



Delaware Department of Transportation

**REQUEST FOR PROPOSALS  
PROFESSIONAL SERVICES**



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RFP Number: **1816-1818**

**Disadvantaged Business Enterprise Support Services**

Submission Due Date/Time: **Tuesday, January 31, 2017 at 2:00 P.M. Local Time**

One (1) year term with three (3) possible one-year extensions

Agreement Type: IDIQ

Up to Three (3) Agreements may be awarded from this solicitation.

Federal funding

The anticipated method of payment is cost plus fixed fee.

29 Del.C. §6981, 2 CFR part 200, 23 CFR part 172

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**PROJECT INFORMATION**

This Request for Proposal (RFP) issued by the Delaware Department of Transportation is for the purpose of acquiring Proposals from interested firms to provide business development services.

**PROFESSIONAL SERVICES REQUIRED**

Services include but are not limited to the following: Business Development Services, Marketing and Strategic Planning.

**PROJECT DESCRIPTION**

Actively recruit and enroll Disadvantaged Business Enterprise (DBE) firms into DelDOT's Business Development Program (BDP) (See Appendix B for DelDOT's Business Development Program) for the purpose of providing technical assistance to build business and workforce capacity for DBE firms whose business is highway construction or highway construction related such as an Architectural/Engineering (A/E) firm, fee appraisers for right-of-way work or construction-related activity that is directly tied to something that is eligible for Federal-aid highway reimbursement under 23 USC. These services will be provided while funding, program resources and qualified DBE firms (identified based on their business assessment) exist. To implement the BDP, the contractor shall perform the following as specified in 49, CFR Part 26, Appendix C.

1. Perform individual needs assessment surveys to ascertain areas of financial and/or technical assistance required and refer the DBE firm to the appropriate consultant or develop a business strategy to enter in DelDOT's highway construction procurement program;
2. Provide technical assistance to DBE firms to assist them in developing and growing their business. If the supportive services consultant or firm is unable to provide assistance they shall make referrals to appropriate local, State, and federal agencies that can provide the needed services. DBE firms shall make a two-year commitment to the program and abide by all program governance rules;
3. Develop customized technical assistance for each participant for the:

- a. Developmental phase to assist in strengthening financial and managerial skills, and to access relevant markets;
  - b. Transitional phase to prepare firm for leaving the business development program.
4. By no later than six (6) months of a DBE firm's entry into the BDP, and with the consultant's assistance, the participant should develop and submit to the consultant a comprehensive business plan setting forth the participant's business targets, objectives and goals.
  5. The participant will not be eligible for program benefits until such business plan is submitted, reviewed by the consultant and approved by DelDOT. The approved business plan will constitute the participant's short and long term goals and the strategy for developmental growth to the point of economic viability in non-traditional areas of work and/or work outside the DBE program.
  6. Each DBE participant should annually review its currently approved business plan with the consultant and modify the plan as may be appropriate to account for any changes in the firm's structure and redefined needs. The currently approved plan should be considered the applicable plan for all program purposes until the consultant approves in writing a modified plan. The consultant should establish an anniversary date for review of the participant's business plan and contract forecasts.
  7. Each participant should annually forecast in writing its need for contract awards for the next program year and the succeeding program year during the review of its business plan. Such forecast should be included in the participant's business plan. The forecast should include:
    - a. The aggregate dollar value of contracts to be sought under the DBE program, reflecting compliance with the business plan;
    - b. The aggregate dollar value of contracts to be sought in areas other than traditional areas of DBE participation;
    - c. The types of contract opportunities being sought, based on the firm's primary line of business; and
    - d. Such other information as may be requested by the consultant to aid in providing effective business development assistance to the participant.
  8. Program participation is divided into two stages; (1) a developmental stage and (2) a transitional stage. The developmental stage is designed to assist participants to overcome their social and economic disadvantage by providing such assistance as may be necessary and appropriate to enable them to access relevant markets and strengthen their financial and managerial skills. The transitional stage of program participation follows the developmental stage and is designed to assist participants to overcome, insofar as practical, their social and economic disadvantage and to prepare the participant for leaving the program.
  9. The length of service in the program term should not be a pre-set time frame for either the developmental or transitional stages but should be figured on the number of years considered necessary in normal progression of achieving the firm's established goals and objectives. The setting of such time could be factored on such items as, but not limited to, the number of contracts, aggregate amount of the contract received, years in business, growth potential, etc.
  10. Beginning in the first year of the transitional stage of program participation, each participant should annually submit for inclusion in its business plan a transition management plan outlining specific steps to promote profitable business operations in areas other than traditional areas of DBE participation after graduation from the program. The transition management plan should be submitted to the

consultant at the same time other modifications are submitted.

