Accordingly, the Authority may not enter into any transaction with such debarred, suspended, or voluntarily excluded persons or firms during such period, in accordance with 2 CFR part 180, as adopted and supplemented by 2 CFR part 1200. Debarment is defined in 2 CFR Section 180.925, suspension is defined in 2 CFR Section 180.1015, and voluntary exclusion or voluntarily excluded is defined in 2 CFR Section 180.1020. (These provisions apply to each contract and any tier, equal or greater than \$25,000).

**I. STATUS OF PAST AND PRESENT CONTRACTS FORM**

Bidder is required to complete and sign the form entitled "Status of Past and Present Contracts" provided in this IFB and submit as part of the bid. Bidder shall identify the status of past and present contracts where the firm has either provided services as a prime vendor or a subcontractor during the past five (5) years in which the contract has been the subject of or may be involved in litigation with the contracting authority. This includes, but is not limited to, claims, settlement agreements, arbitrations, administrative proceedings, and investigations arising out of the contract. Bidder shall have an ongoing obligation to update the Authority with any changes to the identified contracts and any new litigation, claims, settlement agreements, arbitrations, administrative proceedings, or investigations that arise subsequent to the submission of the bid.

A separate form must be completed for each identified contract. Each form must be signed by the Bidder confirming that the information provided is true and accurate. Bidder is required to submit one copy of the completed form(s) as part of its bid.

**J. CERTIFICATION OF NON-COLLUSION**

This form requires the Bidder to certify that the bid is not collusive or a sham. This form is to be signed, dated and is part of the bid package in Book 2 of 2.

**K. DISADVANTAGED BUSINESS ENTERPRISE**

In conformance with Title 49 CFR Part 26, "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs," bidders must complete the following forms:

- DBE Participation Commitment Form
  - Written Confirmation (required from each proposed DBE firm listed on the DBE Participation Commitment Form)
- DBE Information – Good Faith Efforts (if sufficient participation to meet the DBE goal has not been proposed on the "DBE Participation Commitment Form")
- Bidders List

**L. IRAN CONTRACTING ACT CERTIFICATION**

This form requires the Bidder to certify that the Bidder is not engaged in specified investment activities in the energy sector of Iran. (Required if the bid is equal to or greater than \$1,000,000).

**M. "BUY AMERICA" REQUIREMENTS**

If the bid is valued for greater than one hundred and fifty thousand dollars (\$150,000), Bidder is required to complete the form titled "Bidder's Certificate of Regarding 'Buy America' Requirements for Steel, Iron, or Manufactured Products." This form requires Bidder to certify that it will meet the requirements of 49 U.S.C. 5323(j) and the applicable regulations in 49 C.F.R. Part 661.

**N. DISCLOSURE OF LOBBYING ACTIVITIES**

This form requires the bidder to certify compliance with the lobbying requirements of 31 U.S.C. Section 1352 and the applicable regulations under 49 CFR part 19 and 20. (Required if the bid is equal or greater than \$100,000).



### **BID FORM**

The undersigned hereby proposes to perform all work for which a contract may be awarded and to furnish any and all plant, labor, services, material, tools, equipment, supplies, transportation, utilities, and all other items and facilities necessary therefore as required in the **IFB 9-1787, "METROLINK TRAIN STATIONS PLATFORM DETECTABLE TILES REPLACEMENT AND PAINTED GUIDELINES RESTRIPIING PROJECT"**, and to do everything required therein; and further proposes that, if this bid is accepted, will contract in the form and manner stipulated to perform all the work in strict conformity therewith within the time limits set forth therein, and will accept as full payment therefore, the following price:

<u><b>Description</b></u>	<u><b>Total Lump Sum Bid Amount</b></u>
---------------------------	---

	\$ <span style="border-bottom: 1px solid black; display: inline-block; width: 150px;"></span>
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A cashier's check/certified check/bid bond (circle applicable term) properly made payable to Orange County Transportation Authority, hereinafter designated as the Owner, for the sum of

Dollars

(\$ )

which amount is not less than ten percent (10%) of the total amount of this bid, is attached hereto and is given as a guarantee that the undersigned will execute the Agreement and furnish the required bonds, "Guaranty" and "Certificate of Insurance", if awarded the contract, and in case of failure to do so within the time provided, (a) the proceeds of said check shall be forfeited to the Authority; or (b) surety's liability to the Authority for forfeiture of the face amount of the bond shall be considered as established [circle (a) or (b)].

The undersigned hereby represents that:

**BID FORM, PAGE 2**

1. Bidder has thoroughly examined and become familiar with the work required and documents included under this IFB. The bidder understands that the award of the contract, if it is awarded, will be based on the lowest total bid submitted by a responsive and responsible bidder, and further, that the amounts and the total on the Bid Form will be subject to verification by the Authority.
2. By investigation at the site of the work and otherwise, it is satisfied as to the nature and location of the work and is fully informed as to all conditions and matters, which can in any way affect the work or the cost thereof.
3. Bidder fully understands the scope of the work/specifications and has checked carefully all words and figures inserted in said Invitation for Bids (IFB) and further understands that the Authority will in no way be responsible for any errors or omissions in the preparation of this bid. Bidder further asserts that it is capable of performing quality work to meet Authority's requirements.
4. Bidder fully understands the requirements of the Level 3 Safety Specifications inserted in said IFB and has included the costs of full compliance with these requirements in its bid. Bidder understands that it will not be allowed to mobilize until satisfying the requirements of the Level 3 Safety Specifications.
5. Bidder will execute the Agreement and furnish the required Performance and Payment Bonds, Guaranty and proof of insurance coverage within ten (10) calendar days after notice of acceptance of bid by the Authority; and further, that this bid may not be withdrawn for a period of one hundred twenty (120) calendar days after the date set for the opening thereof, unless otherwise required by law. If any bidder shall withdraw its bid within said period, the bidder shall be liable under the provisions of the Bid Security, or the bidder and the surety shall be liable under the Bid Bond, as the case may be.
6. Bidder hereby certifies that this bid is genuine and not a sham or collusive or made in the interest or on behalf of any person not herein named, and the undersigned has not directly or indirectly induced or solicited any other bidder to put in a sham bid, or any other person, firm, or corporation to refrain from bidding; the undersigned has not in any manner sought by collusion to secure for himself an advantage over any other bidder.
7. In conformance with current statutory requirements of Section 1860, et. seq., of the Labor Code of the State of California, the Bidder shall execute the document included in this IFB entitled "Bidder's Certificate of Compliance Regarding Workers' Compensation Insurance."
8. Bidder hereby further certifies that each, and every representation made in this bid are true and correct and made under penalty of perjury.

**BID FORM, PAGE 3**

9. Bidder shall permit the authorized representative of the Authority to inspect and audit all data and records of bidder relating to this bid, and if awarded a contract resulting from this bid, shall permit such inspection and audit of all data and records of bidder related to bidder's performance of such contract.
10. Bidder does not employ anyone who is now, or for one (1) year immediately prior to the date of this offer was, a director, officer, member, or employee of the Orange County Transportation Authority. The undersigned has not agreed to pay a fee contingent upon the award of a contract resulting from this bid to anyone who is now, or for one (1) year immediately prior to the date of this bid was, a director, officer, member, or employee of the Orange County Transportation Authority. No member of or delegate to the Congress of the United States shall be admitted to any share of the contract or to any benefit arising therefrom.
11. If awarded a contract resulting from this bid, bidder shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, age or national origin. The bidder shall take affirmative action to ensure that applicants are employed, and that employees are treated during their employment, without regard to their race, religion, color, sex, age or national origin. Such actions shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
12. If awarded a contract resulting from this bid, Bidder will cooperate with the Authority in meeting commitments and goals with regard to the maximum utilization of DBE firms and will use its best efforts to ensure that the DBE firm shall have the maximum practicable opportunity to compete for subcontract work under such contract.
13. Bid will be in effect for 120 calendar days after the bid closing date.



**BID FORM, PAGE 4**

Now: In compliance with the **Invitation For Bids 9-1787, "METROLINK TRAIN STATIONS PLATFORM DETECTABLE TILES REPLACEMENT AND PAINTED GUIDELINES RESTRIPIING PROJECT"**, the undersigned, with full cognizance thereof, hereby proposes to perform the entire work in strict compliance with all of the said requirements and provisions for the prices set forth herein upon which award of contract is made. The undersigned affirms that the information provided herein is true and accurate and that any misrepresentations are made under penalty of perjury.

Dated \_\_\_\_\_, 2020 Bidder \_\_\_\_\_

The above bid includes Signature \_\_\_\_\_

Addenda Nos. \_\_\_\_\_ Name \_\_\_\_\_

Title \_\_\_\_\_

Bidder's Authorized Representative \_\_\_\_\_

Title \_\_\_\_\_

Telephone # \_\_\_\_\_

Fax # \_\_\_\_\_

Email Address \_\_\_\_\_

Bidders post office address \_\_\_\_\_

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

Corporation organized under the laws of the State of \_\_\_\_\_

Contractor's License No. \_\_\_\_\_

Expiration Date of License \_\_\_\_\_

Surety or sureties \_\_\_\_\_

\_\_\_\_\_  
(CORPORATE SEAL)

**BID SECURITY FORM**  
**BID BOND**

**KNOW ALL MEN BY THESE PRESENTS:**

That, \_\_\_\_\_ as principal and Bidder and \_\_\_\_\_ as Surety, are held and firmly bound unto the Orange County Transportation Authority, of State of California, hereinafter referred to as "Authority," in the sum of \_\_\_\_\_ Dollars (\$\_\_\_\_\_), to be paid to the Authority, its successors, and assigns; for which payment, well and truly to be made, bind themselves, their heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents, this amount being ten percent (10%) of the total amount of the Bid.

**THE CONDITION OF THIS OBLIGATION IS SUCH**, that if the certain bid of the above named bounden principal \_\_\_\_\_

for \_\_\_\_\_ at the Orange County \_\_\_\_\_ Transportation Authority's \_\_\_\_\_ as specifically set forth in documents entitled **IFB 9-1787, "METROLINK TRAIN STATIONS PLATFORM DETECTABLE TILES REPLACEMENT AND PAINTED GUIDELINES RESTRIPIING PROJECT"**, shall not be withdrawn within a period of 120 calendar days after the date set for the opening of bids, (unless otherwise required by law, and notwithstanding the award of the contract to another Bidder), and that if said bid is accepted by the Authority through action of its legally constituted contracting authorities \_\_\_\_\_ and \_\_\_\_\_ if \_\_\_\_\_ the \_\_\_\_\_ above bounden \_\_\_\_\_ its heirs, executors, administrators, successors and assigns, shall execute a contract for such construction and deliver the required Performance and Payment Bonds, "Guaranty," and proof of insurance coverage within ten (10) calendar days after notification of contract award from the Authority, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

**IN WITNESS WHEREOF**, we hereunto set our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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

NOTE: The standard printed bond form of any bonding company acceptable to the Authority may be used in lieu of the foregoing approved sample bond form provided the security stipulations protecting the Authority are not in any way reduced by use of the security company's printed standard form.

**BID SECURITY FORM**  
**CHECK TO ACCOMPANY BID**

(NOTE: The following form shall be used in case check accompanies bid)

Accompanying this bid is a Certified or Cashiers check (circle the appropriate one) payable to the order of Orange County Transportation Authority, hereinafter referred to As "Authority" for \_\_\_\_\_ dollars (\$\_\_\_\_\_), this amount being ten percent (10%) of the total amount of the Bid submitted in response to **IFB 9-1787, "METROLINK TRAIN STATIONS PLATFORM DETECTABLE TILES REPLACEMENT AND PAINTED GUIDELINES RESTRIPIING PROJECT"**. The proceeds of this check shall become the property of Authority provided this bid shall be accepted by Authority through action of its legally constituted contracting authorities and the undersigned shall fail to execute a contract and furnish the required Guaranty Form, Performance and Payment Bonds and proof of insurance coverage within ten (10) calendar days after date of notification of contract award from the Authority. The proceeds of this check shall also become the property of the Authority if the undersigned bidder withdraws the bid within the period of 120 days after the date set for the opening thereof, unless otherwise required by law, and notwithstanding the award of the contract to another bidder. Otherwise, the check shall be returned to the undersigned.

Bidder: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

NOTE: If the bidder desires to use a bond instead of check, the Bid Bond form shall be executed and the sum of this bond shall be ten percent [10%] of the total amount of the bid.

**INFORMATION REQUIRED OF BIDDER**

The bidder is required to supply the following information. Additional sheets may be attached if necessary.

1. Name of Bidder: \_\_\_\_\_
2. Business Address: \_\_\_\_\_
3. Telephone (    ) \_\_\_\_\_ Fax (    ) \_\_\_\_\_ E-Mail \_\_\_\_\_
4. Type of Firm - Individual, Partnership or Corporation: \_\_\_\_\_
5. Corporation organized under the laws of state of: \_\_\_\_\_
6. Contractor's License No.: \_\_\_\_\_ Class: \_\_\_\_\_ Years of Experience: \_\_\_\_\_
7. Expiration Date of License: \_\_\_\_\_
8. Is your firm a certified small business in California? Yes \_\_\_\_\_ No \_\_\_\_\_
9. List the names and addresses of all owners of the firm or names and titles of all officers of the corporation:

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**INFORMATION REQUIRED OF BIDDER, PAGE 2**

10. Please list the following: a) All prior and current license numbers that the current owner(s) or officers possess or have possessed in the last five years and the current status of those license; b) any prior company names that the owner(s) had in operation during the previous five years.

Current Officers or Owners Name	Prior Company Names (During the last 5 years)	Prior and Current License Numbers	Status of License

*Note:* If additional space is required to detail the information requested, please attach another page. All information requested must be included. Failure to identify all of the information may result in your bid being found non-responsive and your bid being rejected.

11. List all construction projects (public and private) for which Bidder has provided general contractor services for the past three years:

Contract Type (Public or Private)	Project Description	Dates of Service	Total Cost	Name and Address of Owner	Contact Name, Email address and Phone Number

*Note:* If additional space is required to detail the information requested, please attach another page. All information requested must be included. Failure to identify all of the information, may result in your bid being found non-responsive and your bid being rejected.

12. List the name, address and phone number of Superintendent for this project:

\_\_\_\_\_

13. List all construction projects (public and private) for which Superintendent has provided services as a Superintendent for the past three years.

Contract Type (Public or Private)	Project Description	Dates of Service	Total Cost	Name and Address of Owner	Contact Name, Email address and Phone Number

Bidder hereby certifies that it:

\_\_\_\_\_ is a certified Disadvantaged Business Enterprise as defined herein.

\_\_\_\_\_ is not a Disadvantaged Business Enterprise as defined herein.

**NOTE:** If requested by the Authority, bidder shall furnish a certified financial statement, financial data, or other information and references sufficiently comprehensive to permit an appraisal of its current financial condition.

I hereby certify the above is true and correct to the best of my belief.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Fax Number

\_\_\_\_\_  
Email Address

**NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION TO ENSURE  
EQUAL EMPLOYMENT OPPORTUNITY (EXECUTIVE ORDER 11246)**

1. The Bidders' attention is called to the "Equal Opportunity Clause" and the "Standard Federal Equal Employment Opportunity Construction Contract Specifications" set forth herein.
2. The goals and timetables for minority and female participation, expressed in percentage terms for the Contractor's aggregate work force in each trade on all construction work in the covered area, are as follows:

Timetable Goals for Minority Participation for Each Trade (11.9)

Goals for Female Participation in Each Trade (6.9)

These goals are applicable to all the Contractor's construction work (whether or not it is federal or federally assisted) performed in the covered area.

The Contractor's compliance with the Executive Order and the regulations in 41 C.F.R. Part 60-4 shall be based on its implementation of the Equal Opportunity Clause, specific affirmative action obligations required by the specifications set forth in 41 C.F.R. 60-4.3 (a), and its efforts to meet the goals established for the geographical area where the contract resulting from this solicitation is to be performed. The hours of minority and female employment and training must be uniform throughout the length of the contract, and in each trade, and the Contractor shall make a good faith effort to employ minorities and women evenly on each of its projects. The transfer of minority or female employees or trainees from contractor to contractor or from project to project for the sole purpose of meeting the contractor's goals shall be a violation of the contract, the Executive Order and the regulations in 41 C.F.R. Part 60-4. Compliance with the goals will be measured against the total work hours performed.

3. The Contractor shall provide written notification to the Director of the Office of Federal Contract Compliance Programs within ten (10) working days of award of any construction subcontract in excess of \$10,000 at any tier for construction work under the contract resulting from this solicitation. The notification shall list the name, address and telephone number of the subcontractor; employer identification number; estimated dollar amount of the subcontract; estimated starting and completion dates of the subcontract; and the geographical area in which the contract is to be performed.
4. As used in this Notice, and in the contract resulting from this solicitation, the "covered area" includes the County of Orange, California.

**BIDDER'S CERTIFICATE OF COMPLIANCE**  
**REGARDING**  
**WORKERS' COMPENSATION INSURANCE**

In conformance with current statutory requirements of Section 1860, et. seq., of the Labor Code of the State of California, the undersigned confirms the following certification:

"I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions of that code and I will comply with such provisions before commencing the performance of the work of this Contract."

Name of Bidder/Contractor: \_\_\_\_\_

Signature: \_\_\_\_\_

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

Date: \_\_\_\_\_



**BIDDER'S CERTIFICATE OF COMPLIANCE**  
**REGARDING**  
**STATE OF CALIFORNIA**  
**BUSINESS AND PROFESSIONS CODE SECTION 7028.15**

Contractor License Number: \_\_\_\_\_

Expiration Date of Contractor's License: \_\_\_\_\_

Each, every and all of the representations made by Bidder in the attached bid are true and correct.

Name of Bidder/Contractor: \_\_\_\_\_

Signed: \_\_\_\_\_

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

Subscribed to and sworn before me, a Notary Public in and for the State of California, on \_\_\_\_\_, 2020.

\_\_\_\_\_  
Notary Public

My commission expires on:

\_\_\_\_\_, 2020  
(NOTARY SEAL)

**LIST OF SUBCONTRACTORS (EXHIBIT D)**

List only the subcontractors, which will perform work or labor or render services to the bidder in excess of one-half of one percent (1/2 of 1%) of the bidder's total bid amount. Do not list alternative subcontractors for the same work. (Use additional sheets if necessary.)

<b>Name &amp; Address Under Which Subcontractor is Licensed</b>	<b>License Number</b>	<b>DIR Registration No.</b>	<b>Specific Description of Work to be Rendered</b>	<b>Small Business Y/N</b>	<b>Type</b>	<b>Dollar Amount</b>
						\$
						\$
						\$
						\$
						\$
						\$
<b>TOTAL VALUE OF SUBCONTRACTED WORK</b>						\$

Bidder's Name \_\_\_\_\_

### **STATUS OF PAST AND PRESENT CONTRACTS FORM**

On the form provided below, Offeror/Bidder shall list the status of past and present contracts where the firm has either provided services as a prime vendor or a subcontractor during the past five (5) years in which the contract has been the subject of or may be involved in litigation with the contracting authority. This includes, but is not limited to, claims, settlement agreements, arbitrations, administrative proceedings, and investigations arising out of the contract.

A separate form must be completed for each contract. Offeror/Bidder shall provide an accurate contact name and telephone number for each contract and indicate the term of the contract and the original contract value. Offeror/Bidder shall also provide a brief summary and the current status of the litigation, claims, settlement agreements, arbitrations, administrative proceedings, or investigations. If the contract was terminated, list the reason for termination.

Offeror/Bidder shall have an ongoing obligation to update the Authority with any changes to the identified contracts and any new litigation, claims, settlement agreements, arbitrations, administrative proceedings, or investigations that arise subsequent to the submission of the bid. Each form must be signed by an officer of the Offeror/Bidder confirming that the information provided is true and accurate.