11. When a participant is recognized as successfully completing the program by substantially achieving the targets, objectives, and goals set forth in its program term, and has demonstrated the ability to compete in the marketplace, its further participation in the program may be determined by the recipient and consultant.
12. In determining whether a concern has substantially achieved the goals and objectives of its business plan, the following factors, among others, should be considered by the recipient:
  - a. Profitability;
  - b. Sales, including improved ratio of non-traditional contracts to traditional-type contracts;
  - c. Net worth, financial ratios, working capital, capitalization, access to credit and capital;
  - d. Ability to obtain bonding;
  - e. A positive comparison of the DBE's business and financial profile with profiles of non-DBE businesses in the same area or similar business category; and
  - f. Good management capacity and capability.
13. Upon determination by the consultant and recipient that the participant should be graduated from the developmental program, the recipient should notify the participant in writing of its intent to graduate the firm in a letter of notification. The letter of notification should set forth findings, based on the facts, for every material issue relating to the basis of the program graduation with specific reasons for each finding. The letter of notification should also provide the participant 45 days from the date of service of the letter to submit in writing information that would explain why the proposed basis of graduation is not warranted.
14. Participation of a DBE firm in the program may be discontinued by the recipient prior to expiration of the firm's program term for good cause due to the failure of the firm to engage in business practices that will promote its competitiveness within a reasonable period of time as evidenced by, among other indicators, a pattern of inadequate performance or unjustified delinquent performance. Also, the recipient can discontinue the participation of a firm that does not actively pursue and bid on contracts, and a firm that, without justification, regularly fails to respond to solicitations in the type of work it is qualified for and in the geographical areas where it has indicated availability under its approved business plan. The recipient should take such action if over a 2-year period a DBE firm exhibits such a pattern.
15. DBE firms who are receiving technical assistance via the BDP must sign an agreement for a two-year commitment to ensure that the firm shall progress through the BDP.
16. The selected consultant will provide monthly Client reports to monitor the progress of the DBE firm. Reports must be submitted to the DelDOT Office of Civil Rights' designee for FHWA reporting purposes and shall include all back-up documentation such as contact sheets, reports from sub-consultants and other outside service providers.
17. The selected consultant will facilitate bi-monthly meetings for DBE firms who are receiving direct technical assistance via the DBE/SS Program to provide additional supportive services training, and other matters of importance;
18. Specific areas of assistance include, but are not limited to:

- a. Writing a business plan to be approved by DelDOT Civil Rights Office, and which must be reviewed and updated annually
  - b. Estimating
  - c. Bid preparation and submission
  - d. Assist DBE firms in identifying contracting opportunities, reading solicitations, specifications, and drawings
  - e. Referral to an accounting/financial consultant for education related to accounting, cash flow management, and to develop financial statements for submission to SBA-backed financial institutions for bonding or loan packaging;
  - f. Marketing plan development to include review of existing capability statement, website design and promotional/information brochures; Lease, rental, or purchase of equipment;
  - g. Navigating DelDOT's website and the State of Delaware website;
  - h. Reading and interpreting plans and specifications;
  - i. Developing and/or following progress charts;
  - j. Developing subcontract agreements;
  - k. Developing plans for financial packages for the purposes of securing a loan or bid bonds;
  - l. Pre-bid conferences;
  - m. Basic business management;
  - n. Business law;
  - o. EEO;
  - p. Safety;
  - q. Computer training;
  - r. Coordinate, in conjunction with the Department's DBE/SS Program Manager relevant training for DBE firms that will increase their business capacity.
19. Assistance shall be provided in the form of education that includes counseling, classroom and online training, workshops, and one-on-one technical or managerial assistance, and when appropriate, referrals to other supportive services providers. The selected consultant is required to maintain confidential case management files for each DBE firm receiving assistance.
20. Each quarter during the two-year commitment period each participant will be reviewed to determine if they are ready to move into the transitional phase to prepare for leaving the business development program. This is demonstrated by a significantly increased capacity to bid and compete on DelDOT projects. The move to the transitional phase can occur at any point during the two years. If the participant is not ready to enter the transitional phase after two years in the program, reasons for such must be documented. This information must be reported to DelDOT Civil Rights office for review. A determination will be made regarding whether or not the participant is eligible to continue in the business development program. Participants in the transitional phase may continue in the program for a period of 12 months at which time they must be reviewed to determine whether or not they can continue in the program. Specific documentation and criteria must support all determinations.

The Supportive Service consultant shall assist the DelDOT staff in developing assessment instruments, distribution of survey and analyzing the data for Agency consideration and adjustment needed to provide quality business assistance and programmatic adjustments. This agreement may also include, but is not limited to, the following. The Supportive Services consultant shall develop working relationships with all of the certified DBE firms. As time and budget permits, this can be accomplished via site visits and/or written, phone and/or email contacts with each firm.

Additionally, the Supportive Services Consultant shall perform the following:

1. Organize and facilitate quarterly meet and greet events for DBEs and DelDOT/FHWA staff and/or other Agency representatives that support small business development;
2. Organize and facilitate two semi-annual (fall and late winter/early spring) networking events between the prime contracting community and DelDOT- certified DBE firms. These events may also be facilitated in collaboration with the other State and Local small business development agencies, and organizations.
3. Administer an effective outreach and marketing program to solicit qualified firms to the DBE program, including but not limited to identifying potential DBEs in areas of need to DelDOT; and working with outside entities such as the Small Business Administration, Small Business Development Council, U.S. Department of Transportation's Office of Small and Disadvantaged Business Utilization (OSDBU), colleges, and universities.
4. Conduct statewide outreach activities and events to raise DBE program awareness and disseminate information to potential DBEs that have the potential to conduct business in the transportation construction industry.
5. Participate in and disseminate information about DelDOT, and Delaware Office of Supplier Diversity meetings and other events with DBE opportunities. Provide ongoing communication to DBEs in order for them to become better prepared to compete for and receive transportation-related awards.
6. Identify and recruit Small Business Enterprises and Minority Business Enterprises potentially eligible for DBE certification that performs road and bridge work to become certified DBEs.
7. May assist firms through the steps to become certified.
8. DBE firms that do not take advantage of assistance through the BDP may still qualify for similar services under the DBE Supportive Services Program.
9. Develop working relationships with state, local and federal agencies and staff for possible referrals of DBE firms. The agencies and individuals may provide additional supportive services to DBE firms in the areas of bonding, small business accounting practices, marketing, computer technology, equipment purchasing and leasing, workforce development and basic business financial management skills. The entities include, but are not limited to:
  - a. Delaware Office of Supplier Diversity
  - b. Delaware River and Bay Authority
  - c. The U.S Department of Transportation Office of Small and Disadvantaged Business Utilization
  - d. U.S. Department of Transportation Small Business Transportation Resource Center Program (Financial technical assistance provider)
  - e. U.S. Small Business Administration (SBA)
  - f. U.S. Department of Commerce (Minority Business Development Agency)
10. The consultant shall develop working relationships with other small business development entities, including, but not limited to:
  - a. National Association of Minority Contractors
  - b. Delaware Contractors Association (DCA)
  - c. American Council of Engineering Companies

- d. Conference of Minority Transit Officials
- e. Latin American Community Center
- f. Delaware Chamber of Commerce

As a part of DelDOT's collaborative efforts to assist local small business firms to compete and win opportunities on DelDOT's federally-assisted highway construction projects, the DBE/SS consultant shall support DelDOT's relationship with the Delaware Office of Supplier Diversity by:

1. Information sharing of DELDOT's federally-assisted procurement opportunities
2. Joint Sponsorship of networking and outreach events targeted towards the small business community
3. Inviting access to DelDOT subsidized or reduced cost highway construction-related training programs

In accordance with the Title VI regulations, the contractor must have the capability to correspond with and provide services to non-English speaking participants.

The consultant shall develop and organize training workshops for participants in the BDP as well as non-participant DBE firms. Trainings should be held semi-annually during the fall/winter and early spring seasons. Those trainings shall include, but shall not be limited to the following:

1. Financial capacity workshops - in coordination with the US Department of Transportation Small Business Resource Technical Centers, Short-Term Lending Program Lenders and other SBA-backed financial entities that support small business development;
2. Davis-Bacon Wage Act Workshop in partnership with the U.S. Department of Labor. This workshop is to assist firms in understanding how to properly submit certified payrolls and is helpful in determining labor costs during the bidding process.
3. Develop, organize and facilitate a winter highway construction training program during the period of December to April to include, but not limited to, the following courses:
  - a. 30 Hour OSHA Safety Training
  - b. Construction Math
  - c. Estimating
  - d. Blueprint Reading
  - e. Flagger Certification
  - f. Work Zone Safety and Delaware Manual on Uniform Traffic Control Devices (MUTCD) Standards
  - g. Certified Construction Reviewer
  - h. How to Read a DelDOT Solicitation
  - i. Marketing Strategies
  - j. QuickBooks or other financial software training
  - k. Project Management Software
  - l. Contractor Debriefing Procedures
  - m. Agency Construction Manual
  - n. Electronic Bidding
  - o. Other informative workshops
4. The consultant shall develop and maintain an electronic list of relevant business training opportunities

for DBE firms from:

- a. Local colleges and universities
- b. State and federal agencies
- c. Other DelDOT approved training facilities

The DBE Supportive Services consultant must be able to provide online and onsite services including training, counseling and other services to program participants within the State of Delaware. The consultant must be available for meeting with DelDOT as required.