<b>Project city/agency/other:</b>	
<b>Contact Name:</b>	<b>Phone:</b>
<b>Project Award Date:</b>	<b>Original Contract Value:</b>
<b>Term of Contract:</b>	
<b>(1) Litigation, claims, settlements, arbitrations, or investigations associated with contract:</b>	
<b>(2) Summary and Status of contract:</b>	
<b>(3) Summary and Status of action identified in (1):</b>	
<b>(4) Reason for termination, if applicable:</b>	

By signing this Form entitled "Status of Past and Present Contracts," I am affirming that all of the information provided is true and accurate.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**Non-Collusion Declaration to be  
Executed by Bidder and Submitted with Bid**

To the Orange County Transportation Authority  
The undersigned declares:

I am the \_\_\_\_\_ of \_\_\_\_\_, the party making the foregoing bid. In accordance with Title 23 United States Code Section 112 and Public Contract Code Section, 7106 the bidder declares that the bid is not made in the interest of, or on the behalf of, any undisclosed person, partnership, company, association, organization or corporation. The bid is genuine and not collusive or sham. The bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, or that anyone shall refrain from bidding. The bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract. All statements contained in the bid are true. The bidder has not, directly, or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the bidder.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on \_\_\_\_\_ (date), at \_\_\_\_\_ (city), \_\_\_\_\_ (state).

Name of Bidder: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



## DBE PARTICIPATION COMMITMENT FORM

**THIS FORM MUST BE COMPLETED AND SUBMITTED WITH THE BID AS A CONDITION  
OF DBE RESPONSIVENESS**

NOTE: Refer to instructions on the reverse side of this form.

### Bidder to Complete this Section

1. IFB No.: \_\_\_\_\_
2. Project Name/Description: \_\_\_\_\_
3. Prime Bidder Name: \_\_\_\_\_
4. Contract DBE Goal %: \_\_\_\_\_
5. Bidder's Total Bid Price \_\_\_\_\_

### Required DBE Commitment Information

6. DBE Firm (Name and Address)	7. DBE Certification Number	8. Description of Scope of Services/Work	9. Bid Item (#)	10. Dollar Value (\$) of Participation	11. Dollar Value (\$) of Eligible DBE Participation/ Commitment

**Note: As a condition of responsiveness, the bidder is required to submit with the Bid a written confirmation signed and dated from each DBE listed in Column 6 acknowledging that the DBE is participating in the contract for the specified dollar value (\$) and scope of work.**

**A quote or bid from the DBE firm can serve in lieu of the written confirmation; however, the dollar amount in the written confirmation, quote/bid and the amount shown on this form MUST match identically.**

**12. Total Dollar Value (\$) of Eligible DBE Participation**  
\$ \_\_\_\_\_

**13. Eligible DBE Participation Represented as a Percentage (%) of Bidder's Total Bid Price**  
\_\_\_\_\_ %

**Bidder Assurance:** The bidder certifies that information on this form is complete and accurate, that it has verified the listed DBE(s) certification status and is only crediting eligible DBE participation towards meeting the contract DBE goal.

14. Preparer's Name (Print) \_\_\_\_\_

15. Preparer's Signature \_\_\_\_\_

16. Preparer's Title \_\_\_\_\_

17. Date \_\_\_\_\_

( ) \_\_\_\_\_  
18. Telephone No. \_\_\_\_\_

19. Email Address \_\_\_\_\_

## INSTRUCTIONS - DBE Participation Commitment Form

**Bidder is required to ensure all information is complete and accurate:**

1. **IFB No.** - Enter the IFB Number.
2. **Project Name/Description** - Enter the name and/or description of the project.
3. **Prime Bidder Name** - Enter the bidder's firm name.
4. **Contract DBE Goal %** - Enter the contract DBE goal percentage.
5. **Bidder's Total Bid Price** - Enter the bidder's total bid price.
6. **DBE Firm** - Enter name and address of the proposed DBE firm. Identify all DBE firms being claimed for credit, regardless of tier.
7. **DBE Certification Number** - Enter the DBE's certification identification number. All DBEs must have a valid DBE certification at time of bid opening.
8. **Description of Scope of Services/Work** - Enter the scope of services/work for each DBE firm listed to participate on this contract.
9. **Bid Item (#)** - Enter bid item number.
10. **Dollar Value (\$) of Participation** - Enter the total dollar value of participation for each listed DBE firm.
11. **Dollar Value (\$) of Eligible DBE Participation/Commitment** - Enter the dollar value of participation eligible to count towards meeting the contract DBE goal. This value should exclude work performed by lower tier subcontractors and account for the DBE's capacity based on their certification type in conformance with the DBE crediting provisions set forth in Title 49 CFR Part 26.55.
12. **Total Dollar Value (\$) of Eligible DBE Participation** - Enter the sum of all eligible participation listed in column 11.
13. **Eligible DBE Participation Represented as a Percentage (%) of Bidder's Total Bid Price** - Enter the corresponding percentage of the total eligible DBE participation that the bidder is counting towards the bidder's DBE goal commitment (Formula: Item (12) Total Value of Eligible DBE Participation / Item (5) Bidder's Total Bid Price = Bidder's DBE Goal Commitment Percent (%)).
14. **Preparer's Name (Print)** - Clearly enter the name of the authorized person preparing the form on behalf of the bidder.
15. **Preparer's Signature** - Authorized person's signature.
16. **Preparer's Title** - Enter the position/title of the authorized person signing the form on behalf of the bidder.
17. **Date** - Enter the date the form is signed.
18. **Telephone No.** - Enter the area code and telephone number of the authorized person signing the form on behalf of the bidder.
19. **Email Address** - Enter the email address of the authorized person signing the form on behalf of the bidder.

**NOTE: A firm is only eligible to count towards DBE participation in the NAICS codes contained within its California Unified Certification Program (CUCP) DBE Profile. Bidders are to verify that listed DBE's certification contains the NAICS codes relevant to the scope they are being listed to perform.**



## DBE INFORMATION - GOOD FAITH EFFORTS

IFB No: \_\_\_\_\_

Bid Opening Date \_\_\_\_\_

The Orange County Transportation Authority (Authority) established a Disadvantaged Business Enterprise (DBE) goal of \_\_\_\_\_% for this contract. The information provided herein shows that a good faith effort was made by \_\_\_\_\_(Bidder).

Bidder shall submit the following information to document adequate good faith efforts to the Authority no later than 4:00 p.m. on the 2<sup>nd</sup> business day after the Authority's bid due date, or as otherwise specified in the solicitation. Bidder should submit the following information even if the "DBE Participation Commitment Form" indicates that the bidder has met the DBE goal. This will protect the bidder's eligibility for award of the contract if Authority determines that the bidder failed to meet the goal for various reasons, e.g., a DBE firm was not certified at bid opening, or the bidder made a mathematical error.

Submittal of only the form may not provide sufficient documentation to demonstrate that adequate good faith efforts were made.

The following good faith efforts items (A through H) shall be minimally performed prior to bid submission. Bidder to complete the following items in sufficient detail to effectively demonstrate that good faith efforts were undertaken to meet the established DBE goal:

- A. Items of Work the Bidder Made Available to DBE Firms; a description of work items and approximate dollar amounts made available to DBE firms by the bidder, value of work items as a percentage of total contract work, breakdown of bid items or larger scopes of contract work (including those items normally performed by the bidder with its own forces) into economically feasible units to facilitate DBE participation sufficient to meet the DBE contract goal. It is the bidder's responsibility to demonstrate that sufficient work was made available to facilitate DBE participation as follows (Provide documents that sufficiently evidence the efforts detailed below):

Description of Work Item	Bidder Normally Performs (Y/N)	Unbundled from Larger Scope (Y/N) If Yes, List Scope and/or Bid Item (#)	Amount (\$)	Percentage of Contract

- B. Solicitation Effort Documentation; the names and dates of written notices sent to certified DBEs soliciting bids for this project and the dates and methods used to following up initial solicitations to determine with certainty whether the DBEs were interested (attach all copies of solicitation, telephone records, fax confirmations, email communications, etc.), amount of DBEs to repond, documentation to demonstrate the DBE firms were provided information about the contract (location of project, contract number, bid date, items of work made available and contact information) in the Invitation to Bid from the bidder, the bidder solicited through all reasonable means (e.g. attendance at pre-bid meetings, advertising and written notices) the interest of all certified DBEs who have the capability to perform the work of the contract, bidder to provide proof of aforementioned items, and DBEs in the market area for the work identified in 'Item A' as follows:

DBE Firm	Contact Name/Title	Method of Solicitation	Date of Initial Solicitation	Date of Follow-Up Solicitation	Response/ Interested in Bidding

(Note: Solicitations should occur at a minimum no later than 14 calendar days prior to the Authority's bid due date and follow up to the solicitation should allow DBE firms reasonable time to respond). DBE firms solicited must be advised if the original bid date has been extended.

- C. Rejected DBE Bid Documentation; the names, addresses, phone numbers, and amount of rejected DBE firms, the reasons for the bidder's rejection of the DBE firms, the firms selected and accepted for that work (attach all copies of quotes from the firms involved inclusive of a detailed cost breakdown if opted to self-perform work) and the price difference for each DBE if the selected firms is not a DBE, include an explanation of quote(s) rejected.
- D. Publication Efforts Made to Advertise the Projects to Solicit DBE Participation; names and dates of each publication in which a request for DBE participation for this project was placed by the bidder (attach copies of advertisements or proof of publications). Publications should be placed at a minimum 14 calendar days before the Authority's bid due date. If bid due date is extended, bidder is to re-advertise new bid due date.

Publications	Type of Publication (Trade/General/ Minority/Focus)	Dates of Advertisement	Duration of Advertisement	Readvertisement (Bid-Due Date Extension)

- E. Agencies, Organizations, or Groups Contacted to Provide Assistance in Contracting, Recruiting, and Using DBEs; the names of agencies, organizations or groups contacted to provide assistance in contacting, recruiting and using DBE firms (Attach copies of requests to agencies, responses received and efforts made by the bidder in response).




- F. Efforts to Provide Information About the Plans, Specifications, and Contract Requirements; efforts made to assist interested DBEs in obtaining necessary materials, or related assistance or services, bidder to provide evidence of effort.


- G. Assistance with Lines of Credit, Insurance, and/or other Services; efforts made to assist interested DBEs in obtaining bonding, lines of credit or insurance, and any technical assistance or information related to the plans, specifications and requirements for the work which was provided to DBEs, bidder to provide a list of any assistance provided to prospective and bided DBEs:


- H. Additional Data to Support a Demonstration of Good Faith Efforts; in determining whether a bidder made adequate good faith efforts, the Authority will take into account the performance of other bidders in meeting the DBE contract goal. Attach any additional information to support demonstration of good faith in this section:


**NOTE:** USE ADDITIONAL SHEETS AS NECESSARY TO DEMONSTRATE RESPONSIVENESS.



## Bidders List

The Department of Transportation requires the Authority to create and maintain a "Bidders List" containing information about all firms (DBE and Non-DBE) that bid, propose or quote on the Authority's DOT-assisted contracts, in accordance with 49 CFR Part 26.11. The "Bidders List" is intended to be a count of all firms that are participating, or attempting to participate, on DOT-assisted contracts, whether successful or unsuccessful in their attempt to obtain a contract.

The bidder is to complete all requested information for every firm who submitted a bid, proposal or quote, including the primary bidder, and submit this information to the Authority no later than 4:00 p.m. on the 2nd business day after the Authority's bid due date, or as otherwise specified in the solicitation. The Authority will utilize this information to assist in the Authority's DBE goal-setting process.

Prime Name and Location	Type of Work/Services/Materials Provided:	Subcontract Amount	Percentage of Bid Item Sub-contracted	Contractor License No.	DBE (Y/N)	Phone:	Annual Gross Receipts
	NAICS/WCC			DIR Reg Number	DBE Certification ID	E-mail:	
Prime Bidder:							<input type="checkbox"/> Less than \$1 million <input type="checkbox"/> Less than \$5 million <input type="checkbox"/> Less than \$10 million <input type="checkbox"/> Less than \$15 million <input type="checkbox"/> More than \$15 million  Age of Firm: _____yrs.
Contact Name:							
Address:							

Subcontractor Name and Location	Type of Work/Services/Materials Provided:	Subcontract Amount	Percentage of Bid Item Sub-contracted	Contractor License No.	DBE (Y/N)	Phone:	Annual Gross Receipts
	NAICS/WCC			DIR Reg Number	DBE Certification ID	E-mail:	
Firm Name:							<input type="checkbox"/> Less than \$1 million <input type="checkbox"/> Less than \$5 million <input type="checkbox"/> Less than \$10 million <input type="checkbox"/> Less than \$15 million <input type="checkbox"/> More than \$15 million  Age of Firm: _____yrs.
Contact Name:							
Address:							

**IFB 9-1787  
EXHIBIT E-3**

Subcontractor Name and Location	Type of Work/Services/Materials Provided:	Subcontract Amount	Percentage of Bid Item Sub-contracted	Contractor License No.	DBE (Y/N)	Phone:	Annual Gross Receipts
	NAICS/WCC			DIR Reg Number	DBE Certification ID	E-mail:	
Firm Name:							<input type="checkbox"/> Less than \$1 million
Contact Name:							<input type="checkbox"/> Less than \$5 million
Address:							<input type="checkbox"/> Less than \$10 million
							<input type="checkbox"/> Less than \$15 million
							<input type="checkbox"/> More than \$15 million
							Age of Firm: _____yrs.
Firm Name:							<input type="checkbox"/> Less than \$1 million
Contact Name:							<input type="checkbox"/> Less than \$5 million
Address:							<input type="checkbox"/> Less than \$10 million
							<input type="checkbox"/> Less than \$15 million
							<input type="checkbox"/> More than \$15 million
							Age of Firm: _____yrs.
Name:							<input type="checkbox"/> Less than \$1 million
Contact Name:							<input type="checkbox"/> Less than \$5 million
Address:							<input type="checkbox"/> Less than \$10 million
							<input type="checkbox"/> Less than \$15 million
							<input type="checkbox"/> More than \$15 million
							Age of Firm: _____yrs.

**NOTE:** USE ADDITIONAL SHEETS AS NECESSARY TO DEMONSTRATE RESPONSIVENESS TO THE BIDDERS LIST REQUIREMENTS.

**IRAN CONTRACTING ACT CERTIFICATION**

(California Public Contract Code Sections 2200, *et seq.*)

The Iran Contracting Act of 2010 (PCC Sections 2200-2208), prohibits bidders who are engaged in investment activities in the energy sector of Iran from bidding on, submitting proposals for, or entering into or renewing contracts with public entities for goods or services of one million dollars (\$1,000,000) or more. At the time of submitting a bid, each bidder must certify that the bidder is not identified on the Department of General Services list of ineligible persons pursuant to PCC Section 2203(b). Each bidder is also required to certify that the bidder is not engaged in investment activities in violation of the Iran Contracting Act of 2010.

A bidder who is engaged in investment activities in the energy sector of Iran is defined as:

1. A person providing goods or services of twenty million dollars (\$20,000,000) or more in the energy sector of Iran, including a person that provides oil or liquefied natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for the energy sector of Iran; or
2. A person that is a financial institution that extends twenty million dollars (\$20,000,000) or more in credit to another person, for 45 days or more, if that person will use the credit to provide goods or services in the energy sector in Iran and is identified on a list created pursuant to PCC Section 2203(b).

A bidder is not required to certify that it is engaged in investment activities in the energy sector of Iran if the bidder is exempt from the certification under PCC Section 2203(c) or (d). If the bidder is exempt from the certification requirement, the bidder will be required to provide documentation demonstrating the exemption.

To comply with the Iran Contracting Act of 2010, the bidder shall complete **one** of the options below. Please note: under PCC Section 2205, false certification of this form may result in civil penalties of \$250,000 or twice the amount of the contract for which false certification was made, termination of the contract, and/or ineligibility to bid on contracts for a period of three years.

**Option #1: Certification**

I, the official named below, certify I am duly authorized to execute this certification on behalf of the vendor/financial institution identified below, and the vendor/financial institution identified below, and any subcontractor who will perform work or labor or render services to the vendor identified below, is not on the current Department of General Services list identifying persons engaged in investment activities in the energy sector of Iran, and is not a financial institution extending twenty million dollars (\$20,000,000) or more in credit to another person/vendor, for 45 days or more, if that other person/vendor will use the credit to provide goods or services in the energy sector in Iran and is identified on the current Department of General Services list identifying persons engaged in investment activities in the energy sector of Iran.

Vendor/Financial Institution: \_\_\_\_\_

Signature: \_\_\_\_\_

Name and Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Option #2: Exemption**

Pursuant to PCC Section 2203(c) and (d), a public entity may permit a bidder or financial institution engaged in investment activities in Iran, on a case-by-case basis, to be eligible for, or to bid on, submit proposals for, or enter into or renew a contract with a public entity for goods or services of one million dollars (\$1,000,000) or more. If the bidder, financial institution, or any subcontractor who will perform work or labor or render services to the bidder has obtained an exemption from the certification requirement, please complete and sign below and attach the documentation demonstrating the exemption approval.

Vendor/Financial Institution: \_\_\_\_\_

Signature: \_\_\_\_\_

Name and Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Option #3: Non-Applicability**

Pursuant to PCC Section 2203(b), a bidder or financial institution engaged in investment activities in Iran may not be eligible for, or to bid on, submit proposals for, or enter into or renew a contract with a public entity for goods or services of one million dollars (\$1,000,000) or more. If the contract is not for goods or services of one million dollars (\$1,000,000) or more, please sign below indicating that the contract is not for goods or services of one million dollars (\$1,000,000) or more and thus bidder is not required to certify and does not meet the exemption.

Vendor/Financial Institution: \_\_\_\_\_

Signature: \_\_\_\_\_

Name and Title: \_\_\_\_\_

Date: \_\_\_\_\_

**BIDDER'S CERTIFICATE**  
**REGARDING**  
**"BUY AMERICA" REQUIREMENTS**  
**FOR**  
**STEEL, IRON, OR MANUFACTURED PRODUCTS**

In order to demonstrate compliance with the Buy America Requirements, if the bid is for a contract greater than one hundred and fifty thousand dollars (\$150,000), Bidder shall complete only one of the two statements below:

The \_\_\_\_\_  
Firm name/principal

hereby certifies that it **will comply** with the requirements of 49 U.S.C. Section 5323(j), and the applicable regulations in 49 CFR Part 661.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

Or:

The \_\_\_\_\_  
Firm name/principal

hereby certifies that it **cannot comply** with the requirements of 49 U.S.C. Section 5323(j), but may qualify for an exception to the requirement pursuant to 49 U.S.C. Section 5323(j)(2), as amended, and the applicable regulations in 49 CFR Part 661.7.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

Revised: 05/23/2018

**CERTIFICATION**  
**LIMITATION ON PAYMENTS TO INFLUENCE CERTAIN**  
**FEDERAL TRANSACTIONS**

A. DEFINITIONS

1. Authority, as used in this clause, means the Orange County Transportation Authority.
2. Covered Federal action, as used in this clause, means any of the following Federal actions:
  - a. The awarding of any Federal contract.
  - b. The making of any Federal grant.
  - c. The making of any Federal loan.
  - d. The entering into of any cooperative agreement.
  - e. The extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
  - f. Indian tribe and tribal organization, as used in this clause, have the meaning provided in Section 450b of the Indian self-determination and Education Assistance Act (25 U.S.C. 450) and include Alaskan Natives.
3. Influencing or attempting to influence, as used in this clause, means making, with the intent to influence, any communication to or appearance before an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any covered Federal action.
4. Local government, as used in this clause, means a unit of government in a State and, if chartered, established, or other were recognized by a State for the performance of a governmental duty, including a local public authority, a special district, an intrastate district, a council of governments, a sponsor group representative organization, and any other instrumentality of a local government.
5. Officer or employee of an agency, as used in this clause, includes the following individuals who are employed by an agency:
  - a. An individual who is appointed to a position in the Government under title 5, United States code, including a position under a temporary appointment.