Supportive services are available to all Delaware registered DBE firms, whether or not they participate in the Business Development Program. Those services are virtually identical with the exception of the requirement for a signed commitment to participate. Firms that do not participate in the BDP may take advantage of supportive services based on their needs but are not enrolled in a program that provides a customized plan to graduate. The DBE Supportive Services Consultant must provide services to these DBE firms as requested, and as the budget allows.

The consultant will submit monthly, quarterly, and annual activity reports to the Department. Those reports will include, but not be limited to, performance measure results including firms receiving assistance, type of assistance, the cost of assistance, positive or negative impacts to the firm, DBE firm goals met. Any other activities and accomplishments and concerns or barriers to goal accomplishment must be reported.

The consultant will be required to maintain data electronically via a current system, a system developed or acquired by the consultant, or a system developed or acquired by the Department. The Department must approve any system in advance of use for this program.

Data to be maintained includes, but is not limited to, participant profiles, training data, assessment results, training results, financial assistance, each encounter/contact with the participant, partnerships and the nature of such, events sponsored and attended with demographic data.

All information and any systems developed and/or purchased as a result of the Department's DBE Supportive Services Program shall become the sole property of the Department.

## **QUESTIONS**

Questions are to be submitted to [DOT.Profservices@state.de.us](mailto:DOT.Profservices@state.de.us). In order to ensure a timely response, questions must be submitted at least ten (10) business days before the Proposal due date. The Department's response to questions, along with this RFP and related information, are posted on the State of Delaware Bid Solicitation Directory Website: <http://www.bids.delaware.gov/>.

## **DISADVANTAGED BUSINESS ENTERPRISE**

A ten percent (10%) DBE goal has been established for the sum total of all federally-funded tasks associated with this Agreement. The Department will require ongoing reviews and approval of *good faith efforts* before a Notice to Proceed is issued. Department DBE Program staff will monitor this Agreement to ensure that good faith efforts are being made to meet the DBE goal. DBE firms must be certified through DelDOT's DBE Program in order to qualify toward meeting the goal.

## PROCUREMENT SCHEDULE

Action Item	Date	Time
Deadline for Questions to ensure response:	10 business days prior to SOQ due date	2:00 P.M. Local Time
Final Response to Questions posted by:	5 business days prior to SOQ due date	---
Proposals Due by:*	Tuesday, January 31, 2017	2:00 P.M. Local Time

**NOTE:** Only asterisk (\*) marked date changes will be communicated (via posted Addendums).

## PROPOSAL REQUIREMENTS

Interested firms must submit the material required herein or they may not be considered for the project:

1. Proposals must be received prior to the Submission due date and time indicated above.  
Facsimile and E-mail responses to this RFP are not acceptable. No response hand-delivered or otherwise will be accepted after the above date and time. It is the responsibility of the submitter to ensure the Proposal is received on time. DelDOT's time is considered the official time for determining the cut-off for accepting submissions. To be considered for this agreement, firms must submit the Proposal as set forth herein. Any variation, including additions, may negatively impact the scoring.

### **Proposals are to be delivered to:**

Contract Administration – RFP 1816-1818  
Delaware Department of Transportation  
800 Bay Road  
Dover, DE 19901

Should the office be closed at the time responses are due (such as an unexpected event or inclement weather) the submission due date shall be the following business day, at the time originally scheduled.

2. **The Prime Consultant must be Registered**, or submit application for registration with DelDOT at or before the time of submission in order to be considered. For registration information, click [here](#).
3. **Submit one (1) original and five (5) hard copies** of the Proposal. Receipt of insufficient copies or non-compliance with providing the requested information in the desired format, may negatively impact the scoring.
4. **Submit two (2) pdf format electronic copies** (e.g. CD, flash drive) of the Proposal; one original and one a redacted copy. The original must be a .pdf file of the original signed proposal as submitted and should be clearly marked "Original". The redacted copy must be a .pdf file of the original signed proposal with any proprietary or confidential information redacted, and this copy should be clearly marked as "Redacted". Electronic copies are to be submitted with the printed Proposal. The electronic redacted copy is required even if the submission contains no proprietary or confidential information.

Firms should review Delaware's Freedom of Information Regulations on the DelDOT Website <http://www.deldot.gov>, and Section 10002(l) "Public record" of the Delaware Code, <http://delcode.delaware.gov/title29/c100/index.shtml> to determine what information may be considered proprietary or confidential and may be redacted from their SOQ.

5. **Qualifications; GSA SF330:**

<http://www.gsa.gov/portal/forms/download/116486>

Follow instructions for the SF330, and add the following Individual Agency Instructions:

- A. Part I Section C 11, Proposed Team;

Indicate if DBE firm and approximate percentage of contract cost they will perform.

B. Part I Section H (30), Additional Information;

The Prime consultant must indicate the current workload with the Department. List the following in a table format:

Agreement No.; Agreement Title; Consultant PM; Prime or Sub; Total Dollars paid to date; current number of Tasks issued; and date of contract expiration. If possible, include the estimated fees for any Delaware DOT projects for which your firm has been selected and does not have an executed agreement in place.

6. **Joint venture** submissions will not be considered.
7. **DelDOT reserves the right to reject** any and all submissions. Submissions become property of the Department and shall be retained electronically for a minimum period of three (3) years from the date of receipt. DelDOT reserves the right to any and all ideas included in this response without incurring any obligations to the responding firms or committing to procurement of the proposed services.
8. **Required Certification Forms:** All firms responding to the RFP must complete and return the submission forms located in ‘Appendix A’ of this document.
9. No promotional materials or brochures are to be included as part of the submission.

**RATING CRITERIA**

#	Criteria Description:	Points	Weight
1	Key Staff and Project Team qualifications	10	15 %
2	Firm’s experience pertaining to Business Capacity Building/Development	10	20 %
3	Firm’s resources and capability to accomplish proposed work on schedule	10	25 %
4	Firm’s experience on similar projects	10	10 %
5	Ability to provide innovative training delivery	10	10 %
6	Project understanding, approach, services required	10	20 %
TOTAL :		<b>60</b>	<b>100%</b>

**OVERVIEW OF SELECTION PROCESS – IDIQ**

- This is an indefinite delivery/ indefinite quantity agreement utilized for the performance of services for a number of projects under task orders issued on an as-needed basis. The dollar value of each individual agreement cannot exceed \$50,000.00 (*there is no guarantee of actual agreement value*).
- This is a single phase solicitation process with the availability for discussions with five (5) of the most highly qualified firms. Based upon the listed criteria and evaluation of each firm’s submitted proposal, the Selection Committee may decide if a small sample task and/or discussions will be held with the most highly qualified consultants. If discussions are held, they will serve to clarify the technical approach, qualifications, and capabilities provided in response to the RFP, after which the committee will determine the ranking of the candidate firms.
- Selection Committee members will individually score each firm’s submitted proposal which determines individual ranking. The Department’s ranking is the combined ranking of all Committee members. Awarded firms, in order of ranking, will have the opportunity to negotiate an agreement with the Department. If the Department cannot reach agreement with the highest ranked firm(s), the Department terminates negotiations and begins negotiations with the next highest ranked firm, and so on until an agreement is reached. The Department notifies via email the awarded firm(s) of the opportunity to enter into an agreement with the Department. This notification also includes information on the next steps for

the agreement process.

- After the ranking process has been completed, applicable price information will be requested from the successful candidate firm(s), such as; salary rates for various classifications of personnel; and an indirect cost derivation for the most current accounting period.
- Payroll burden and overhead will be computed on direct salary costs only (not including overtime) at the consultant's audited rate, as per Federal Acquisition Regulations Part 31, and Department policies. Computer and CADD costs are not allowable as a direct cost to this project. Rate determination and applicability is subject to audit by the Department. Additionally, candidates should be prepared for the Department to work with your current accounting firm to provide information and backup documentation. Full and immediate cooperation is required to avoid delays in execution of an agreement. Failure to cooperate may result in breaking off of negotiations and moving to the next ranked firm.
- Shortlist and Selection Committee membership appointments are confidential. The Department's Professional Services Procurement Manual may be viewed [here](#).
- Each specific task order shall be awarded to the selected, qualified consultants:

Through an additional qualifications-based selection procedure, which may include, but does not require, a formal IDIQ RFP;

## **MISCELLANEOUS**

The Department is not liable for any cost incurred by the consultant in the preparation or presentation of the Proposal.