- b. A member of the uniformed services, as defined in the subsection 101(3), Title 37, United States Code.
  - c. A special Government employee, as defined in Section 202, Title 18, United States Code.
  - d. An individual who is a member of a Federal advisory committee, as defined by the Federal Advisory Committee Act, Title 5, United States Code, Appendix Section 3.
6. Person, as used in this clause, means an individual, corporation, company, association, authority, firm, partnership, society, State, and local government, regardless of whether such entity is operated for profit, or not for profit. This term excludes an Indian tribe, tribal organization or any other Indian organization with respect to expenditures specifically permitted by other Federal law.
  7. Reasonable compensation, as used in this clause, means with respect to a regularly employed officer or employee of any person, compensation that is consistent with the normal compensation for such officer or employee for work that is not furnished to, not funded by, or not furnished in cooperation with the Federal Government.
  8. Reasonable payment, as used in this clause means, with respect to professional and other technical services, a payment in an amount that is consistent with the amount normally paid for such services in the private sector.
  9. Recipient, as used in this clause, includes the Contractor and all subcontractors. This term excludes an Indian tribe, tribal organization, or any other Indian organization with respect to expenditures specifically permitted by other Federal law.
  10. Regularly employed, as used in this clause, means, with respect to an officer or employee of a person requesting or receiving by such person for at least 130 working days within one year immediately preceding the date of the submission that initiates agency consideration of such person for receipt of such contract. An officer or employee who is employed by such person for less than 130 working days within one year immediately preceding the date of the submission that initiates agency consideration of such person shall be considered to be regularly employed as soon as he or she is employed by such person for 130 working days.
  11. State, as used in this clause, means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, a territory or possession of the United States, an agency or instrumentality of a State, and a multi-State regional or interstate entity having governmental duties and powers.

## B. PROHIBITIONS

1. Section 1352 of Title 31, United States Code, among other things, prohibits a recipient of a Federal contract, grant, loan or cooperative agreement from using appropriated funds to pay any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any of the following covered Federal actions: the awarding of any Federal contract; the making of any Federal grant; the making of any Federal loan; the entering into of any cooperative agreement; or, the modification of any Federal contract, grant, loan, or cooperative agreement.
2. The Act also requires Contractor to furnish a disclosure if any funds other than Federal appropriated funds (including profit or fee received under a covered Federal transaction) have been paid, or will be paid, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a Federal contract, grant, loan or cooperative agreement.
3. The prohibitions of the Act do not apply under the following conditions:
  - a. Agency and legislative liaison by own employees.
    - (1) The prohibition on the use of appropriated funds, in subparagraph C.1. of this clause, does not apply in the case of payment of reasonable compensation made to an officer or employee of a person requesting or receiving a covered Federal action if the payment is for agency and legislative liaison activities not directly related to a covered Federal action.
    - (2) For purposes of paragraph C.3.a.(1) of this clause, providing any information specifically requested by an agency or Congress is permitted at any time.
    - (3) The following agency and legislative liaison activities are permitted any time where they are not related to a specific solicitation for any covered Federal action:
      - i. Discussing with an agency (including individual demonstrations) the qualities and characteristics of the person's products or services, conditions or terms of sale, and service capabilities.
      - ii. Technical discussions and other activities regarding the application of adaptation of the person's products or services for an agency's use.
    - (4) The following agency and legislative liaison activities are permitted

where they are prior to formal solicitation of any covered Federal action:

- i. Providing any information not specifically requested but necessary for an agency to make an informed decision about initiation of a covered Federal action;
- b. Technical discussions regarding the preparation of an unsolicited proposal prior to its official submission; and,
  - (1) Capability presentations by persons seeking awards from an agency pursuant to the provisions of the Small Business Act, as amended by Public Law 95-507, and subsequent amendments.
  - (2) Only those services expressly authorized by paragraph C.3.a.(1) of this clause are permitted under this clause.
- c. Professional and technical services
  - (1) The prohibition on the use of appropriated funds, in subparagraph C.1. of this clause, does not apply in the case of:
    - i. A payment of reasonable compensation made to an officer or employee of a person requesting or receiving a covered Federal action or an extension, continuation, renewal, amendment, or modification of covered Federal action, if payment is for professional or technical services rendered directly in the preparation, submission, or negotiation of any bid, proposal, or application for that Federal action or for meeting requirements imposed by or pursuant to law as condition for receiving that Federal action.
    - ii. Any reasonable payment to a person, other than an officer or employee of a person requesting or receiving a covered Federal action or an extension, continuation, renewal, amendment, or modification of a covered Federal action if the payment is for professional or technical services rendered directly in the preparation, submission or negotiation of any bid, proposal, or application or that Federal action or for meeting requirements imposed by or pursuant to law as a condition for receiving that Federal action. Persons other than officers or employees of a person requesting or receiving a covered Federal action include contractors and trade associations.
    - iii. For purposes of paragraph C.3.a.(1) of this clause, professional and technical services shall be limited to advise and analysis directly applying any professional or technical

discipline. For example, drafting of a legal document accompanying a bid or proposal is allowable. Similarly, technical advice provided by an engineer on the performance or operational capability of a piece of equipment rendered directly in the negotiation of a contract is allowable. However, communications with the intent to influence made by a professional (such as a licensed lawyer) or a technical person (such as a licensed accountant) are not allowable under this section unless they provide advice and analysis directly applying their professional or technical expertise and unless the advice or analysis is rendered directly and solely in the preparation, submission, or negotiation of a covered Federal action. Thus, for example, communications with the intent to influence made by a lawyer that do not provide legal advice or analysis directly and solely related to the legal aspects of his or her client's proposal, but generally advocate one proposal over another are not allowable under this section because the lawyer is not providing professional legal services. Similarly, communications with the intent to influence made by an engineer providing an engineering analysis prior to the preparation or submission of a bid or proposal are not allowable under this section since the engineer is providing technical services but not directly in the preparation, submission, or negotiation of a covered Federal action.

- iv. Requirements imposed by or pursuant to law as a condition for receiving a covered Federal award include those required by law or regulation and any other requirements in the actual award documents.
- v. Only those services expressly authorized by paragraph C.3.a.(1) and (2) of this clause are permitted under this clause.
- vi. The reporting requirements of FAR 3.803(a) shall not apply with respect to payments of reasonable compensation made to regularly employed officers or employees of a person.

d. Disclosure

- (1) The Contractor who requests or receives from an agency a Federal contract shall file with that agency a disclosure form OMB standard form LLL, Disclosure of Lobbying Activities, (Attachment to the bid package) if such person has made or had agreed to made any payment using non appropriated funds (to include profits from any covered Federal action), which would be prohibited under subparagraph B.1. of this clause, if paid for with appropriated funds.

- (2) The Contractor shall file a disclosure form at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the information contained in any disclosure form previously filed by such person under subparagraph II.A. of this clause. An event that materially affects the accuracy of the information reported includes:
    - i. A cumulative increase of \$25,000 or more in the amount paid or expected to be paid for influencing or attempting to influence a covered Federal action; or
    - ii. A change in the person(s) or individual(s) influencing or attempting to influence a covered Federal action; or
    - iii. A change in the officer(s), employee(s), or Member(s) contacted to influence or attempt to influence a covered Federal action.
  - (3) The Contractor shall require the submittal of a certification, and if required, a disclosure form by any person who requests or receives any subcontract exceeding \$100,000 under the Federal contract.
  - (4) All subcontractor disclosure forms (but not certifications) shall be forwarded from tier to tier until received by the Contractor. The Contractor shall submit all disclosures to the District at the end of the calendar quarter in which the disclosure form is submitted by the subcontractor. Each subcontractor certification shall be retained in the subcontract file of the awarding contractor.
- e. Agreement
  - (1) The Contractor agrees not to make any payment prohibited by this clause.
- f. Penalties
  - (1) Any person who makes an expenditure prohibited under paragraph a) of this clause or who fails to file or amend the disclosure form to be filed or amended by paragraph d) of this clause shall be subject to civil penalties as provided for by 31 U.S.C. 1352. An imposition of a civil penalty does not prevent the Government from seeking any other remedy that may be applicable.
  - (2) Contractor may relay without liability on the representation made by its subcontractors in the certification and disclosure forms.

**g. Cost Allowability:**

- (1) Nothing in this clause is to be interpreted to make allowable or reasonable any costs, which will otherwise be unallowable or unreasonable. Conversely, costs made specifically unallowable by the requirements in this clause will not be made allowable under any other provisions.

**CERTIFICATION OF  
RESTRICTIONS ON LOBBYING**

I, \_\_\_\_\_, hereby certify on behalf (name of offeror) of

\_\_\_\_\_ that:

(Firm name)

- A. No federal appropriated funds have been paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of congress, an officer or employee of congress, or an employee of a member of congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
1. If any funds, other than Federal appropriated funds, have been paid or will be paid to any person for making lobbying contracts to an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit the attached Standard Form-LLL, "Disclosure of Lobbying Activities", in accordance with its instructions.
  2. The undersigned shall require that the language of this certification be included in all subcontracts, and that all subcontractors shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance is placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The Bidder, \_\_\_\_\_, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Bidder understands and agrees that the provisions of 31 U.S.C. 3801, et seq. apply to this certification and disclosure, if any.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2020

By \_\_\_\_\_  
(Signature of authorized official)

\_\_\_\_\_  
(Title of authorized official)

**DISCLOSURE OF LOBBYING ACTIVITIES**

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352  
(See reverse for public burden disclosure.)

Approved by  
OMB  
003480045

<b>1. Type of Federal Action:</b> <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	<b>2. Status of Federal Action:</b> <input type="checkbox"/> a. bid/offer application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	<b>3. Report Type:</b> <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material changes  For Material Change Only: year _____ quarter _____ date of last report _____
<b>4. Name and Address of Reporting Entity:</b> <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known:  Congressional District, if known: _____	<b>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:</b>  Congressional District, if known: _____	
<b>6. Federal Department/Agency:</b>	<b>7. Federal Program Name/Description:</b>  CFDA number, if applicable: _____	
<b>8. Federal Action Number, if known:</b>	<b>9. Award Amount, if known:</b> \$ _____	
<b>10. a. Name and Address of Lobbying Entity</b> (if individual, last name, first name, MI)	<b>b. Individuals Performing Services (including address if different from No 10a)</b> (last name, first name, MI):	
(attach Continuation Sheet(s) SF - LLL - A if necessary)		
<b>11. Amount of Payment (check all that apply):</b>  \$ _____ <input type="checkbox"/> actual <input type="checkbox"/> planned	<b>13. Type of Payment (check all that apply):</b> <input type="checkbox"/> a. retainer <input type="checkbox"/> b. one-time fee <input type="checkbox"/> c. commission <input type="checkbox"/> d. contingent fee <input type="checkbox"/> e. deferred <input type="checkbox"/> f. other specify: _____	
<b>12. Forum of Payment (check all that apply):</b> <input type="checkbox"/> a. cash <input type="checkbox"/> b. in-kind; specify      nature: _____ value: _____		
<b>14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employee(s) or Member(s) contracted for Payment indicated in Item, 11:</b>   (attach Continuation Sheet(s) SF-LLL-A if necessary)		
<b>15. Continuation Sheet(s) SF-LLL-A attached:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>16. Information requested through this form is authorized by Code 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000.00 and not more than \$100,000.00 for each such failure.</b>	Signature: _____ Print name: _____ Title: _____ Telephone No: _____      Date: _____	
<b>Federal Use Only</b>		<b>Authorized for Local Reproduction</b> Standard Form - LLL

Approved by  
OMB  
003480045



## **INSTRUCTIONS FOR COMPLETION OF SF-LLL DISCLOSURE OF LOBBYING ACTIVITIES**

This DISCLOSURE FORMS SHALL BE COMPLETED BY the reporting entity, whether Subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Use the SF-LLL-A Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be a prime or subaward recipient. Identify the tier of the subawardee e.g., the first subawardee of the prime is the first tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee" then enter the full name, address city, state, and zip code of the prime Federal recipient. Include Congressional District.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency, name if known. For example, Department of Transportation, United State Coast Guard.
7. Enter the Federal program name for description of the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g. Request for Proposal (RFP) number, Invitation for Bid (IFB) number, grant announcement number, the contract, grant, or loan award number, the application/ proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state, and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.  
  
(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a.). Enter Last Name, First Name, and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box (es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box (es). Check all boxes that apply. If other, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) or employee(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.
15. Check whether or not a SF-LLL-A Continuation Sheet(s) is attached.
16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Office of Management and Budget Paperwork Reduction Project (0348-0446), Washington, D.C. 20503.

**DISCLOSURE OF LOBBYING ACTIVITIES CONTINUATION SHEET**

Approved by  
OMB  
003480045

Reporting Entity: \_\_\_\_\_ Page \_\_\_\_\_ of \_\_\_\_\_

Authorized for Local Reproduction

**SECTION III: ADDITIONAL CONTRACTUAL EXHIBITS**

### **SECTION III. ADDITIONAL CONTRACTUAL EXHIBITS**

The following Exhibits will be attached to and incorporated into the signed Agreement resulting from this IFB.

#### **A. PERFORMANCE BOND**

The successful bidder shall furnish at its own expense a Performance Bond (Exhibit E) satisfactory to the Authority in the amount of one hundred percent (100%) of the full amount of the contract as a guarantee of good faith on behalf of the Contractor that the terms of the contract, including all warranty provisions, shall be complied with in every particular. The bond shall be issued by a corporation surety (not an individual surety) required in the state of California and registered to do business in the county of Orange. The bond shall not be issued from a corporation surety that requires a funds control, funds disbursement, or funds administration company for the issuance of the performance bond.

The bond shall specifically provide that if the Contractor, or its subcontractor, fails to fully perform that the surety or sureties will pay for the same in an amount not exceeding the amount specified in the bond and in case suit is brought against the Authority, that the surety will undertake the defense of same.

#### **B. PAYMENT BOND**

The successful bidder shall furnish a Payment Bond (Exhibit F) satisfactory to the Authority in the amount of one hundred percent (100%) of the full amount of the contract. Such bonds shall be in effect during the entire term of the contract and warranty and shall be issued directly by a corporate surety (not an individual surety) registered in the state of California and registered to do business in the county of Orange. The bond shall not be issued from a corporation surety that requires a funds control, funds disbursement, or funds administration company for the issuance of the performance bond.

The bond shall specifically provide that if the Contractor fails to pay for amounts due under the Employment Insurance Act that the surety or sureties will pay for the same in an amount not exceeding the amount specified in the bond and in case suit is brought against the Authority, that the surety will undertake the defense of same.

Pursuant to California Civil Code Sections 9550 through 9554, in conjunction with the Bond and Undertaking Law (Code of Civil Procedure Sections 995.010, et. seq.), Bidders must provide the following information as part of their payment bond; a certificate of Authority from the Orange County Clerk's Office indicating that the insurer has not been surrendered, revoked, canceled, annulled, or suspended or, in the event that it has, that renewed Authority has been granted.

**C. GUARANTY**

The successful bidder shall also submit to the Authority the executed and notarized Guaranty form (Exhibit G) in this IFB.

All forms must be completed and submitted to the Contract Administrator responsible for this procurement within ten (10) calendar days of award notice by the Authority. Failure to submit the completed and signed forms will result in cancellation of the award.

**D. CONTRACT CHANGE ORDER**

The Authority's Contract Change Order form (Exhibit H) will be attached to and incorporated into the signed Agreement resulting from this IFB.

**PERFORMANCE BOND**

**KNOW ALL MEN BY THESE PRESENTS:**

That we, \_\_\_\_\_  
hereinafter referred to as "Contractor", as principal, and \_\_\_\_\_  
as surety, are held and firmly bound unto the Orange County Transportation Authority,  
State of California, in the sum \_\_\_\_\_  
Dollars, (\$ \_\_\_\_\_), lawful money of the United States of America,  
for the payment of which sum, well and truly to be made, we bind ourselves, jointly and  
severally, firmly by these presents.

The condition of the foregoing obligation is such that,

**WHEREAS**, said Contractor has been awarded and is about to enter into the annexed  
Agreement with the Orange County Transportation Authority for the **IFB 9-1787,**  
**"METROLINK TRAIN STATIONS PLATFORM DETECTABLE TILES REPLACEMENT**  
**AND PAINTED GUIDELINES RESTRIPIING PROJECT,"** as specified in said Agreement,  
which is incorporated herein to this bond by reference, and is required under the terms of  
said Agreement to give this bond in connection with the execution thereof;

**NOW THEREFORE**, if the said Contractor shall well and truly do and perform all of the  
covenants and obligations of said Agreement on his part to be done and performed at the  
times and in the manner specified herein, then this obligation shall be null and void,  
otherwise it shall be and remain in full force and effect; and in the event said Contractor  
fails to fully perform all requirements in accordance with the terms and conditions of said  
Agreement, then surety shall enforce performance by the Contractor or shall pay the  
Orange County Transportation Authority for the same in an amount not exceeding the  
amount specified in this bond; and, further, if in the event suit is brought upon this bond  
then said surety shall pay the Orange County Transportation Authority for reasonable  
attorneys' fees to be fixed by the court;

**PROVIDED**, that any changes in the work to be done, or the material to be furnished,  
whether or not made pursuant to the terms of said contract, shall not in any way release  
either the Contractor or the surety there under, nor shall any extensions of time granted  
under the provisions of said contract release either the Contractor or the surety, and  
notice of such changes or extensions of the contract is hereby waived by the surety.

**WITNESS** our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2020 .(SEAL) \_\_\_\_\_

(Contractor)

By \_\_\_\_\_

Approved:

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(SEAL)

\_\_\_\_\_  
(Surety)

By \_\_\_\_\_

**PAYMENT BOND**

**KNOW ALL MEN BY THESE PRESENTS:**

That we, \_\_\_\_\_  
hereinafter referred to as "Contractor", as principal, and \_\_\_\_\_  
as surety, are held and firmly bound unto the Orange County Transportation Authority,  
State of California, in the sum \_\_\_\_\_  
Dollars, (\$ \_\_\_\_\_), lawful money of the United States of America, for  
the payment of which sum, well and truly to be made, we bind ourselves, jointly and  
severally, firmly by these presents.

The Condition of the foregoing obligation is such that,

**WHEREAS**, said Contractor has been awarded and is about to enter into the annexed Agreement with the ORANGE COUNTY TRANSPORTATION AUTHORITY for the **IFB 9-1787, "METROLINK TRAIN STATIONS PLATFORM DETECTABLE TILES REPLACEMENT AND PAINTED GUIDELINES RESTRIPIING PROJECT,"** as specified in said Agreement, which is incorporated herein to this bond by reference, and is required under the terms of said Agreement to give this bond in connection with the execution thereof;

**NOW, THEREFORE**, if said Contractor or a subcontractor fails to pay any of the persons named in Section 9100 of the Civil Code of the State of California, or amounts due under the Unemployment Insurance Code with respect to work or labor performed under the contract, or for any amounts required to be deducted, withheld and paid over to the Employment Development Department from the wages of employees of said Contractor and subcontractors pursuant to Section 13020 of the Unemployment Insurance Code with respect to such work and labor, then said surety will pay for the same, in an amount not exceeding the sum specified in this bond, and also, in case suit is brought upon this bond, a reasonable attorney's fee, to be fixed by the court. This bond shall inure to the benefit of all persons named in Section 9100 of the Civil Code of the State of California so as to give a right of action to such persons or their assigns in any suit brought upon this bond. This bond shall be subject to and include all of the provisions of Title 3 of Part 64 of Division 4 of the Civil Code of California relating to Payment Bond for Public Works, including but not confined to, Civil Code Sections 8150 – 8154, inclusive and Sections 9550 - 9566, inclusive.