Any individual, business, organization, corporation, consortium, partnership, joint venture, or any other entity including subconsultants currently debarred or suspended is ineligible to participate as a candidate for this process. Any entity ineligible to conduct business in the State of Delaware for any reason is ineligible to respond to the RFP.

The Department of Transportation will affirmatively insure individuals and businesses will not be discriminated against on the grounds of race, creed, color, sex, or national origin in consideration for an award. Minority business enterprises will be afforded full opportunity to submit bids/proposals in response to this invitation.

Department of Transportation  
State of Delaware  
By: Jennifer Cohan  
Secretary  
Dover, DE

## **FEDERAL CONTRACT PROVISIONS**

FTA's Master Agreement contains a current, but not all-inclusive, description of statutory and regulatory requirements that may affect a recipient's procurement (such as Disadvantaged Business Enterprise (DBE) and Clean Air requirements). The Master Agreement states that applicable Federal requirements will apply to project participants to the lowest tier necessary to ensure compliance with those requirements. The recipient will need to include applicable Federal requirements in each sub-agreement, lease, third party contract, or other document as necessary. For specific guidance on cross-cutting requirements administered by other Federal agencies, FTA recommends that the recipient contact those agencies. The requirements listed herein must be adhered to by any firms selected to perform work required under these agreements.

**1. AUDIT AND INSPECTION OF RECORDS**

The Contractor agrees to provide the Delaware Department of Transportation (Department), the FTA Administrator, the Comptroller General of the United States or any of their authorized representatives' access to any books, documents, papers and records of the Contractor which are directly pertinent to this contract for the purposes of making audits, examinations, excerpts and transcriptions. Contractor also agrees, pursuant to 49 C. F. R. 633.17 to provide the FTA Administrator or his authorized representatives including any PMO Contractor access to Contractor's records and construction sites pertaining to a major capital project, defined at 49 U.S.C. 5302(a)1, which is receiving federal financial assistance through the programs described at 49 U.S.C. 5307, 5309 or 5311. By definition, a major capital project excludes contracts of less than the simplified acquisition threshold.

The Contractor agrees to permit any of the foregoing parties to reproduce by any means whatsoever or to copy excerpts and transcriptions as reasonably needed.

**2. ACCESS REQUIREMENTS FOR INDIVIDUALS WITH DISABILITIES**

The Contractor agrees to comply with all applicable requirements of the Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. Section 12101 *et seq.* And 49 U.S.C. Section 322; Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. Section 794; Section 16 of the Federal Transit Act, as amended, 49 U.S.C. App. Section 1612; and implementing regulations, as may be amended

**3. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS – Lower Tier Covered Transactions (Third Party Contracts over \$100,000)**

- a) By signing and submitting this bid or proposal, the prospective lower tier participant is providing the signed certification set out below.
- b) The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later
- c) determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal

Government, the Department may pursue available remedies, including suspension and/or debarment.

- d) The prospective lower tier participant shall provide immediate written notice to the Department if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- e) The terms “covered transaction,” “debarred,” “suspended,” “ineligible,” “lower tier covered transaction,” “participant,” “persons,” “principal,” “proposal,” and “voluntarily excluded,” as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549 [49 CFR Part 29]. You may contact the Department for assistance in obtaining a copy of those regulations.
- f) The prospective lower tier participant agrees by submitting this proposal that, should the

proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized in writing by the Department.

- g) The prospective lower tier participant further agrees by submitting this proposal that it will include the clause “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction”, without modification, in all lower tier covered transactions.
- h) A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the No procurement List issued by the U. S. General Service Administration.
- i) Nothing contained in the foregoing shall be construed to require establishment of system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- j) Except for transactions authorized under Paragraph E of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible or voluntarily excluded from participation in this transaction, in addition to all remedies available to the Federal Government, the Department may pursue available remedies including suspension and/or debarment.
- k) The prospective lower tier participant certifies, by submission of this bid or proposal, that neither it nor its “principals” [as defined at 49 CFR §29.105(p)] is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- l) When the prospective lower tier participant is unable to certify to the statements in this certification, such prospective participant shall attach an explanation to this proposal.

#### **4. CLEAN WATER REQUIREMENTS**

The Contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq. The Contractor agrees to report each violation to the Department and understands and agrees that the Department will, in turn, report each violation as required to assure notification to FTA and the appropriate EPA Regional Office. (2)The Contractor also agrees to include these requirements in each subcontract exceeding \$100,000 financed in whole or in part with Federal assistance provided by FTA.

#### **5. FEDERAL CHANGES**

Contractor shall at all times comply with all applicable FTA regulations, policies, procedures and directives, including without limitation those listed directly or by reference in the [Master Agreement](#) between the Department and FTA, as they may be amended or promulgated from time to time during the term of this contract. Contractor's failure to so comply shall constitute a material

breach of this contract.

**6. CLEAN AIR**

(1) The Contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act, as amended, 42 U.S.C. §§ 7401 et seq . The Contractor agrees to report each violation to the Department and understands and agrees that the Department will, in turn, report each violation as required to assure notification to FTA and the appropriate EPA Regional Office. (2) The Contractor also agrees to include these requirements in each subcontract exceeding \$100,000 financed in whole or in part with Federal assistance provided by FTA.

**7. ENERGY CONSERVATION**

The Contractor shall recognize mandatory standards and policies relating to energy efficiency which are contained in the State Energy Conservation Plan issued in compliance with the Energy Policy and Conservation Act (42 US Section 321 et seq.).

**8. CONTRACT TERMINATION**

a) Termination for Convenience

The Department may terminate this contract, in whole or in part, at any time by written notice to the Contractor. The Contractor shall be paid its costs, including contract close-out costs, and profit on product delivered up to the time of termination. The Contractor shall promptly submit its termination claim for payment. If the Contractor has any property in its possession belonging to the Department, the Contractor will account for the same and dispose of it in the manner the Department directs.

b) Termination for Default

If the Contractor does not deliver supplies in accordance with the contract delivery schedule, or, if the contract is for services, the Contractor fails to perform in the manner called for in the contract, or if the Contractor fails to comply with any other provisions of the contract, the Department may terminate this contract for default. Termination shall be affected by serving a notice of termination on the Contractor setting forth the manner in which the Contractor is in default. The Contractor will only be paid the contract price for supplies delivered and accepted, or services performed in accordance with the manner of performance set forth in the contract.

If it is later determined that the Contractor had an excusable reason for not performing, such as a strike, flood, events which are not the fault of or are beyond the control of the Contractor, the Department, after setting up a new delivery or performance schedule, may allow the Contractor to continue work, or treat the termination as a termination of convenience.

In the event the Department exercises its right of termination for default, and if an amount for liquidated damages is set forth, the Contractor shall be liable to the Department for excess costs and, in addition, for liquidated damages in the amount set forth, as fixed, agreed, and liquidated damages for each calendar day of delay, until such time as the Department may reasonably obtain delivery or performance of similar supplies or services.

If the contract is so terminated, the Contractor shall continue performance and be liable to the Department for such liquidated damages for each calendar day of delay until the supplies are delivered or services performed.

The Contractor shall not be liable for liquidated damages resulting from delays such as acts of

God, strikes, fire or flood, and events which are not the fault of, or are beyond the control of the Contractor.

## 9. CIVIL RIGHTS

(1) Nondiscrimination - In accordance with Title VI of the Civil Rights Act, as amended, 42 U.S.C. § 2000d, section 303 of the Age Discrimination Act of 1975, as amended, 42

U.S.C. § 6102, section 202 of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12132, and Federal transit law at 49 U.S.C. § 5332, the Contractor agrees that it will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age, or disability. In addition, the Contractor agrees to comply with applicable Federal implementing regulations and other implementing requirements FTA may issue.

(2) Equal Employment Opportunity - The following equal employment opportunity requirements apply to the underlying contract:

(a) Race, Color, Creed, National Origin, Sex - In accordance with Title VII of the Civil Rights Act, as amended, 42 U.S.C. § 2000e, and Federal transit laws at 49 U.S.C. § 5332, the Contractor agrees to comply with all applicable equal employment opportunity requirements of U.S. Department of Labor (U.S. DOL) regulations, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor," 41 C.F.R. Parts 60 et seq. , (which implement Executive Order No. 11246, "Equal Employment Opportunity," as amended by Executive Order No. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," 42 U.S.C. § 2000e note), and with any applicable Federal statutes, executive orders, regulations, and Federal policies that may in the future affect construction activities undertaken in the course of the Project. The Contractor agrees to take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, creed, national origin, sex, or age. Such action 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. In addition, the Contractor agrees to comply with any implementing requirements FTA may issue.

(b) Age - In accordance with section 4 of the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § 623 and Federal transit law at 49 U.S.C. § 5332, the Contractor agrees to refrain from discrimination against present and prospective employees for reason of age. In addition, the Contractor agrees to comply with any implementing requirements FTA may issue.