**PROVIDED**, that any changes in the work to be done or the material to be furnished, whether or not made pursuant to the terms of said contract, shall not in any way release either the Contractor or the surety thereunder, nor shall any extensions of time granted under the provisions of said contract release either the Contractor or the surety, and notice of such alterations or extensions of the contract is hereby waived by the surety.

**PAYMENT BOND, PAGE 2**

**WITNESS** our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2020..

(SEAL)

\_\_\_\_\_  
(Contractor)

By \_\_\_\_\_

\_\_\_\_\_  
(Title)

Approved:

\_\_\_\_\_  
(Surety)

\_\_\_\_\_  
(SEAL)

By \_\_\_\_\_



**GUARANTY**

The undersigned, as "Contractor," guarantees to the Orange County Transportation Authority that the materials furnished and the completed installation work, and the related work performed by the Contractor pursuant to Agreement No. **C-9-1787, "METROLINK TRAIN STATIONS PLATFORM DETECTABLE TILES REPLACEMENT AND PAINTED GUIDELINES RESTRIPIING PROJECT"**.

- A. For a period of one (1) year from the date of completion, as evidenced by the date of final acceptance of the work by the Authority, the Contractor warrants to the Authority that work performed and materials furnished under this Contract conforms to the Contract requirements and shall be free from any defect in design, material or workmanship performed by the Contractor or its subcontractors or suppliers. Notwithstanding the foregoing, Contractor shall not be liable for any defects of design, material or equipment provided by Authority.
- B. Under this guaranty, the Contractor shall remedy at its own expense any such failure to conform or any such defect.
- C. Nothing in the above intends or implies that this warranty shall apply to work, which has been abused or neglected by the Authority.
- D. This guaranty shall be in addition to the other guarantees and warranties specified in the Agreement and shall be enforceable concurrently with, or in lieu of, said other guarantees.

Should any of the materials or equipment prove defective or should the work as a whole prove defective, due to faulty workmanship, material furnished or methods of installation, or should the work or any part thereof fail to operate properly as originally intended and in accordance with the plans and specifications, due to any of the above causes, all within twelve (12) months after the date on which the work is accepted by the Authority, the undersigned agrees to reimburse the Authority, upon demand, for its expenses incurred in restoring any such equipment or materials replaced and the cost of removing and replacing any other work without cost to the Authority so that said work will function correctly as originally contemplated.

The Authority shall have the unqualified option to make any needed replacements or repairs itself or to have such replacements or repairs done by the undersigned. In the event the Authority elects to have said work performed by the undersigned, the undersigned agrees that the repairs shall be made and such materials as are necessary shall be furnished and installed within a reasonable time after the receipt of demand from the Authority. If the undersigned shall fail or refuse to comply with its obligations under this guaranty, the Authority shall be entitled to all costs and expenses, including attorneys' fees, reasonably incurred by reasons of the said failure or refusal.

**GUARANTY, PAGE 2**

Subscribed and sworn to before me	_____
	Name
this ____ day of _____, 2020.	_____
	Title
Seal of Notary	_____
	Signature
_____	_____
Notary Public	Date



**CONTRACT  
CHANGE  
ORDER**

**DATE:**

PROJECT	OCTA NO	CONTRACT NO.	SUPPL NO.	CHANGE REQUESTED BY:
			N/A	<input type="checkbox"/> OWNER <input type="checkbox"/> CONTRACTOR
TO:		ACCOUNT CODE		OTHER ID
TITLE:				

*You are hereby directed to make the herein described changes from the plans and specifications or do the following work not included in the plans and specifications on this contract. NOTE: This change order is not effective until approved by the Orange County Transportation Authority's Manager of Contracts Administration and Materials Management or in the case of change orders in excess of \$210,000.00 the Orange County Transportation Authority's Chief Executive Officer. Describe work to be performed, estimate of quantities, and prices to be paid. Segregate between additional work at contract price, agreed price, and force account. Unless otherwise stated, rates for rental equipment cover only such time as equipment is actually used and no allowance will be made for idle time.*

**Change Work Description:**

MODIFICATIONS DUE TO THIS CHANGE ORDER:

**TIME: 0** CALENDER DAYS

**PRICE: \$0.00**

☐ INCREASE ☐ DECREASE

APPROVAL RECOMMENDED BY:	_____	_____
	RESIDENT ENGINEER	DATE
APPROVAL RECOMMENDED BY:	_____	_____
	PROJECT MANAGER	DATE
APPROVAL RECOMMENDED BY:	_____	_____
	DIRECTOR OF RAIL PROGRAMS	DATE
APPROVAL RECOMMENDED BY:	_____	_____
	EXECUTIVE DIRECTOR OF CAPITAL PROGRAMS	DATE
APPROVAL RECOMMENDED BY:	_____	_____
	GENERAL COUNSEL	DATE
APPROVED BY:	_____	_____
	CONTRACTS ADMINISTRATION AND MATERIALS MANAGEMENT	DATE
APPROVED BY:	_____	_____
	CHIEF EXECUTIVE OFFICER	DATE

We, the Undersigned Contractor, have given careful consideration to the change and hereby agree that we will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will therefore accept as full payment the prices shown above. Additionally, we agreed that the compensation (time and cost) set forth in this Change Order comprises the total compensation due the Contractor, and all the Subcontractors and all Suppliers, for the work or change defined in this Change Order, including all impact on any unchanged work. By signing this Change Order, the Contractor acknowledges and agrees, on behalf of themselves, all Subcontractors and all Suppliers, that the stipulated compensation includes payment for all work contained in this Change Order, plus all payments for interruption of schedules, extended overhead costs, delay, and all impact, ripple effect or cumulative impact on all other work under the Contract. The signing of this Change Order shall indicate that the Change Order constitutes the total equitable adjustment owed to the Contractor, all Subcontractors and all Suppliers, and the Contractor agrees to waive all rights, without exception or reservation of any kind whatsoever, to file any further claim or request for equitable adjustment of any type, for any reasonably foreseeable cause that shall arise out of or as a result of this Change Order or the impact of this Change Order on the remainder of the work under this Contract.

ACCEPTED BY:

_____	_____
CONTRACTOR	DATE
_____	_____
NAME	TITLE

If the Contractor does not sign acceptance of this order, their attention is directed to the requirements of the specifications as to proceeding with the ordered work and filing a written protest within the time therein specified.

**SECTION IV: DISADVANTAGED BUSINESS ENTERPRISE PROGRAM**  
**REQUIREMENTS**

## **DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM REQUIREMENTS**

(Revised on 03/06/19)

### **1.0 DBE Goal**

To assist Bidders in ascertaining DBE availability based on the specific items of work associated with this procurement, the Authority has determined that DBEs are ready, willing and able to compete for subcontracting opportunities on this project. The DBE Goal for this contract is XX%. (GOAL)

### **2.0 DBE Policy and Applicability**

In accordance with federal financial assistance agreements with the U.S. Department of Transportation (U.S. DOT), the Orange County Transportation Authority (Authority) has adopted a Disadvantaged Business Enterprise ("DBE") Policy and Program, in conformance with Title 49 CFR part 26, "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs." The contract is subject to the following stipulated regulations. Pursuant to the intent of these Regulations, it is the policy of the Authority to fulfill the spirit and intent of the DBE Program regulations published under U.S. DOT Title 49 CFR, Part 26, by ensuring that DBEs have an equitable opportunity to compete for and participate in Authority's U.S. DOT-assisted contracts and subcontracts. The Authority is firmly committed to its DBE Program objectives, which are designed to:

- 2.1** Ensure non-discrimination in the award and administration of Authority's DOT-assisted contracts.
- 2.2** Create a level playing field on which DBEs can fairly compete for the Authority's DOT-assisted contracts.
- 2.3** Ensure that the DBE Program and Overall Goal are narrowly tailored in accordance with applicable law.
- 2.4** Ensure that only firms that meet 49 CFR part 26 eligibility standards are permitted to participate as DBEs in the Authority's DBE program.
- 2.5** Help remove barriers which impede the participation of DBEs in the Authority's U.S. DOT-assisted contracts.
- 2.6** Promote the use of DBEs in all types of U.S. DOT-assisted agreements and procurement activities conducted by the Authority.
- 2.7** Provide training and other assistance through our resource partners to address capital, bonding and insurance needs.

- 2.8 Assist in the development of DBE firms that can compete successfully in the marketplace outside the DBE Program; and
- 2.9 Establish and provide opportunities for DBEs by providing flexibility in the implementation of the Authority's DBE Program.

Bidders shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of subcontracts.

***Any terms used in this section that are defined in 49 CFR part 26, or elsewhere in the Regulations, shall have the meaning set forth in the Regulations. In the event of any conflicts or inconsistencies between the Regulations and the Authority's DBE Program with respect to U.S. DOT-assisted contracts, the Regulations shall prevail.***

#### **Race-Neutral/Race-Conscious DBE Program Measures**

The Authority will utilize both race-neutral and race-conscious means to meet its Overall DBE Program goals.

Race-neutral measures will include but are not limited to conducting outreach, training, providing other resource assistance, and assessing bid delivery schedules to ensure that DBEs interested in bidding for U.S. DOT-assisted solicitations are provided accurate and adequate information about the plans, specifications, and requirements of the solicitation in a timely manner to assist them in responding to the bid. Additional Authority race-neutral measures include ensuring that DBEs and other small business are afforded ample opportunity to participate in the Authority's U.S. DOT-assisted solicitations by unbundling large contracts to make them more accessible to small businesses and requiring or encouraging prime contractors to subcontract portions of work that they might otherwise perform with their own forces. Race-neutral participation also includes any time a DBE obtains a Prime Contract through customary competitive procurement procedures or is awarded a subcontract on a prime contract that does not carry a DBE goal.

In conjunction with the race-neutral measures listed above, the Authority will implement race-conscious measures through the use of contract goals and good faith efforts. When a contract-specific goal is assigned to a project, bidders must demonstrate responsiveness by committing to meet the DBE goal or documenting a bona fide good faith effort to do so, as a condition of award. Contract-specific goals are specifically targeted at DBEs certified through the California Unified Certification Program ("CUCP").

### 3.0 **Definitions**

The following definitions apply to the terms as used in these provisions:

- 3.1 ***"Disadvantaged Business Enterprise ("DBE")"*** means a for-profit small business concern: (a) which is at least 51 percent owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals; and (b) whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.
- 3.2 ***"Small Business Concern"*** means a small business as defined pursuant to Section 3 of the Small Business Act and Small Business Administration (SBA) regulations implementing it (13 CFR Part 121) that also does not exceed the cap on average annual gross receipts specified in §26.65(b).
- 3.3 ***"Socially and Economically Disadvantaged Individuals"*** means any individual who is a citizen (or lawfully admitted permanent resident) of the United States and who has been subjected to racial or ethnic prejudice or cultural bias within American society because of his or her identity as a member of a group and without regard to his or her individual qualities. The social disadvantage must stem from circumstances beyond the individual's control:
  - 3.3.1 Any individual who a recipient finds to be a socially and economically disadvantaged individual on a case-by-case basis. An individual must demonstrate that he or she has held himself or herself out, as a member of a designated group if you require it.
  - 3.3.2 Any individual in the following groups, members of which are rebuttably presumed to be socially and economically disadvantaged:
    - 3.3.2.1 "Black Americans," which includes persons having origins in any of the Black racial groups of Africa;
    - 3.3.2.2 "Hispanic Americans," which includes persons of Mexican, Puerto Rican, Cuban, Dominican, Central or South American, or other Spanish or Portuguese culture or origin, regardless of race;
    - 3.3.2.3 "Native Americans," which includes persons who are enrolled members of a federally or State recognized Indian tribe, Alaska Natives, or Native Hawaiians;
    - 3.3.2.4 "Asian-Pacific Americans," which includes persons whose origins are from Japan, China, Taiwan, Korea, Burma



(Myanmar), Vietnam, Laos, Cambodia (Kampuchea), Thailand, Malaysia, Indonesia, the Philippines, Brunei, Samoa, Guam, the U.S. Trust Territories of the Pacific Islands (Republic of Palau), Republic of the Northern Marianas Islands, Samoa, Macao, Fiji, Tonga, Kirbati, Tuvalu, Nauru, Federated States of Micronesia, or Hong Kong;

3.3.2.5 "Subcontinent Asian Americans," which includes persons whose origins are from India, Pakistan, and Bangladesh, Bhutan, the Maldives Islands, Nepal or Shri Lanka;

3.3.2.6 Women; and

3.3.2.7 Any additional groups whose members are designated as socially and economically disadvantaged by the SBA, at such time as the SBA designation becomes effective.

3.3.3 Being born in a particular country does not, standing alone, mean that a person is necessarily a member of one of the groups listed in this definition.

**3.4 "Owned and Controlled"** means a business: (a) which is at least 51 percent owned by one or more "Socially and Economically Disadvantaged Individuals," or, in the case of a publicly-owned business, at least 51 percent of the stock of which is owned by one or more "Socially and Economically Disadvantaged Individuals;" and (b) whose management and daily business operations are controlled by one or more such individuals.

**3.5 "Manufacturer"** means a firm that operates or maintains a factory or establishment that produces on the premises the materials or supplies obtained by the contractor.

**3.6 "Regular Dealer"** means a firm that owns, operates or maintains a store, warehouse, or other establishment in which the materials or supplies required for the performance of the contract are bought, kept in stock, and regularly sold to the public in the usual course of business. The firm must engage in, as its principal business, and in its own name, the purchase and sale of the product in question. A regular dealer in such bulk items as steel, cement, gravel, stone, and petroleum products need not keep such products in stock if it owns or operates distribution equipment.

**3.7 "Fraud"** includes a firm that does not meet the eligibility criteria of being a certified DBE and that attempts to participate in a U.S. DOT-assisted program as a DBE on the basis of false, fraudulent, or deceitful statements or representations, or under circumstances indicating a serious lack of

business integrity or honesty. The Authority may take enforcement action under 49 CFR part 31, Program Fraud and Civil Remedies, against any participant in the DBE program whose conduct is subject to such action under 49 CFR part 31. The Authority may refer cases of identified fraud to the Department of Justice, for prosecution under 18 U.S.C. 1001, or any other applicable provisions of law. Any person who makes a false or fraudulent statement in connection with participation of a DBE in any U.S. DOT-assisted program or otherwise, violates applicable Federal statutes.

- 3.8 "Other Socially and Economically Disadvantaged Individuals"** means those individuals who are citizens of the United States (or lawfully admitted permanent residents), and who, on a case-by-case basis, are determined by the Small Business Administration or the Authority to meet the social and economic disadvantage criteria described below.

#### 3.8.1 Social Disadvantage

- 3.8.1.1 The individual's social disadvantage must stem from his/her color, national origin, gender, physical handicap, long-term residence in an environment isolated from the mainstream of American society, or other similar cause beyond the individual's control.
- 3.8.1.2 The individual must demonstrate that he/she has personally suffered social disadvantage.
- 3.8.1.3 The individual's social disadvantage must be rooted in treatment which he/she has experienced in American society, not in other countries.
- 3.8.1.4 The individual's social disadvantage must be chronic, longstanding and substantial; not fleeting or insignificant.
- 3.8.1.5 The individual's social disadvantage must have negatively affected his/her entry into and/or advancement in the business world.
- 3.8.1.6 A determination of social disadvantage must be made before proceeding to make a determination of economic disadvantage.

#### 3.8.2 Economic Disadvantage

- 3.8.2.1 The individual's ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities, as compared to others in the same

line of business and competitive market area that are not socially disadvantaged.

- 3.8.2.2 The following criteria will be considered when determining the degree of diminished credit and capital opportunities of a person claiming social and economic disadvantage:

With respect to the individual:

- availability of financing
- bonding capability
- availability of outside equity capital
- available markets

With respect to the individual and the business concern:

- personal and business assets
- personal and business net worth
- personal and business income and profits

#### **4.0 DBE Bid Submission Requirements**

Bidder shall complete and submit the following DBE Exhibits (forms) with their bid:

- DBE Participation Commitment Form
  - Written Confirmation (required from each proposed DBE firm listed on the DBE Participation Commitment Form)

Bidder must complete and submit the following DBE Exhibits (forms) to the Authority no later than 4:00 p.m. on the 2<sup>nd</sup> business day after the bid due date:

- DBE Information – Good Faith Efforts (if sufficient participation to meet the DBE goal has not been proposed on the DBE Participation Commitment Form)
- Bidders List

Required Forms	Submission
<b>DBE Participation Commitment Form</b>	Required at time of bid
<b>Written Confirmation (for each DBE firm listed on the DBE Participation Commitment Form)</b>	Required at time of bid
<b>DBE Information – Good Faith Efforts</b>	Required no later than 4:00 p.m. on the 2 <sup>nd</sup> business day after the bid due date
<b>Bidders List</b>	Required no later than 4:00 p.m. on the 2 <sup>nd</sup> business day after the bid due date

**4.1 “DBE Participation Commitment Form” (Exhibit E-1) required at time of Bid.** The Bidder is to provide the following information for each DBE that will participate in the contract:

- 4.1.1 The complete name and address of each DBE who will participate in the contract;
- 4.1.2 Valid DBE Certification ID to confirm eligibility status through the CUCP, in conformance with 49 CFR Part 26;
- 4.1.3 A description of the work that each DBE will perform or provide;
- 4.1.4 The dollar amount of the work to be performed or provided by the DBE;
- 4.1.5 The bid item (#) associated with the proposed scope(s) of work;
- 4.1.6 The dollar amount of the work eligible to be credited for each DBE towards the DBE goal (should not include lower-tier participation and should account for the type of work to be performed);
- 4.1.7 The bidder shall also submit, for each DBE to perform under this Agreement, a written confirmation signed and dated from each DBE listed, acknowledging that the DBE is participating in the contract for the specified dollar value and scope of work listed on the DBE Participation Commitment Form. A signed quote or bid from the DBE firm can be used in lieu of the written confirmation; however, the dollar amount and scope(s) in the quote/bid, and the amount and scope reflected on the DBE Participation Commitment Form must match identically.

## 4.2 “DBE Information - Good Faith Efforts” (Exhibit E-2)

To be a responsible and responsive bidder, the bidder must make good faith efforts to meet the goal. The Bidder can meet this requirement in two ways: (i) the bidder can meet the goal by documenting commitments for participation by DBE firms sufficient for this purpose; or (ii) the bidder can demonstrate that he/she took all necessary and reasonable steps to achieve the DBE goal, or other requirement of this part, which, by their scope, intensity, and appropriateness to the objective, could reasonably be expected to obtain sufficient DBE participation, even if they were not fully successful.

If the Bidder did not meet or obtain enough DBE participation to meet the DBE goal, the bidder must complete and submit the “DBE Information – Good Faith Efforts,” form demonstrating that the Bidder made adequate good faith efforts to meet the goal.

If the bidder has met the DBE goal based on the participation of DBEs listed on the bidder’s “DBE Participation Commitment Form,” it is at the bidder’s discretion (i.e. this is not mandatory) to submit “DBE Information – Good Faith Efforts,” form. However, the submission of good faith efforts documentation can protect the bidder’s eligibility for award of the contract if the Authority determines that the bidder failed to meet the goal for various reasons (e.g., a DBE firm was not certified at bid submission or the bidder made a mathematical error). Submittal of only the “DBE Information – Good Faith Efforts,” form may not provide sufficient documentation to demonstrate that adequate good faith efforts were made; therefore, the bidder is encouraged to attach additional information and supporting documents as necessary.

Good Faith Efforts documentation must be submitted to the Authority no later than 4:00 p.m. on the 2<sup>nd</sup> business day after the bid due date.

For further guidance, refer to instructions on Exhibit E-2 “DBE Information – Good Faith Efforts” form and the United States Department of Transportation’s (“U.S. DOT”) DBE Program, Appendix A of Title 49 CFR Part 26 “Guidance Concerning Good Faith Efforts,” and the DBE Section of the Authority’s Pre-Bid PowerPoint.

#### **4.3 “Bidders List” (Exhibit E-3)**

The Authority is required by Regulations to create and maintain a “Bidders List,” of all firms bidding or quoting on the Authority’s U.S. DOT-assisted contracts for use in calculating the Authority’s DBE goal(s). Bidders are required to complete and submit the requested information listed on the “Bidders List” form, for all firms (DBE[s] and Non-DBE[s]) who submitted a bid, proposal or quote, including firms who were contracted by the prime bidder.

The “Bidders List” must be submitted to the Authority no later than 4:00 p.m. on the 2<sup>nd</sup> business day after the bid due date.

**SECTION V: CALIFORNIA UNIFIED CERTIFICATION PROGRAM**

# CALIFORNIA UNIFIED CERTIFICATION PROGRAM (CUCP)

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Dear Business Owner:

Thank you for your interest in participating in the Unified Certification Program (UCP) of California for Disadvantaged Business Enterprises (DBEs). As mandated by the United States Department of Transportation (U.S. DOT) in the DBE Program, Final Rule 49 Code of Federal Regulations (CFR), Part 26, all U.S. DOT recipients of federal financial assistance must participate in a statewide UCP by March 2002. The UCP is a “One-Stop Shopping” certification procedure that will eliminate the need for DBE firms to obtain certifications from multiple agencies within the State.

The UCP of California is charged with the responsibility of certifying firms and compiling and maintaining the Database of certified DBEs for U.S. DOT grantees in California, pursuant to 49 CFR Part 26. The Database is intended to expand the use of DBE firms by maintaining complete and current information on those businesses and the products and services they can provide to all grantees of California.

Complete the attached application and supplemental questionnaire if you wish to be considered for DBE certification and your business meets the following general guidelines:

1. The firm must be at least 51% owned by one or more socially and economically disadvantaged individuals.
2. The firm must be an independent business, and one or more of the socially and economically disadvantaged owners must control its management and daily operations.
3. Only existing for-profit “Small Business Concerns,” as defined by the Small Business Act and Small Business Administration (SBA) regulations may be certified. DBE applicants are first subject to the applicable small business size standards of the SBA. Second, the average annual gross receipts for the firm (including its affiliates) over the previous three fiscal years must not exceed U.S. DOT’s cap of \$17.42 million.

***For firm applying for airport concession DBE certification:*** The average annual gross receipts for the firm (including its affiliates) over the previous three fiscal years must not exceed \$30 million.

4. The Personal Net Worth (PNW) of each socially and economically disadvantaged owner must not exceed \$750,000. The PNW excludes the individual’s ownership interest in the applicant firm and the equity in his/her primary residence.



***For firm applying for airport concession DBE certification:*** A PNW is not required at this time.

Socially and economically disadvantaged individual means any individual who is a citizen of the United States (or lawfully admitted permanent resident) and who is a member of the following groups: Black American, Hispanic American, Native American, Asian-Pacific American, Subcontinent Asian American, or Women,

or

Any individual found to be socially and economically disadvantaged on a case-by-case basis by a certifying agency pursuant to the standards of the U.S. DOT 49 CFR part 26.

In order to avoid unnecessary delays, complete all portions of the application and supplemental questionnaire, placing "N/A" next to items that are not applicable. Include all copies of documents requested on the application, and have the Affidavit of Certification, Affidavit of Social and Economic Disadvantage and Personal Net Worth Statement notarized. Additional documentation may be requested if it is considered necessary to make a certification determination. Incomplete applications/supplemental questionnaires or applications/supplemental questionnaires without all the required documents will not be evaluated until such documents are submitted. We recommend keeping a copy of all submitted documents for your records.

**REMEMBER: It is no longer necessary to apply at more than one agency. If your firm meets the criteria for certification, it will be entered into the Database of DBEs for all U.S. DOT grantees in California. Only firms currently certified as eligible DBEs may participate in the DBE programs of U.S. DOT grantees of California.**

The California UCP has established four Regional DBE Certification Clusters throughout the State to effectively facilitate statewide DBE certification activities. Forward your completed certification packet to one of the agencies serving the county where your firm has its principal place of business. (See enclosed Roster of Certifying Agencies.)

***For Out-of-State Firms:*** The California UCP will not process a new application for DBE certification from a firm having its principal place of business in another state unless the firm has already been certified in that state. If your firm is located outside of California and is certified as a DBE at its home state, forward your completed certification packet, along with a copy of your DBE certificate, to the California Department of Transportation. (See page 3 of the enclosed Roster of Certifying Agencies.)

CALIFORNIA UNIFIED  
CERTIFICATION PROGRAM

# CALIFORNIA UNIFIED CERTIFICATION PROGRAM (CUCP)

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## DEFINITIONS OF TERMS USED IN UNIFORM CERTIFICATION APPLICATION

**Alaska Native Corporation (ANC)** – Any Regional Corporation, Village Corporation, Urban Corporation, or Group Corporation organized under the laws of the State of Alaska in accordance with the Alaska Native Claims Settlement Act, as amended.

**Concession** – A grant of property made by a government or other controlling authority in return for stipulated services or a promise that the property will be used for a specific purpose.

**Corporate Tax Returns** – Federal Tax Return Form 1120 or 1120S, including Schedules E or C.

**Indian Tribe** – Any Indian tribe, band, nation, or other organized group or community of Indians, including any ANC, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians, or is recognized as such by the State in which the tribe, band, nation, group, or community resides. See definition of Tribally-Owned Concern.

**Key Person Insurance** – Life insurance and long-term disability income insurance on major employees, with benefits payable to the business.

**Native Hawaiian** – Any individual whose ancestors were natives, prior to 1778, of the area, which now comprises the State of Hawaii.

**Native Hawaiian Organization** – Any community service organization serving Native Hawaiians in the State of Hawaii which is a not-for-profit organization chartered by the State of Hawaii, is controlled by Native Hawaiians and whose business activities will principally benefit such Native Hawaiians.

**Partnership Tax Returns** – Federal Tax Return Form 1065, including Schedules K and K-1.

**Personal Net Worth** – The net value of the assets of an individual remaining after total liabilities are deducted. An individual's personal net worth does not include: The individual's ownership interest in an applicant or participating DBE firm; or the individual's equity in his or her primary place of residence. An individual's personal net worth includes only his or her own share of assets held jointly or as community property with the individual's spouse.

**Personal Tax Returns** – Federal Tax Return Form 1040, including Schedules B and C.

**Regular Dealer** – A firm that owns, operates, or maintains a store, warehouse, or other establishment in which the materials, supplies, articles or equipment are bought, kept in stock, and regularly sold or leased to the public in the usual course of business. Packagers, brokers, manufacturers' representatives, or other persons who arrange or expedite transactions are not regular dealers.

**Socially and Economically Disadvantaged Individual** – Any individual who is a citizen (or lawfully admitted permanent resident) of the United States and who is –

1. Any individual who a recipient finds to be a socially and economically disadvantaged individual on a case-by-case basis.
2. Any individual in the following groups, members of which are rebuttably presumed to be socially and economically disadvantaged:
  - “African Americans” or “Black Americans,” which includes persons having origins in any of the Black racial groups of Africa.
  - “Hispanic Americans,” which includes persons of Mexican, Puerto Rican, Cuban, Dominican, Central or South American, or other Spanish or Portuguese culture or origin, regardless of race.
  - “Native Americans,” which includes persons who are American Indians, Eskimos, Aleuts, or Native Hawaiians.
  - “Asian-Pacific Americans,” which includes persons whose origins are from Japan, China, Taiwan, Korea, Burma (Myanmar), Vietnam, Laos, Cambodia (Kampuchea), Thailand, Malaysia, Indonesia, the Philippines, Brunei, Samoa, Guam, the U.S. Trust Territories of the Pacific Islands (Republic of Palau), the Commonwealth of the Northern Marianas Islands, Macao, Fiji, Tonga, Kirbati, Tuvalu, Nauru, Federated States of Micronesia, or Hong Kong.
  - “Asian Indian Americans” or “Subcontinent Asian Americans,” which includes persons whose origins are from India, Pakistan, Bangladesh, Bhutan, the Maldives Islands, Nepal or Sri Lanka.
  - Women.
  - Any additional groups whose members are designated as socially and economically disadvantaged by the SBA, at such time as the SBA designation becomes effective.

**Tribally-Owned Concerns** – Any concern at least 51 percent owned by an Indian tribe.

**DISADVANTAGED BUSINESS ENTERPRISE PROGRAM**  
**49 CFR PART 26**

**UNIFORM CERTIFICATION APPLICATION**

Under Sec. 26.107 of 49 CFR Part 26, dated February 2, 1999, if at any time, the Department or a recipient has reason to believe that any person or firm has willfully and knowingly provided incorrect information or made false statements, the Department may initiate suspension or debarment proceedings against the person or firm under 2 CFR Parts 180 and 1200, take enforcement action under 49 CFR Part 31, Program Fraud and Civil Remedies, and/or refer the matter to the Department of Justice under 18 U.S.C. 1001.

## **ROADMAP FOR APPLICANTS**

### ← **Should I apply?**

Your firm must meet the following requirements to qualify as a DBE under the United States Department of Transportation (DOT) DBE program:

- ☐ Disadvantaged owners are U.S. citizens or legal permanent residents.
- ☐ Firm's annual gross income does NOT exceed \$23.98 million (averaged over 3 years).
- ☐ Firm is at least 51% owned and controlled by socially and economically disadvantaged individuals.
- ☐ Firm meets SBA small business size in the primary industry group (13 CFR Part 121).
- ☐ Firm owned by ANCs, Indian Tribes, and Native Hawaiian Organizations meet the small business size requirements and are controlled by socially and economically disadvantaged individuals.
- ☐ Firm and owners meet the requirements of Part 26 concerning licenses and credentials.
- ☐ Firm must be for-profit.

Note: Firm must undergo an on-site review.

### ↑ **Is there an easier way to apply?**

If you are currently certified as an 8(a), or SDB firm, you may be eligible for a streamlined certification application process pursuant to a Memorandum of Understanding (MOU) between DOT and the SBA. Under the MOU, the certifying agency to which you are applying will accept your current SBA application package in lieu of requiring you to submit an entirely new application. You must still meet the requirements for the DBE program.

### → **What documents must I submit with this application?**

The following documents must be attached to your application. Missing documents or incomplete information will delay the processing of your application.

#### **All Applicants**

- ☐ Work experience resumes that include places of ownership/employment and corresponding dates.
- ☐ Personal Net Worth statement or statement from CPA.
- ☐ Social & economic disadvantage statement.
- ☐ Entire copy of personal tax returns for the last 3 years, if applicable.
- ☐ Documented proof of contributions used to acquire ownership for each owner (e.g. both sides of cancelled checks).
- ☐ Signed loan agreement and security agreements.
- ☐ Description of real estate and proof of ownership listed.
- ☐ List of equipment leased and signed lease agreements.
- ☐ List of construction equipment and/or vehicles owned and titles/proof of ownership.
- ☐ Signed leases for office/storage space.
- ☐ End of Year Balance Sheets and Income Statements for the past 3 years (or life of firm if less than 3 years). A new business must provide a current Balance Sheet.
- ☐ Copies of relevant licenses.
- ☐ DBE/MBE/WBE, SBA 8(a) or SDB certifications or denials and decertifications.
- ☐ Bank Authorizations and Signatory cards.
- ☐ Schedule of salaries paid to all officers, managers, owners or directors of the firm (W-2s).

#### **Sole Proprietorship**

- ☐ Assumed name, fictitious name or other registration

certificate from appropriate governmental agency.

#### **Partnership or Joint Venture**

- ☐ Original and any amended Partnership or Joint Venture Agreements.
- ☐ Assumed name, fictitious name, or other registration Certificate from appropriate governmental agency, if applicable.
- ☐ Partnership tax returns for last 3 years.

#### **Corporation or LLC**

- ☐ Official Articles of Incorporation (signed by the state official).
- ☐ Both sides of all Corporate Stock Certificates and Stock.
- ☐ Transfer Ledger.
- ☐ Entire copy of corporate tax returns for the last 3 years.
- ☐ Shareholders' Agreement.
- ☐ Minutes of all Stockholders' and Board of Directors' meetings.
- ☐ Corporate By-laws and any amendments.

**NOTE:** The specific state or recipient to which you are applying may have additional requirements.

### ↓ **Where can I find more information?**

U.S. DOT – <http://osdbuweb.dot.gov/business/dbe/index.html>

**SECTION 1: CERTIFICATION INFORMATION****1. Prior/Other Certifications.**

(a) Is your firm currently certified for any of the following programs? (If Yes, attach a copy of your certification(s)).	<input type="checkbox"/> DBE	Name of certifying agency:
		Has this firm's home state conducted an on-site visit? <input type="checkbox"/> Yes, on ____/____/____ <input type="checkbox"/> No
	<input type="checkbox"/> 8(a) <input type="checkbox"/> SDB	Stop! You may not have to complete this application. Ask about the streamlined application process under the SBA/DOT MOU.
(b) Has your firm applied for certification for any program listed in 1(a) in the past? <input type="checkbox"/> Yes, on ____/____/____ <input type="checkbox"/> No If Yes, identify: Other names your company has used: Identification and certification numbers:		
(c) Has this firm or any of its owners, Board of Directors, officers or management personnel been denied certification or decertified before by any agency in any state, local or Federal entity? <input type="checkbox"/> Yes, on ____/____/____ <input type="checkbox"/> No If Yes, identify State and name of agency:		

**SECTION 2: GENERAL INFORMATION****2. Contact Information.**

Contact Person:		Legal name of firm:	
Phone #:	Cell #:	Fax #:	
E-Mail:		Web Site (if firm has one):	
Street address of firm: (No P.O. box no.)			
Mailing address of firm:			
City:	County/Parish:	State:	Zip:

**3. Business Profile.**

Primary nature of business/NAICS code:		Federal tax ID:	
Federal identification number or Applicant's Social Security number:			
This firm was established on ____/____/____		I(we) have owned this firm since: ____/____/____	
Did the business exist under a different type of ownership prior to the date indicated above? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Explain.			
Method of acquisition (check all that apply): <input type="checkbox"/> Started new business <input type="checkbox"/> Bought existing business <input type="checkbox"/> Inherited business <input type="checkbox"/> Secured concession <input type="checkbox"/> Merger or consolidation <input type="checkbox"/> Other (explain) _____			
Has this firm operated under a different name during the past five years? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain.			
Has this firm applied for reorganization under Chapter 11 and/or liquidation under Chapter 7, within the last 3 years? (If Yes, provide court papers) <input type="checkbox"/> Yes <input type="checkbox"/> No			
Type of firm (Check all applicable): <input type="checkbox"/> Sole proprietorship (provide a copy of the assumed name certificate) <input type="checkbox"/> Partnership (provide copies of all partnership agreements and the assumed named certificate) <input type="checkbox"/> Corporation (provide Articles of Incorporation, copies of the stock certificates (both sides), Stock Transfer Ledger, Shareholders' Agreement, all minutes of the shareholders' meetings and Board of Directors' meetings, the Corporate Bylaws and Bylaws Amendments (if applicable), the Corporate Bank Resolution and Bank Signature Cards) <input type="checkbox"/> Limited Liability Partnership <input type="checkbox"/> Joint Venture <input type="checkbox"/> Other _____			
Number of employees:    Permanent Full-time____    Temporary Full-time____    Seasonal    Full-time____ Permanent Part-time____    Temporary Part-time____    Seasonal    Part-time____			
Where do you obtain seasonal employees?			
Does your firm directly pay, in its own name, all its employees? <input type="checkbox"/> Yes <input type="checkbox"/> No If No, explain.			
Specify the gross receipts of the firm for the last 3 years: (Attach copies of full transactions for each year)			
Year ending____		Total receipts: \$____	
Year ending____		Total receipts: \$____	
Year ending____		Total receipts: \$____	

### SECTION 3: OWNERSHIP

4. Identify all individuals or holding companies with any ownership interest. List their cash, equipment and/or real estate and/or other investment in the firm; and attach the documentation of the source of these investments. (Attach work experience resumes of each person; If more than two owners, attach a separate sheet.)

#### First Person

Name:		Title:		Home Phone#:	
Home Address (street and number):					
City:			State:		Zip
Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female		Ethnic Group (attach proof of status):			
U.S. Citizen: <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> African American <input type="checkbox"/> Hispanic <input type="checkbox"/> Native American <input type="checkbox"/> Caucasian <input type="checkbox"/> Asian Pacific <input type="checkbox"/> Asian Indian <input type="checkbox"/> Other Ethnic Group (explain)_____			
Legal permanent resident: <input type="checkbox"/> Yes <input type="checkbox"/> No					
Number of years owned:		Initial investment to acquire ownership interest in firm:		Type	Dollar Value
Percentage owned:				Cash	\$
Familial relationship to other owners:				Real Estate	\$
				Equipment	\$
				Other	\$
Shares of Stock: <u>Number</u> <u>Percentage</u> <u>Class</u> <u>Date Acquired</u> <u>Method Acquired</u>					
Additional contributions made by anyone since the business was started/acquired:					

#### Second Person

Name:		Title:		Home Phone#:	
Home Address (street and number):					
City:			State:		Zip:
Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female		Ethnic Group (Attach proof of status):			
U.S. Citizen: <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> African American <input type="checkbox"/> Hispanic <input type="checkbox"/> Native American <input type="checkbox"/> Caucasian <input type="checkbox"/> Asian Pacific <input type="checkbox"/> Asian Indian <input type="checkbox"/> Other Ethnic Group (explain)_____			
Legal permanent resident: <input type="checkbox"/> Yes <input type="checkbox"/> No					
Number of years owned:		Initial investment to acquire ownership interest in firm:		Type	Dollar Value
Percentage owned:				Cash	\$
Familial relationship to other owners:				Real Estate	\$
				Equipment	\$
				Other	\$
Shares of Stock: <u>Number</u> <u>Percentage</u> <u>Class</u> <u>Date Acquired</u> <u>Method Acquired</u>					
Additional contributions made by anyone since the business was started/acquired:					

### SECTION 4: CONTROL

5. Identify Officers & Board of Directors. (Attach work experience resumes of each person; If additional space is required, attach a separate sheet.)

	Name	Title/Date Appointed	Ethnicity	Gender
Company Officers	1.			
	2.			
	3.			
	4.			
	5.			
Board of Directors	1.			
	2.			
	3.			
	4.			
	5.			

6. Identify management personnel who control the firm in the following areas. (Attach work experience resumes, including dates of employment at each company for each person; if more than two persons, attach a separate sheet)

	Name	Title	Ethnicity	Gender
Financial Decision ( <i>responsibility for check signing, acquisition of lines of credit, surety bonding, supplies, etc.</i> )	1. 2.			
Estimating, bidding and negotiating ( <i>cost estimates, bid preparation and submission, negotiation or contract execution</i> )	1. 2.			
Hiring/firing of management personnel	1. 2.			
Field/Production Operations Supervisor ( <i>site supervision/scheduling, project management services</i> )	1. 2.			
List all field supervisors	1. 2.			
Office management	1. 2.			
Marketing/Sales	1. 2.			
Purchasing of major equipment	1. 2.			

7. Identify persons or firms who provide the following services.

	Name of firm	Name of person	Address	Phone No.
External management or technical/Computer service				
Accountant				
Attorney				
Principal Suppliers	1. Materials or equipment supplied _____ 2. Materials or equipment supplied _____			

8. Identify those union(s), business(es), or professional association(s) in which the owner(s) or management personnel have membership.

Name of union, business or professional association	Address	Phone No.
1.		
2.		
3.		



9. Attach a list of equipment and/or vehicles within your firm's possession or under your control (indicate separately), office space (owned or leased) and storage space (owned or leased), including signed leasing agreements.

**10. Financial Information.**

(a) Banking Information Name of bank: _____ Phone No. (     ) _____ Name of officer: _____ Address of bank: _____ City: _____ State: _____ Zip: _____				
(b) Bonding Information: If you have bonding capacity, identify: Name of agent or broker: _____ Phone No: (     ) _____ Address of agent/broker: _____ City _____ State: _____ Zip : _____ Bonding limit: Aggregate limit \$ _____ Project limit \$ _____				
(c) Attach copies of year end balance sheet and profit and loss (income) statements for the last 3 years, or if business has been in operation for less than one year, provide a current balance sheet, a projected profit and loss statement for the next 12 month period and a projected balance sheet for the end of that period.				

11. Identify all sources, amount and purposes of money loaned to the firm, including name of person or firm securing the loan, if other than owner(s). (Attach copies of all loan agreements.)

Name of Source	Address of Source	Amount
1.		
2.		
3.		

12. List current licenses (e.g. contractor, engineer, architect, ICC, etc.). (Attach copies of licenses.)

Name of Individual or Firm	Name of License	Expiration Date	License Number
1.			
2.			
3.			

13. Does your firm have key person insurance? ☐ Yes ☐ No  
 (If Yes, attach a list of the persons named and the value.)

14. List the 3 largest contracts completed by this firm in the past 3 years.

Name of owner/contractor	Name/location of project	Type of work performed
1.		
2.		
3.		

15. List all active jobs this firm is currently working on. (If additional space is required, attach a separate sheet.)

Name of prime contractor and project number	Location of project	Type of work	Date project began	Anticipated completion date
1.				
2.				
3.				

(a) Affiliate companies:	
(b) Do any of the people listed in question 4, 5, or 6 perform a management or supervisory function for any other business? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, identify: Person: _____ Title: _____ Business: _____ Function: _____	
(c) Do any of the people listed in questions 4, 5, or 6 own or work for other firms that have a business relationship with yours? (e.g., ownership interest, shared office space, financial investments, equipment leases or personnel sharing)? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, identify: Firm: _____ Person: _____ Business Relationship: _____	
(d) Whether affiliated or not, is the applicant firm co-located at any of its business locations, or does it share a telephone number, P.O. Box, office space, yard, warehouse, facilities, equipment, or office staff, with any other business, organization, or entity? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, identify: Firm's name: _____ Tax ID number: _____ Explain nature of shared facilities: _____	
(e) At present or in the past 5 years:  If you answered Yes to any of these questions, identify on a separate piece of paper any relevant names, addresses, dates and explanations.	Has this firm been a subsidiary of any other firm? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Has this firm consisted of a partnership in which one or more of the partners are other firms? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Has any other firm owned 5% or more of this firm? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Has this firm had any subsidiaries? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Has this firm owned 5% or more of any other firm? <input type="checkbox"/> Yes <input type="checkbox"/> No

## **SECTION 6: OTHER**

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## **AFFIDAVIT OF CERTIFICATION**

A MATERIAL OR FALSE STATEMENT OR OMISSION MADE IN CONNECTION WITH THIS APPLICATION IS SUFFICIENT CAUSE FOR DENIAL OF CERTIFICATION, REVOCATION OF A PRIOR APPROVAL, INITIATION OF SUSPENSION OR DEBARMENT PROCEEDINGS, AND MAY SUBJECT THE PERSON AND/OR ENTITY MAKING THE FALSE STATEMENT TO ANY AND ALL CIVIL AND CRIMINAL PENALTIES AVAILABLE PURSUANT TO APPLICABLE FEDERAL AND STATE LAW.

I \_\_\_\_\_ (full name), swear or affirm under penalty of law that I am \_\_\_\_\_ (title) of applicant firm \_\_\_\_\_ (firm name) and that I have read and understood all of the questions in this application and that all of the foregoing information and statements submitted in this application and its attachments and supporting documents are true and correct to the best of my knowledge, and that all responses to the questions are full and complete, omitting no material information. The responses include all material information necessary to fully and accurately identify and explain the operations, capabilities and pertinent history of the named firm, as well as the ownership, control, and affiliations thereof.

I recognize that the information submitted in this application is for the purpose of inducing certification approval by a government agency. I understand that a government agency may, by means it deems appropriate, determine the accuracy and truth of the statements in the application, and I authorize such agency to contact any entity named in the application, and the named firm's bonding companies, banking institutions, credit agencies, contractors, clients, and other certifying agencies for the purpose of verifying the information supplied and determining the named firm's eligibility.

I agree to submit to government audit, examination and review of books, records, documents and files, in whatever form they exist, of the named firm and its affiliates, inspection of its place(s) of business and equipment, and to permit interviews of its principals, agents, and employees. I understand that refusal to permit such inquiries shall be grounds for denial of certification.

If awarded a contract or subcontract, I agree to promptly and directly provide the prime contractor, if any, and the Department, recipient agency, or federal funding agency on an ongoing basis, current, complete and accurate information regarding (1) work performed on the project; (2) payments; and (3) proposed changes, if any, to the foregoing arrangements.

I agree to provide written notice to the recipient agency or Unified Certification Program (UCP) of any material change in the information contained in the original application within 30 calendar days of such change (e.g., ownership, address, telephone number, etc.).

I acknowledge and agree that any misrepresentations in this application or in records pertaining to a contract or subcontract will be grounds for terminating any contract or subcontract which may be awarded; denial or revocation of certification; suspension and debarment; and for initiating action under federal and/or state law concerning false statement, fraud or other applicable offenses.

I declare under penalty of perjury that the foregoing is true and correct.

Signature of owner, officer or partner \_\_\_\_\_ Date (mm/dd/yy) \_\_\_\_\_

I declare under penalty of perjury that the information provided in this application and supporting documents relating to my disadvantaged status and me is true and correct.

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**NOTARY CERTIFICATION**

STATE OF \_\_\_\_\_

);SS:

COUNTY OF \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Signature of Notary Public \_\_\_\_\_

Printed/typed name of Notary Public \_\_\_\_\_

County of residence \_\_\_\_\_ Date commission expires \_\_\_\_\_

## **AFFIDAVIT OF SOCIAL AND ECONOMIC DISADVANTAGE**

*This form must be signed and notarized for each owner upon which disadvantaged status is relied.*

### **SOCIAL DISADVANTAGE**

I hereby certify under penalty of perjury that I am a member of one of the following groups:

- ☐ African American     ☐ Hispanic     ☐ Native American     ☐ Caucasian     ☐ Asian Pacific  
☐ Asian Indian     ☐ Other Ethnic Group (*explain*)\_\_\_\_\_

And that I have held myself out as a member of that group and have acted as a member of that group.

I further certify that I am an owner of the company seeking DBE certification and that I have experienced social disadvantage due to the effect of discrimination based upon my (check all that apply)

- ☐ race     ☐ ethnicity     ☐ gender     ☐ other (*explain*)\_\_\_\_\_

Print Name:\_\_\_\_\_ Signature:\_\_\_\_\_ Date:\_\_\_\_\_

### **PERSONAL FINANCIAL STATEMENT**

I hereby certify under penalty of perjury that my personal net worth does not exceed \$1,320,000.

Print Name:\_\_\_\_\_ Signature:\_\_\_\_\_ Date:\_\_\_\_\_

This statement is supported by (check one)

- ☐ A signed, notarized statement of personal net worth, with appropriate supporting documentation.  
☐ A signed, notarized statement from a certified public accountant (CPA) attesting that he/she has examined my personal net worth and determined, consistent with the provisions of 49 CFR Section 26.67(a)(2) and generally accepted accounting standards, that my personal net worth does not exceed \$1,320,000.

<b>NOTARY CERTIFICATION</b>	
STATE OF _____	
COUNTY OF _____	}SS:
Subscribed and sworn to before me this _____ day of _____, 20____	
Signature of Notary Public _____	
Printed/typed name of Notary Public _____	
County of residence _____ Date commission expires _____	

## **PERSONAL NET WORTH STATEMENT** **(49 CFR PART 26)**

As of \_\_\_\_\_

**For firm applying for airport concession DBE certification:** A PNW is not required at this time.

Each individual owner of a DBE firm whose ownership or control is relied upon for DBE certification is required to provide Personal Net Worth (PNW) information and include it in the notarized DBE Certification Application package. For a firm with more than one owner relied upon for DBE certification, make additional copies of this Statement. The Unified Certification Program of California reserves the right to request additional information as necessary and may conduct an on-site visit to verify the information contained in this Statement.

I understand that all personal financial information I submit will remain confidential unless I give my written consent to release this information to a third party. I also understand that the only exception to this confidentiality provision is if I decide to appeal a decision by the Unified Certification Program of California.

Name \_\_\_\_\_ Phone \_\_\_\_\_  
 Business Address \_\_\_\_\_  
 City, State, & Zip Code \_\_\_\_\_  
 Business Name \_\_\_\_\_

<b>Assets<sup>1</sup></b>	<b>Liabilities</b>
Cash on Hand & in Banks .....\$ _____	Accounts Payable .....\$ _____
Savings Accounts .....\$ _____	Notes Payable to Banks and Others .....\$ _____
IRA or Other Retirement Accounts .....\$ _____	Installment Accounts (Auto) .....\$ _____
Accounts/Notes Receivable .....\$ _____	(Mo. Payments \$ _____)
Life Insurance/Cash Surrender Value .....\$ _____	Other Installment Accounts .....\$ _____
Stocks and Bonds .....\$ _____	(Mo. Payments \$ _____)
Real Estate <sup>2</sup> .....\$ _____	Loans on Life Insurance .....\$ _____
Automobile – Present Value .....\$ _____	Mortgages on Real Estate <sup>2</sup> .....\$ _____
Other Personal Property .....\$ _____	Unpaid Taxes .....\$ _____
Other Assets .....\$ _____	Other Liabilities .....\$ _____
<b>Total Assets .....\$ _____</b>	<b>Total Liabilities .....\$ _____</b>
	<b>NET WORTH \$ _____</b>

  

<b>Sources of Income</b>	<b>Contingent Liabilities</b>
Salary .....\$ _____	As Endorse or Co-Maker .....\$ _____
Net Investment Income .....\$ _____	Legal Claims and Judgment .....\$ _____
Real Estate Income .....\$ _____	Provision for Federal Income Tax .....\$ _____
Other Income <sup>3</sup> .....\$ _____	Other Special Debt .....\$ _____

Is any portion of the equity in the individual's primary residence attributable to withdrawal(s) from the firm applying for DBE certification? \_\_\_\_\_ If yes, how much? \$ \_\_\_\_\_

The undersigned does hereby swear that the foregoing statements are true, accurate, and complete.

Signature \_\_\_\_\_ Date \_\_\_\_\_

1. Exclude an individual's ownership interest in the firm applying for DBE certification.  
 For individuals claiming to be Alaska Native, exclude any of the following which the individual receives from any Alaska Native Corporation ("ANC"): Cash (including cash dividends on stock received from an ANC) to the extent that it does not, in the aggregate, exceed \$2,000 per individual per year; a partnership interest; land, or an interest in land (including land or an interest in land received from an ANC as a dividend or distribution on stock); and an interest in a settlement trust.
2. Do not include the individual's primary residence.
3. Alimony or child support payments need not be disclosed in "Other Income" unless it is desired to have such payments counted toward total income.

**PERSONAL NET WORTH STATEMENT**  
**NOTARY ACKNOWLEDGEMENT**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

On this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ before me, the undersigned Notary Public, personally appeared \_\_\_\_\_ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within Affidavit, and acknowledged that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature on the instrument, the person(s) executed the instrument.

WITNESS my hand and Official Seal.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_  
(Typed or Printed)

# CALIFORNIA UNIFIED CERTIFICATION PROGRAM (CUCP)



## SUPPLEMENTAL QUESTIONNAIRE

**For firm applying for airport concession DBE certification:** A Supplemental Questionnaire is not required at this time.

Firm Name: \_\_\_\_\_

1. Is the firm's principal place of business in California? Yes \_\_\_\_\_ No

If no, please include a copy of the firm's DBE certificate issued in its home state. (The California UCP will not process a new application for DBE certification from a firm having its principal place of business in another state unless the firm has already been certified in that state.)

2. Is the firm authorized to do business in the State of California? Yes \_\_\_\_\_ No

3. List all office locations in California: \_\_\_\_\_

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

4. Has the firm ever done business with any U.S. DOT Grantees of California? Yes \_\_\_\_\_ No

If yes, please indicate the agency name(s) and latest year(s):

Agency	Latest Year

Agency	Latest Year

5. Is there an upcoming project in which the firm is interested and therefore, would need to be certified prior to a specific date in order to be counted toward DBE participation? Yes \_\_\_\_\_ No

If yes, please answer the following:

Agency letting contract: \_\_\_\_\_

Contract number and name: \_\_\_\_\_

Bid opening date (If Request for Proposal, submission due date): \_\_\_\_\_

6. Indicate areas where you prefer to do your work. You may select Statewide (SW) to indicate you are willing to work anywhere in the State.

- |                                       |  |                                       |  |   |
|---------------------------------------|--|---------------------------------------|--|---|
| <input type="checkbox"/> SW Statewide | <input type="checkbox"/> 10 Fresno     | <input type="checkbox"/> 20 Madera    | <input type="checkbox"/> 30 Orange     | <input type="checkbox"/> 40 San Luis Obispo |
|                                       | <input type="checkbox"/> 50 Stanislaus |                                       |  |   |
| <input type="checkbox"/> 01 Alameda   | <input type="checkbox"/> 11 Glenn      | <input type="checkbox"/> 21 Marin     | <input type="checkbox"/> 31 Placer     | <input type="checkbox"/> 41 San Mateo       |
|                                       | <input type="checkbox"/> 51 Sutter     |                                       |  |   |
| <input type="checkbox"/> 02 Alpine    | <input type="checkbox"/> 12 Humboldt   | <input type="checkbox"/> 22 Mariposa  | <input type="checkbox"/> 32 Plumas     | <input type="checkbox"/> 42 Santa Barbara   |
|                                       | <input type="checkbox"/> 52 Tehema     |                                       |  |   |
| <input type="checkbox"/> 03 Amador    | <input type="checkbox"/> 13 Imperial   | <input type="checkbox"/> 23 Mendocino | <input type="checkbox"/> 33 Riverside  | <input type="checkbox"/> 43 Santa Clara     |
|                                       | <input type="checkbox"/> 53 Trinity    |                                       |  |   |
| <input type="checkbox"/> 04 Butte     | <input type="checkbox"/> 14 Inyo       | <input type="checkbox"/> 24 Merced    | <input type="checkbox"/> 34 Sacramento | <input type="checkbox"/> 44 Santa Cruz      |
|                                       | <input type="checkbox"/> 54 Tulare     |                                       |  |   |



# CALIFORNIA UNIFIED CERTIFICATION PROGRAM (CUCP)



<input type="checkbox"/> 05 Calaveras	<input type="checkbox"/> 15 Kern	<input type="checkbox"/> 25 Modoc	<input type="checkbox"/> 35 San Benito	<input type="checkbox"/> 45 Shasta
<input type="checkbox"/> 06 Colusa	<input type="checkbox"/> 55 Tuolumne	<input type="checkbox"/> 26 Mono	<input type="checkbox"/> 36 San Bernardino	<input type="checkbox"/> 46 Sierra
<input type="checkbox"/> 07 Contra Costa	<input type="checkbox"/> 16 Kings	<input type="checkbox"/> 27 Monterey	<input type="checkbox"/> 37 San Diego	<input type="checkbox"/> 47 Siskiyou
<input type="checkbox"/> 08 Del Norte	<input type="checkbox"/> 56 Ventura	<input type="checkbox"/> 28 Napa	<input type="checkbox"/> 38 San Francisco	<input type="checkbox"/> 48 Solano
<input type="checkbox"/> 09 El Dorado	<input type="checkbox"/> 17 Lake	<input type="checkbox"/> 29 Nevada	<input type="checkbox"/> 39 San Joaquin	<input type="checkbox"/> 49 Sonoma
	<input type="checkbox"/> 57 Yolo			
	<input type="checkbox"/> 18 Lassen			
	<input type="checkbox"/> 58 Yuba			
	<input type="checkbox"/> 19 Los Angeles			

# CALIFORNIA UNIFIED CERTIFICATION PROGRAM (CUCP)



## WORK CATEGORY CODES

Review the enclosed Work Category Codes list and indicate below areas of expertise that you prefer to perform in order of importance. DBE applicants are first subject to the applicable small business size standards of the Small Business Administration (SBA). Second, the average annual gross receipts for the firm (including its affiliates) over the previous three fiscal years must not exceed the U.S. Department of Transportation's cap of \$17.42 million. Note that size standards are subject to change at any time by the SBA. To determine if the firm meets SBA's and U.S. DOT's size standards, contact one of the certifying agencies on the enclosed roster.

***For firm applying for airport concession DBE certification:*** The average annual gross receipts for the firm (including its affiliates) over the previous three fiscal years must not exceed \$30 million.

<u>Work Code</u>	<u>Title (Description of Work/Service)</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

# CALIFORNIA UNIFIED CERTIFICATION PROGRAM (CUCP)



## AGRICULTURE, FORESTRY, AND FISHING

A0110	CASH GRAINS
A0130	FIELD CROPS, EXCEPT CASH GRAINS
A0160	VEGETABLES & MELONS
A0170	FRUITS & TREE NUTS
A0180	HORTICULTURAL SPECIALTIES
A0190	GENERAL FARMS, PRIMARILY CROP
A0210	LIVESTOCK, EXCEPT DAIRY AND POULTRY
A0240	DAIRY FARMS
A0250	POULTRY & EGGS
A0270	ANIMAL SPECIALTIES
A0290	GENERAL FARMS, PRIMARILY ANIMAL
A0710	SOIL PREPARATION SERVICES
A0720	CROP SERVICES
A0740	VETERINARY SERVICES
A0750	ANIMAL SERVICES, EXCEPT VETERINARY
A0760	FARM LABOR & MANAGEMENT SERVICES
A0780	LANDSCAPE & HORTICULTURAL SERVICES
A0810	TIMBER TRACTS
A0830	FOREST PRODUCTS
A0850	FORESTRY SERVICES
A0910	COMMERCIAL FISHING
A0920	FISH HATCHERIES & PRESERVES
A0970	HUNTING, TRAPPING, GAME PROPAGATION

## MINING

B1010	IRON ORES
B1020	COPPER ORES
B1030	LEAD & ZINC ORES
B1040	GOLD & SILVER ORES
B1060	FERROALLOY ORES, EXCEPT VANADIUM
B1080	METAL MINING SERVICES
B1090	MISC METAL ORES
B1220	BITUMINOUS COAL & LIGNITE MINING
B1230	ANTHRACITE MINING
B1240	COAL MINING SERVICES
B1310	CRUDE PETROLEUM & NATURAL GAS
B1320	NATURAL GAS LIQUIDS
B1380	OIL & GAS FIELD SERVICES
B1410	DIMENSION STONE
B1420	CRUSHED & BROKEN STONE
B1440	SAND & GRAVEL
B1450	CLAY, CERAMIC, & REFRACTORY MINERALS
B1470	CHEMICAL & FERTILIZER MINERALS
B1480	NONMETALLIC MINERALS SERVICES
B1490	MISC NONMETALLIC MINERALS

## CONSTRUCTION

C0600	MISC SUPPLIERS
C0612	SAFETY
C0620	LANDSCAPING & NURSERY
C0624	PETROLEUM, OIL, LUBRICANTS
C0625	SAND & GRAVEL
C0626	GRANITE & MARBLE
C0639	ASPHALT
C0649	PILINGS
C0651	CONCRETE & CEMENT
C0652	REINFORCING BAR SECTION
C0655	STEEL
C0656	DOORS & FRAMES
C0657	LUMBER
C0658	PAPER
C0659	PAINT
C0670	PIPE
C0680	FENCING
C0683	GUARD RAILINGS & BARRIERS
C0685	PAVEMENT MARKERS
C0686	ELECTRICAL & SIGNALS
C0687	GLASS & GLASS BLOCK
C0698	BUILDING MATERIAL
C0699	TOOLS
C0700	CONSTRUCTION STAKING
C1200	CONSTRUCTION AREA SIGNS
C1201	TRAFFIC CONTROL SYSTEM
C1522	RESET, ADJUST ROADWAY ITEMS
C1531	PLANE ASPHALT CONCRETE
C1575	REMOVE BRIDGE ITEM
C1580	MODIFY BRIDGE ITEM
C1601	CLEARING & GRUBBING
C1701	DEVELOP WATER SUPPLY
C1801	DUST PALLIATIVE
C1901	ROADWAY EXCAVATION
C1910	GRADING
C1920	STRUCTURE EXCAVATION
C1925	SHAPED BEDDING
C1930	STRUCTURE BACKFILL
C1940	DITCHES EXCAVATION
C1970	EMBANKMENT CONSTRUCTION
C1980	IMPORTED BORROW
C2000	HIGHWAY PLANTING
C2020	SOIL AMENDMENTS
C2021	HYDROSEEDING

# CALIFORNIA UNIFIED CERTIFICATION PROGRAM (CUCP)



## CONSTRUCTION (CONTINUED)

C2030 EROSION CONTROL  
 C2065 IRRIGATION SYSTEM  
 C2201 FINISHING ROADWAY  
 C2401 LIME TREATMENT  
 C2501 AGGREGATE SUBBASE  
 C2602 AGGREGATE BASE  
 C2700 CEMENT TREATED BASE  
 C2800 CONCRETE BASE  
 C3600 PENETRATION TREATMENT & PRIME COAT  
 C3701 SEAL COAT  
 C3901 ASPHALT CONCRETE  
 C3910 PAVING ASPHALT (ASPHALT CONCRETE)  
 C3930 PAVEMENT REINFORCING FABRIC  
 C3940 PLACE ASPHALT CONCRETE DIKE & MISC  
 C3990 RECYCLE, RECLAIM ASPHALT CONCRETE  
 C4010 PORTLAND CEMENT & CONCRETE PAVEMENT  
 C4040 CLEAN & SEAL PAVEMENT JOINTS - ROUT & SEAL  
 CRACKS  
 C4101 PAVEMENT SUBSEALING & JACKING  
 C4201 GROOVE & GRIND PAVEMENT  
 C4901 FURNISH & DRIVE PILING  
 C4906 CAST-IN-DRILLED-HOLE CONCRETE PILING  
 C5000 PRESTRESSING CONCRETE CAST-IN-PLACE  
 C5100 CONCRETE STRUCTURE  
 C5105 MINOR CONCRETE STRUCTURE  
 C5110 CONCRETE SURFACE FINISH  
 C5111 CONCRETE OVERLAY – DRILL & BOND  
 C5120 FURNISH PRECAST CONCRETE DECK UNIT  
 C5124 ERECT PRECAST CONCRETE  
 C5135 CONCRETE BLOCK & MASONRY RETAINING  
 WALL  
 C5136 REINFORCED CONCRETE CRIB WALL  
 C5150 CORE CONCRETE - REPAIR BRIDGE DECK  
 C5180 SOUND WALL (MASONRY BLOCK - CONCRETE)  
 C5190 JOINT SEAL - WATER STOP  
 C5201 REINFORCING STEEL  
 C5301 AIR-BLOWN MORTAR  
 C5310 PIPE LINING (CEMENT MORTAR)  
 C5401 WATERPROOFING  
 C5501 STEEL STRUCTURES  
 C5570 STEEL CRIB WALL  
 C5601 SIGN STRUCTURE  
 C5620 ROADSIDE SIGN  
 C5701 LUMBER & TIMBER  
 C5900 CLEAN & PAINT STEEL  
 C6101 RAILROAD WORK  
 C6200 ALTERNATIVE PIPE CULVERT

C6301 CAST-IN-PLACE CONCRETE PIPE  
 C6401 ASBESTOS-CEMENT PIPE  
 C6500 REINFORCED CONCRETE PIPE  
 C6552 JACKED REINFORCED CONCRETE PIPE  
 C6591 NON-REINFORCED CONCRETE PIPE  
 C6650 CORRUGATED METAL PIPE (CSP)  
 C6680 JACKED CORRUGATED STEEL PIPE)  
 C6700 STRUCTURAL STEEL PLATE PIPE, ARCH & PIPE  
 ARCH  
 C6800 SUBSURFACE DRAIN  
 C6811 EDGE DRAIN  
 C6815 HORIZONTAL DRAIN  
 C6819 FILTER FABRIC  
 C6820 PERMEABLE MATERIAL  
 C6900 DOWNDRAIN  
 C7000 PLASTIC PIPE  
 C7006 CORRUGATED STEEL PIPE INLET & RISER  
 C7026 CORRUGATED STEEL PIPE ENERGY DISSIPATOR  
 C7035 WELDED STEEL PIPE  
 C7041 JACKED WELDED STEEL PIPE  
 C7065 DEBRIS RACK-DRAINAGE GATE  
 C7112 REINFORCED CONCRETE SEWER PIPE  
 C7140 CLAY SEWER PIPE  
 C7160 ASBESTOS-CEMENT SEWER PIPE  
 C7180 CAST IRON SEWER PIPE  
 C7191 SEWER MANHOLE  
 C7194 JUNCTION CHAMBER  
 C7200 ROCK SLOPE PROTECTION  
 C7215 CONCRETED-ROCK SLOPE PROTECTION  
 C7218 AIR-BLOWN MORTAR (SLOPE PAVING)  
 C7250 SACKED CONCRETE  
 C7301 CONCRETE CURB & SIDEWALK - MISC  
 C7405 DRAINAGE PUMPING EQUIPMENT  
 C7410 PUMPING PLANT ELECTRICAL EQUIPMENT  
 C7415 ENGINE GENERATOR SET  
 C7500 MISC IRON & STEEL FRAME, COVER & GRATE  
 C7505 MISC BRIDGE METAL PUMPING PLANT METAL  
 C7600 DEVELOP, TEST, DRILL, MAINTAIN WELLS  
 C8000 FENCING  
 C8101 SURVEY OR HISTORICAL MONUMENT  
 C8201 OBJECT MARKER  
 C8320 METAL BEAM GUARD RAILING  
 C8330 METAL RAILING  
 C8331 CONCRETE BARRIER  
 C8391 METAL BEAM BARRIER  
 C8405 THERMOPLASTIC TRAFFIC STRIPE & MARKING  
 C8406 PAINTED TRAFFIC STRIPE & MARKING  
 C8501 PAVEMENT MARKING

# CALIFORNIA UNIFIED CERTIFICATION PROGRAM (CUCP)



## CONSTRUCTION (CONTINUED)

C8602	SIGNAL & LIGHTING	C9774	TRUCKER
C8603	SIGNAL	C9801	BUILDING CONSTRUCTION
C8604	LIGHTING	C9810	SMALL STRUCTURES
C8605	MESSAGE SIGNS, LIGHTING & SIGN ILLUMINATION	C9822	CARPENTRY
C8608	DETECTOR	C9826	LAND SURVEYING
C8609	TRAFFIC COUNT STATION	C9827	DRYWALL CONSTRUCTION
C8610	SPEED MONITORING STATION	C9828	CRANE WORK
C8611	RAMP METERING SYSTEM	C9829	RETAINER WALLS
C8700	CONSULTANT	C9830	WALL COVERING
C8701	BUSINESS ADMINISTRATION	C9834	CABINETS
C8702	MANAGEMENT INFORMATION SYSTEMS	C9835	LATHING
C8703	TRAFFIC ENGINEER	C9836	PLASTERING
C8704	ARCHITECTURAL	C9837	ROOFING
C8705	DESIGN	C9838	CERAMIC TILE
C8706	DESIGN BRIDGES	C9839	CARPET & DRAPES
C8707	FEASIBILITY STUDIES	C9840	FLOOR COVERING
C8710	ENGINEERING	C9842	MASONRY
C8711	COMPUTER	C9846	ADDITIONS, ALTERATIONS OR REPAIRS
C8712	PUBLIC RELATIONS	C9850	PLUMBING
C8716	ARCHITECTURAL ENGINEER	C9852	EXTERMINATORS
C8720	CIVIL ENGINEERING	C9854	PAINTING STRUCTURES
C8721	RIGHT OF WAY ENGINEER	C9858	RESIDENTIAL ELECTRICAL
C8722	ENVIRONMENTAL ENGINEER	C9860	WATER METER & TEMP FACILITIES
C8730	SAFETY STUDIES	C9862	RESIDENTIAL AIR CONDITIONING & SHEET METAL
C8740	ELECTRICAL ENGINEERS	C9864	SHOWER DOORS & MIRROR INSTALLATION
C8742	MECHANICAL ENGINEERS	C9866	HEATING & AIR CONDITIONING
C8744	LANDSCAPE ARCHITECTS	C9868	INSULATION
C8750	REAL ESTATE	C9869	ASBESTOS REMOVAL/ABATEMENT
C8760	SURVEYOR	C9872	SEWER CONNECTION
C8761	GEOPHYSICS	C9874	HARDWARE (ROUGH)
C8765	DRAFTING	C9876	HARDWARE (FINISH)
C8770	CONSTRUCTION MANAGEMENT	C9878	SIDING, STUCCO, VENEER
C8900	RAIL CAR SERVICES	C9901	MISC SERVICES – CALTRANS FACILITIES
C8901	AIR CONDITIONING/SHEET METAL	C9902	FUEL SYSTEMS
C8902	HEATING	C9903	CONSTRUCTION CLEAN UP
C8903	ELECTRICAL	C9904	CORING
C8904	GLASS INSTALLATION	C9905	CUTTING
C8905	SEATS	C9906	SANDBLASTING
C8906	AUTO SERVICE	C9907	CONSTRUCTION EQUIPMENT RENTAL
C8907	MACHINING	C9908	HEAVY EQUIPMENT RENTAL
C8908	PERSONNEL TRANSPORTATION	C9947	ELEVATOR
C9602	BOTTOM DUMP TRUCKING	C9980	DEMOLITION
C9605	FLAT BED TRUCKING	C9981	BUILDING MOVER
C9632	HAZARDOUS WASTE TRUCKING	C9988	MOVING & STORAGE
C9670	TRUCK RENTAL	C9999	BROKER (FOR FEE ONLY)
C9771	TRUCK BROKER		

# CALIFORNIA UNIFIED CERTIFICATION PROGRAM (CUCP)



## MANUFACTURING

D2010	MEAT PRODUCTS	D2670	MISC CONVERTED PAPER PRODUCTS
D2020	DAIRY PRODUCTS	D2710	NEWSPAPERS
D2030	PRESERVED FRUITS & VEGETABLES	D2720	PERIODICALS
D2040	GRAIN MILL PRODUCTS	D2730	BOOKS
D2050	BAKERY PRODUCTS	D2740	MISC PUBLISHING
D2060	SUGAR & CONFECTIONERY PRODUCTS	D2750	COMMERCIAL PRINTING
D2070	FATS & OILS	D2760	MANIFOLD BUSINESS FORMS
D2080	BEVERAGES	D2770	GREETING CARDS
D2090	MISC FOOD & KINDRED PRODUCTS	D2780	BLANKBOOKS & BOOKBINDING
D2110	CIGARETTES	D2790	PRINTING TRADE SERVICES
D2120	CIGARS	D2810	INDUSTRIAL INORGANIC CHEMICALS
D2130	CHEWING & SMOKING TOBACCO	D2820	PLASTICS MATERIALS & SYNTHETICS
D2140	TOBACCO STEMMING & REDRYING	D2830	DRUGS
D2210	BROADWOVEN FABRIC MILLS, COTTON	D2840	SOAP, CLEANERS, & TOILET GOODS
D2220	BROADWOVEN FABRIC MILLS, MANMADE	D2850	PAINTS & ALLIED PRODUCTS
D2230	BROADWOVEN FABRIC MILLS, WOOL	D2860	INDUSTRIAL ORGANIC CHEMICALS
D2240	NARROW FABRIC MILLS	D2870	AGRICULTURAL CHEMICALS
D2250	KNITTING MILLS	D2890	MISC CHEMICAL PRODUCTS
D2260	TEXTILE FINISHING, EXCEPT WOOL	D2910	PETROLEUM REFINING
D2270	CARPETS & RUGS	D2950	ASPHALT PAVING & ROOFING MATERIALS
D2280	YARN & THREAD MILLS	D2990	MISC. PETROLEUM & COAL PRODUCTS
D2290	MISC TEXTILE GOODS	D3010	TIRES & INNER TUBES
D2310	MEN'S & BOYS' SUITS & COATS	D3020	RUBBER & PLASTICS FOOTWEAR
D2320	MEN'S & BOYS' FURNISHINGS	D3050	HOSE & BELTING & GASKETS & PACKING
D2330	WOMEN'S & MISSES' OUTERWEAR	D3060	FABRICATED RUBBER PRODUCTS, NEC
D2340	WOMEN'S & CHILDREN'S UNDERGARMENTS	D3080	MISC PLASTICS PRODUCTS, NEC
D2350	HATS, CAPS, & MILLINERY	D3110	LEATHER TANNING & FINISHING
D2360	GIRLS' & CHILDREN'S OUTERWEAR	D3130	FOOTWEAR CUT STOCK
D2370	FUR GOODS	D3140	FOOTWEAR, EXCEPT RUBBER
D2380	MISC APPAREL & ACCESSORIES	D3150	LEATHER GLOVES & MITTENS
D2390	MISC FABRICATED TEXTILE PRODUCTS	D3160	LUGGAGE
D2410	LOGGING	D3170	HANDBAGS & PERSONAL LEATHER GOODS
D2420	SAWMILLS & PLANING MILLS	D3190	LEATHER GOODS, NEC
D2430	MILLWORK, PLYWOOD & STRUCTURAL MEMBERS	D3210	FLAT GLASS
D2440	WOOD CONTAINERS	D3220	GLASS & GLASSWARE, PRESSED OR BLOWN
D2450	WOOD BUILDINGS & MOBILE HOMES	D3230	PRODUCTS OF PURCHASED GLASS
D2490	MISC WOOD PRODUCTS	D3240	CEMENT, HYDRAULIC
D2510	HOUSEHOLD FURNITURE	D3250	STRUCTURAL CLAY PRODUCTS
D2520	OFFICE FURNITURE	D3260	POTTERY & RELATED PRODUCTS
D2530	PUBLIC BUILDING & RELATED FURNITURE	D3270	CONCRETE, GYPSUM, & PLASTER PRODUCTS
D2540	PARTITIONS & FIXTURES	D3280	CUT STONE & STONE PRODUCTS
D2590	MISC FURNITURE & FIXTURES	D3290	MISC NONMETALLIC MINERAL PRODUCTS
D2610	PULP MILLS	D3310	BLAST FURNACE & BASIC STEEL PRODUCTS
D2620	PAPER MILLS	D3320	IRON & STEEL FOUNDRIES
D2630	PAPERBOARD MILLS	D3330	PRIMARY NONFERROUS METALS
D2650	PAPERBOARD CONTAINERS & BOXES	D3340	SECONDARY NONFERROUS METALS
		D3350	NONFERROUS ROLLING & DRAWING
		D3360	NONFERROUS FOUNDRIES (CASTINGS)



# CALIFORNIA UNIFIED CERTIFICATION PROGRAM (CUCP)



## MANUFACTURING (CONTINUED)

D3390 MISC PRIMARY METAL PRODUCTS  
 D3410 METAL CANS & SHIPPING CONTAINERS  
 D3420 CUTLERY, HANDTOOLS, & HARDWARE  
 D3430 PLUMBING & HEATING, EXCEPT ELECTRIC  
 D3440 FABRICATED STRUCTURAL METAL PRODUCTS  
 D3450 SCREW MACHINE PRODUCTS, BOLTS, ETC.  
 D3460 METAL FORGINGS & STAMPINGS  
 D3470 METAL SERVICES, NEC  
 D3480 ORDNANCE & ACCESSORIES, NEC  
 D3490 MISC FABRICATED METAL PRODUCTS  
 D3510 ENGINES & TURBINES  
 D3520 FARM & GARDEN MACHINERY  
 D3530 CONSTRUCTION & RELATED MACHINERY  
 D3540 METALWORKING MACHINERY  
 D3550 SPECIAL INDUSTRY MACHINERY  
 D3560 GENERAL INDUSTRIAL MACHINERY  
 D3570 COMPUTER & OFFICE EQUIPMENT  
 D3580 REFRIGERATION & SERVICE MACHINERY  
 D3590 INDUSTRIAL MACHINERY, NEC  
 D3610 ELECTRIC DISTRIBUTION EQUIPMENT  
 D3620 ELECTRICAL INDUSTRIAL APPARATUS  
 D3630 HOUSEHOLD APPLIANCES  
 D3640 ELECTRIC LIGHTING & WIRING EQUIPMENT  
 D3650 HOUSEHOLD AUDIO & VIDEO EQUIPMENT  
 D3660 COMMUNICATIONS EQUIPMENT  
 D3670 ELECTRONIC COMPONENTS & ACCESSORIES  
 D3690 MISC ELECTRICAL EQUIPMENT & SUPPLIES  
 D3710 MOTOR VEHICLES & EQUIPMENT  
 D3720 AIRCRAFT & PARTS  
 D3730 SHIP & BOAT BUILDING & REPAIRING  
 D3740 RAILROAD EQUIPMENT  
 D3750 MOTORCYCLES, BICYCLES, & PARTS  
 D3760 GUIDED MISSILES, SPACE VEHICLES, PARTS  
 D3790 MISC TRANSPORTATION EQUIPMENT  
 D3810 SEARCH & NAVIGATION EQUIPMENT  
 D3820 MEASURING & CONTROLLING DEVICES  
 D3840 MEDICAL INSTRUMENTS & SUPPLIES  
 D3850 OPHTHALMIC GOODS  
 D3860 PHOTOGRAPHIC EQUIPMENT & SUPPLIES  
 D3870 WATCHES, CLOCKS, WATCHCASES & PARTS  
 D3910 JEWELRY, SILVERWARE, & PLATED WARE  
 D3930 MUSICAL INSTRUMENTS  
 D3940 TOYS & SPORTING GOODS  
 D3950 PENS, PENCILS, OFFICE, & ART SUPPLIES  
 D3960 COSTUME JEWELRY & NOTIONS  
 D3990 MISC MANUFACTURES

## TRANSPORTATION & PUBLIC UTILITIES

E4010 RAILROADS  
 E4110 LOCAL & SUBURBAN TRANSPORTATION  
 E4120 TAXICABS  
 E4130 INTERCITY & RURAL BUS TRANSPORTATION  
 E4140 BUS CHARTER SERVICE  
 E4150 SCHOOL BUSES  
 E4170 BUS TERMINAL & SERVICE FACILITIES  
 E4210 TRUCKING & COURIER SERVICES, EX. AIR  
 E4220 PUBLIC WAREHOUSING & STORAGE  
 E4230 TRUCKING TERMINAL FACILITIES  
 E4310 U. S. POSTAL SERVICE  
 E4410 DEEP SEA FOREIGN TRANS. OF FREIGHT  
 E4420 DEEP SEA DOMESTIC TRANS. OF FREIGHT  
 E4430 FREIGHT TRANS. ON THE GREAT LAKES  
 E4440 WATER TRANSPORTATION OF FREIGHT, NEC.  
 E4480 WATER TRANSPORTATION OF PASSENGERS  
 E4490 WATER TRANSPORTATION SERVICES  
 E4510 AIR TRANSPORTATION, SCHEDULED  
 E4520 AIR TRANSPORTATION, NONSCHEDULED  
 E4580 AIRPORTS, FLYING FIELDS, & SERVICES  
 E4610 PIPELINES, EXCEPT NATURAL GAS  
 E4720 PASSENGER TRANSPORTATION ARRANGEMENT  
 E4724 TRAVEL SERVICE  
 E4730 FREIGHT TRANSPORTATION ARRANGEMENT  
 E4740 RENTAL OF RAILROAD CARS  
 E4780 MISC TRANSPORTATION SERVICES  
 E4810 TELEPHONE COMMUNICATIONS  
 E4820 TELEGRAPH & OTHER COMMUNICATIONS  
 E4830 RADIO & TELEVISION BROADCASTING  
 E4840 CABLE & OTHER PAY TV SERVICES  
 E4890 COMMUNICATIONS SERVICES, NEC  
 E4910 ELECTRIC SERVICES  
 E4920 GAS PRODUCTION & DISTRIBUTION  
 E4930 COMBINATION UTILITY SERVICES  
 E4940 WATER SUPPLY  
 E4950 SANITARY SERVICES, NEC  
 E4952 SEWERAGE SYSTEMS  
 E4953 WASTE COLLECTION AND DISPOSAL  
 E4954 HAZARDOUS WASTE COLLECTION AND DISPOSAL  
 E4960 STEAM & AIR-CONDITIONING SUPPLY  
 E4970 IRRIGATION SYSTEMS

# CALIFORNIA UNIFIED CERTIFICATION PROGRAM (CUCP)



## SUPPLIERS

(Construction suppliers listed in Construction section.)

F5030 LUMBER AND CONSTRUCTION MATERIAL  
F5040 PROFESSIONAL & COMMERCIAL EQUIPMENT  
F5044 OFFICE EQUIPMENT  
F5045 COMPUTERS, PERIPHERALS & SOFTWARE  
F5050 METALS & MINERALS, EXCEPT PETROLEUM  
F5060 ELECTRICAL GOODS  
F5070 HARDWARE, PLUMBING & HEATING EQUIPMENT  
F5080 MACHINERY, EQUIPMENT, & SUPPLIES  
F5085 COMPUTER EQUIPMENT & SUPPLIES  
F5088 TRANSPORTATION EQUIPMENT & SUPPLIES  
F5090 MISC DURABLE GOODS  
F5110 PAPER & PAPER PRODUCTS  
F5130 APPAREL, PIECE GOODS, & NOTIONS  
F5140 GROCERIES & RELATED PRODUCTS  
F5150 FARM-PRODUCT RAW MATERIALS  
F5160 CHEMICALS & ALLIED PRODUCTS  
F5170 PETROLEUM & PETROLEUM PRODUCTS  
F5180 BEER, WINE, & DISTILLED BEVERAGES  
F5190 MISC NONDURABLE GOODS  
F5210 LUMBER & OTHER BUILDING MATERIALS  
F5230 PAINT, GLASS, & WALLPAPER STORES  
F5251 HARDWARE STORES  
F5260 RETAIL NURSERIES & GARDEN STORES  
F5270 MOBILE HOME DEALERS  
F5310 DEPARTMENT STORES  
F5330 VARIETY STORES  
F5390 MISC GENERAL MERCHANDISE STORES  
F5410 GROCERY STORES  
F5420 MEAT & FISH MARKETS  
F5430 FRUIT & VEGETABLE MARKETS  
F5440 CANDY, NUT, & CONFECTIONERY STORES  
F5450 DAIRY PRODUCTS STORES  
F5460 RETAIL BAKERIES  
F5490 MISC FOOD STORES  
F5510 NEW & USED CAR DEALERS  
F5520 USED CAR DEALERS  
F5530 AUTO & HOME SUPPLY STORES  
F5540 GASOLINE SERVICE STATIONS  
F5550 BOAT DEALERS  
F5560 RECREATIONAL VEHICLE DEALERS  
F5570 MOTORCYCLE DEALERS  
F5590 AUTOMOTIVE DEALERS, NEC  
F5610 MEN'S & BOYS' CLOTHING STORES  
F5620 WOMEN'S CLOTHING STORES  
F5630 WOMEN'S ACCESSORY  
F5640 CHILDREN'S & INFANTS' WEAR STORES

F5650 FAMILY CLOTHING STORES  
F5660 SHOE STORES  
F5690 MISC APPAREL & ACCESSORY STORES  
F5710 FURNITURE & HOMEFURNISHINGS STORES  
F5720 HOUSEHOLD APPLIANCE STORES  
F5730 RADIO, TELEVISION, & COMPUTER STORES  
F5810 EATING & DRINKING PLACES  
F5820 CATERING  
F5910 DRUG STORES & PROPRIETARY STORES  
F5920 LIQUOR STORES  
F5930 USED MERCHANDISE STORES  
F5940 MISC SHOPPING GOODS STORES  
F5960 NONSTORE RETAILERS  
F5980 FUEL DEALERS  
F5990 RETAIL STORES, NEC  
F5992 FLORIST

## FINANCE INSURANCE & REAL ESTATE

H6010 CENTRAL RESERVE DEPOSITORIES  
H6020 COMMERCIAL BANKS  
H6030 SAVINGS INSTITUTIONS  
H6060 CREDIT UNIONS  
H6080 FOREIGN BANK & BRANCHES & AGENCIES  
H6090 FUNCTIONS CLOSELY RELATED TO BANKING  
H6110 FEDERAL & FED.-SPONSORED CREDIT  
H6140 PERSONAL CREDIT INSTITUTIONS  
H6150 BUSINESS CREDIT INSTITUTIONS  
H6160 MORTGAGE BANKERS & BROKERS  
H6210 SECURITY BROKERS & DEALERS  
H6220 COMMODITY CONTRACTS BROKERS, DEALERS  
H6230 SECURITY & COMMODITY EXCHANGES  
H6280 SECURITY & COMMODITY SERVICES  
H6310 LIFE INSURANCE  
H6320 MEDICAL SERVICE & HEALTH INSURANCE  
H6330 FIRE, MARINE, & CASUALTY INSURANCE  
H6350 SURETY INSURANCE  
H6360 TITLE INSURANCE  
H6370 PENSION, HEALTH, & WELFARE FUNDS  
H6390 INSURANCE CARRIERS, NEC  
H6410 INSURANCE AGENTS, BROKERS, & SERVICE  
H6510 REAL ESTATE OPERATORS & LESSORS  
H6530 REAL ESTATE AGENTS & MANAGERS  
H6531 REAL ESTATE APPRAISERS & BROKERS  
H6540 TITLE ABSTRACT OFFICES  
H6550 SUBDIVIDERS & DEVELOPERS  
H6710 HOLDING OFFICES  
H6720 INVESTMENT OFFICES  
H6730 TRUSTS  
H6790 MISC INVESTING



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## SERVICES

I7010	HOTELS & MOTELS	I7850	MISCELLANEOUS AUDIO VISUAL SERVICES
I7020	ROOMING & BOARDING HOUSES	I7910	DANCE STUDIOS, SCHOOLS, & HALLS
I7030	CAMPS & RECREATIONAL VEHICLE PARKS	I7920	PRODUCERS, ORCHESTRAS, ENTERTAINERS
I7040	MEMBERSHIP-BASIS ORG. HOTELS	I7930	BOWLING CENTERS
I7210	LAUNDRY, CLEANING, & GARMENTS	I7940	COMMERCIAL SPORTS
I7220	PHOTOGRAPHIC STUDIOS, PORTRAIT	I7990	MISC AMUSEMENT, RECREATION SERVICES
I7230	BEAUTY SHOPS	I8010	OFFICES & CLINICS OF MEDICAL DOCTORS
I7240	BARBER SHOPS	I8020	OFFICES & CLINICS OF DENTISTS
I7250	SHOE REPAIR & SHOESHINE PARLORS	I8030	OFFICES OF OSTEOPATHIC PHYSICIANS
I7260	FUNERAL SERVICE & CREMATORIES	I8040	OFFICES OF OTHER HEALTH PRACTITIONERS
I7290	MISC PERSONAL SERVICES	I8050	NURSING & PERSONAL CARE FACILITIES
I7291	TAX RETURN PREPARATION SERVICES	I8060	HOSPITALS
I7310	ADVERTISING	I8070	MEDICAL LABORATORIES
I7320	CREDIT REPORTING & COLLECTION	I8073	DRUG TESTING
I7330	MAILING, REPRODUCTION, STENOGRAPHIC	I8080	HOME HEALTH CARE SERVICES
I7336	COMMERICAL ART AND GRAPHIC DESIGN	I8090	HEALTH & ALLIED SERVICES, NEC
I7340	SERVICES TO BUILDINGS	I8110	LEGAL SERVICES
I7341	JANITORIAL SERVICES	I8210	ELEMENTARY & SECONDARY SCHOOLS
I7342	DISINFECTING AND PEST CONTROL	I8220	COLLEGES & UNIVERSITIES
I7349	BUILDING MAINTENANCE SERVICES	I8230	LIBRARIES
I7350	MISC EQUIPMENT RENTAL & LEASING	I8240	VOCATIONAL SCHOOLS
I7360	PERSONNEL SUPPLY SERVICES	I8290	SCHOOLS & EDUCATIONAL SERVICES, NEC
I7370	COMPUTER & DATA PROCESSING SERVICES	I8320	INDIVIDUAL & FAMILY SERVICES
I7371	COMPUTER PROGRAMMING	I8330	JOB TRAINING & RELATED SERVICES
I7372	PREPACKAGED SOFTWARE	I8350	CHILD DAY CARE SERVICES
I7373	INTEGRATED SYSTEMS & CAD/CAM SYSTEMS	I8360	RESIDENTIAL CARE
I7375	INFORMATION RETRIEVAL SYSTEMS	I8390	SOCIAL SERVICES, NEC
I7377	COMPUTER RENTAL AND LEASING	I8410	MUSEUMS & ART GALLERIES
I7378	COMPUTER MAINTENANCE & REPAIR	I8420	BOTANICAL & ZOOLOGICAL GARDENS
I7380	MISC BUSINESS SERVICES	I8610	BUSINESS ASSOCIATIONS
I7381	DETECTIVE & ARMORED CAR SERVICES	I8620	PROFESSIONAL ORGANIZATIONS
I7382	SECURITY SYSTEMS SERVICES	I8630	LABOR ORGANIZATIONS
I7388	INTERIOR DECORATING & DESIGN	I8640	CIVIC & SOCIAL ASSOCIATIONS
I7510	AUTOMOTIVE RENTALS, NO DRIVERS	I8650	POLITICAL ORGANIZATIONS
I7520	AUTOMOBILE PARKING	I8660	RELIGIOUS ORGANIZATIONS
I7530	AUTOMOTIVE REPAIR SHOPS	I8690	MEMBERSHIP ORGANIZATIONS, NEC
I7540	AUTOMOTIVE SERVICES, EXCEPT REPAIR	I8720	ACCOUNTING, AUDITING, & BOOKKEEPING
I7550	TOWING	I8730	RESEARCH & TESTING SERVICES
I7620	ELECTRICAL REPAIR SHOPS	I8734	LABORATORY TESTING AND ANALYSIS
I7630	WATCH, CLOCK, & JEWELRY REPAIR	I8740	MANAGEMENT & PUBLIC RELATIONS
I7640	REUPHOLSTERY & FURNITURE REPAIR	I8810	PRIVATE HOUSEHOLDS
I7690	MISC REPAIR SHOPS	I8990	SERVICES, NEC
I7698	LOCKSMITH	I8991	RECYCLING
I7810	MOTION PICTURE & VIDEO TAPE PRODUCTION		
I7820	MOTION PICTURE & VIDEO TAPE DISTRIBUTION		
I7830	MOTION PICTURE THEATERS		
I7840	VIDEO TAPE RENTAL		

# CALIFORNIA UNIFIED CERTIFICATION PROGRAM (CUCP)



## PUBLIC ADMINISTRATION

J9110 EXECUTIVE OFFICES  
J9120 LEGISLATIVE BODIES  
J9130 EXECUTIVE & LEGISLATIVE COMBINED  
J9190 GENERAL GOVERNMENT, NEC  
J9210 COURTS  
J9220 PUBLIC ORDER & SAFETY  
J9410 ADMIN. OF EDUCATIONAL PROGRAMS  
J9430 ADMIN. OF PUBLIC HEALTH PROGRAMS  
J9440 ADMIN. OF SOCIAL & MANPOWER PROGRAMS

J9450 ADMINISTRATION OF VETERANS' AFFAIRS  
J9510 ENVIRONMENTAL QUALITY  
J9530 HOUSING & URBAN DEVELOPMENT  
J9610 ADMIN. OF GENERAL ECONOMIC PROGRAMS  
J9620 REGULATIONS, ADMIN. OF TRANSPORTATION  
J9630 REGULATION, ADMIN. OF UTILITIES  
J9640 REGULATION OF AGRICULTURAL MARKETING  
J9650 REGULATION MISC COMMERCIAL SECTORS  
J9660 SPACE RESEARCH AND TECHNOLOGY  
J9710 NATIONAL SECURITY  
J9720 INTERNATIONAL AFFAIRS

# CALIFORNIA UNIFIED CERTIFICATION PROGRAM (CUCP)



## ROSTER OF CERTIFYING AGENCIES

*Note: Underlined website includes the California Unified Certification Program Application Package.*

*If firm has its principal place of business in another state and is certified in that state, please contact the California Department of Transportation in Cluster 4.*

Area	Counties	Certifying Agencies	
<b>Riverside, Imperial &amp; San Diego (RIS)</b>  <i>Cluster 1</i>	Imperial Riverside San Diego	<b>SAN DIEGO UNIFIED PORT DISTRICT</b> Equal Opportunity Management P.O. Box 120488 San Diego, CA 92112-0488 Phone: (619) 686-6420 or (800) 854-2757 Fax: (619) 686-6413 <a href="http://www.portofsandiego.org">www.portofsandiego.org</a>  <b>CITY OF SAN DIEGO</b> Equal Opportunity Contracting Program 1010 Second Avenue, #500 San Diego, CA 92101 Phone: (619) 533-4492 Fax: (619) 533-4474 <a href="http://www.sannet.gov">www.sannet.gov</a>	<b>SUNLINE TRANSIT AGENCY</b> Contracts and Compliance 32-505 Harry Oliver Trail Thousand Palms, CA 92276-3501 Phone: (760) 343-3456, Ext. 167 Fax: (760) 343-3845 <a href="http://www.sunline.org">www.sunline.org</a>
<b>Los Angeles Area</b>  <i>Cluster 2</i>	Kern Los Angeles Orange San Bernardino San Luis Obispo Santa Barbara Ventura	<b>CITY OF LOS ANGELES</b> Office of Contract Compliance 600 South Spring St., Suite 1300 Los Angeles, CA 90014 Phone: (213) 847-6480 Fax: (213) 847-5566 <a href="http://www.lacity.org/bca">www.lacity.org/bca</a>  <b>COUNTY OF ORANGE JOHN WAYNE AIRPORT</b> 3160 Airway Avenue Costa Mesa, CA 92626 Phone: (949) 252-5175 Fax: (949) 252-5225 <a href="http://www.ocair.com">www.ocair.com</a>	<b>LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (MTA)</b> Small Business Diversity and Labor Compliance One Gateway Plaza Los Angeles, CA 90012 Phone: (213) 922-2600 Fax: (213) 922-7660 <a href="http://www.mta.net">www.mta.net</a>

Roster of Certifying Agencies (Continued)

# CALIFORNIA UNIFIED CERTIFICATION PROGRAM (CUCP)



Area	Counties	Certifying Agencies	
<b>BayArea Central Valley</b>  <i>Cluster 3</i>	Alameda	<b>SANTA CLARA VALLEY</b>	<b>SAN MATEO COUNTY TRANSIT DISTRICT (SAMTRANS)/</b>
	Amador	<b>TRANSPORTATION AUTHORITY (VTA)</b>	<b>PENINSULA CORRIDOR JOINT POWERS BOARD (JPB)</b>
	Calaveras	Small & Disadvantaged Businesses	DBE Office
	Contra Costa	3331 North First Street	1250 San Carlos Avenue
	Fresno	San Jose, CA 95134-1906	San Carlos, CA 94070
	Kings	Phone: (408) 321-5962	Phone: (650) 508-7939
	Madera	Fax: (408) 955-9729	Fax: (650) 508-7738
	Marin	<a href="http://www.vta.org">www.vta.org</a>	<a href="http://www.samtrans.com">www.samtrans.com</a>
	Mariposa	<b>BAY AREA RAPID TRANSIT DISTRICT (BART)</b>	<b>CENTRAL CONTRA COSTA TRANSIT AUTHORITY (CCCTA)</b>
	Merced	Office of Civil Rights	Office of Civil Rights
	Monterey	1330 Broadway, #1702	2477 Arnold Industrial Way
	Napa	Oakland, CA 94612	Concord, CA 94520-5327
	San Benito	Phone: (510) 464-6195	Phone: (925) 676-1976
	San Francisco	Fax: (510) 464-7848	Fax: (925) 686-2630
	San Joaquin	<a href="http://www.bart.gov">www.bart.gov</a>	<a href="http://www.cccta.org">www.cccta.org</a>
	San Mateo	<b>SAN JOAQUIN REGIONAL RAIL COMMISSION</b>	<b>ALAMEDA-CONTRA COSTA TRANSIT DISTRICT (AC TRANSIT)</b>
	Santa Clara	DBE Liaison Officer	DBE Program Compliance Administrator
	Santa Cruz	5000 S. Airport Way, #102	1600 Franklin Street, 6th Floor
	Solano	Stockton, CA 95206	Oakland, CA 94612
	Sonoma	Phone: (209) 468-5600	Phone: (510) 891-7176
	Stanislaus	Fax: (209) 468-5613	Fax: (510) 891-4724
	Tulare	<a href="http://www.acerail.com">www.acerail.com</a>	<a href="http://www.actransit.org">www.actransit.org</a>
	Tuolumne	<b>CITY OF FRESNO DBE Program</b>	<b>SAN FRANCISCO PUBLIC TRANSPORTATION DEPT.</b>
		2101 G Street, Building A	Accessible Services and Contract Compliance
		Fresno, CA 93706	1145 Market Street, 7th Floor
		Phone: (559) 498-4071	San Francisco, CA 94103
		Fax: (559) 488-1069	Phone: (415) 934-3987
		<a href="http://www.ci.fresno.ca.us">www.ci.fresno.ca.us</a>	Fax: (415) 934-3980
		<b>CITY OF OAKLAND</b>	<a href="http://www.sfmuni.com">www.sfmuni.com</a>
		Contract Compliance Office	<b>AIRPORT CONCESSIONS ONLY: SF INTERNATIONAL AIRPORT</b>
		250 Frank H. Ogawa Plaza, #3341	Airport Minority/Women Opportunity
		Oakland, CA 94612	P.O. Box 8097
		Phone: (510) 238-3970	San Francisco, CA 94128
		Fax: (510) 238-3363	Phone: (650) 821-5021
		<a href="http://www.oaklandnet.com">www.oaklandnet.com</a>	Fax: (650) 821-5146
			<a href="http://www.flysfo.com">www.flysfo.com</a>

# CALIFORNIA UNIFIED CERTIFICATION PROGRAM (CUCP)



## Roster of Certifying Agencies (Continued)

Area	Counties	Certifying Agencies	
Northern California  <i>Cluster 4</i>	Alpine	<b>CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)</b>	<b>YOLO COUNTY TRANSPORTATION DISTRICT</b>
	Butte	Civil Rights MS 79	DBE Programs
	Colusa	1823 14th Street	350 Industrial Way
	Del Norte	Sacramento, CA 95814	Woodland, CA 95776
	El Dorado	Phone: (916) 324-1700 or (866) 810-6346	Phone: (530) 661-0816
	Glenn	Fax: (916) 324-1862	Fax: (530) 661-1732
	Humboldt	<a href="http://www.dot.ca.gov">www.dot.ca.gov</a>	<a href="http://www.yctd.org">www.yctd.org</a>
	Inyo		
	Lake		
	Lassen		
	Mendocino		
	Modoc		
	Mono		
	Nevada		
	Placer		
	Plumas		
	Sacramento		
	Shasta		
	Sierra		
	Siskiyou		
	Sutter		
	Tehama		
	Trinity		
	Yolo		
	Yuba		