(c) Disabilities - In accordance with section 102 of the Americans with Disabilities Act, as amended, 42 U.S.C. § 12112, the Contractor agrees that it will comply with the requirements of U.S. Equal Employment Opportunity Commission, "Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act," 29 C.F.R. Part 1630, pertaining to employment of persons with disabilities. In addition, the Contractor agrees to comply with any implementing requirements FTA may issue.

(1) The contractor agrees to comply with all applicable requirements of the Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. Section 12101 et seq. And 49 U.S.C. Section 322; Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C.

Section 794; Section 16 of the Federal Transit Act, as amended, 49 U.S.C. App. Section 1612; and implementing regulations, as may be amended.

(4) The Contractor also agrees to include these requirements in each subcontract financed in whole or in part with Federal assistance provided by FTA, modified only if necessary to identify the affected parties.

#### **10. DISADVANTAGED BUSINESS ENTERPRISES**

It is the policy of the Department of Transportation that Disadvantaged Business Enterprises as defined in 49 CFR Part 26 shall have the opportunity to participate in the performance of contracts financed in whole or part with Federal funds under this contract. Consequently the DBE Requirements of 49 CFR Part 26 apply to this contract. The recipient or its contractor agrees to ensure that Disadvantaged Business Enterprises as defined in 49 CFR Part 26 have the opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under

this contract. In this regard all recipients or contractors shall take all necessary and reasonable steps in accordance with 49 CFR Part 26 to ensure that Disadvantaged Business Enterprises have the opportunity to compete for and perform contracts. The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of FTA assisted subcontracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy, as the Department deems appropriate.

The successful bidder agrees to comply with the following clauses:

Prompt Payment: The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than 30 days from the receipt of each payment the prime contractor receives from the Department. This clause applies to both DBE and Non-DBE subcontractors.

Retainage: The prime contractor agrees to return retainage payments to each subcontractor within 30 days after the subcontractor's work is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the Department. This clause applies to both DBE and non-DBE subcontractors.

The specific goal for this contract is shown above under Disadvantaged Business Enterprise.

#### **11. ENVIRONMENTAL VIOLATIONS**

The Contractor agrees to comply with all applicable standards, orders, or requirements issued under Section 306 of the Clean Air Act (42 USC 1857 (h)), Section 508 of the Clean Water Act (33 USC 1368), Executive Order 11378, and Environmental Protection

Agency regulations: (40 CFR, Part 15) which prohibit the use under nonexempt Federal contracts, grants or loans, of facilities included on the EPA List for Violating Facilities. The Contractor shall report violations to the FTA.

#### **12. EQUAL EMPLOYMENT OPPORTUNITY**

In connection with the execution of this contract, the Contractor shall not discriminate against any employee or applicant for employment because of race, creed, religion, color, national origin, age, sex or disability. The Contractor shall take affirmative action to insure that

applicants are employed, and that employees are tested during their employment without regard to their race, creed, religion, color, national origin, age, sex or disability. 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. The Contractor further agrees to insert a similar provision in all subcontracts, except subcontracts for standard commercial supplies or raw materials.

**13. FTA FUNDING REQUIREMENTS**

This project may be financed in part by funds from the Federal Transit Administration. Contractor shall at all times comply with all applicable FTA regulations, policies, procedures and directives, including without limitation those listed directly or by reference in the Master Agreement between the Department and FTA, as they may be amended or promulgated from time to time during the term of this contract. Contractor's failure to so comply shall constitute a material breach of this contract.

**14. INCORPORATION OF FEDERAL TRANSIT ADMINISTRATION (FTA) TERMS**

The preceding provisions include, in part, certain Standard Terms and Conditions required by DOT, whether or not expressly set forth in the preceding contract provisions. All contractual provisions required by FTA, as set forth in FTA Circular 4220.1F are hereby incorporated by reference. Anything to the contrary herein notwithstanding, all FTA mandated terms shall be deemed to control in the event of a conflict with other provisions contained in this Agreement. The Contractor shall not perform any act, fail to perform any act, or refuse to comply with any Department requests which would cause the Department to be in violation of the FTA terms and conditions.

**15. LOBBYING:**

The Contractor is required to certify using the Certification of Restrictions on Lobbying Form included that, to the best of his or her knowledge and belief:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an 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.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for making lobbying contacts 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 Standard Form--LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions [as amended by "Government wide Guidance for New Restrictions on Lobbying," 61 Fed. Reg. 1413 (1/19/96). Note: Language in paragraph (2) herein has been modified in accordance with Section 10 of the Lobbying Disclosure Act of 1995 (P.L. 104-65, to be codified at 2 U.S.C. 1601, *et seq.*)]

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose

accordingly.

The certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of the certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Pursuant to 31 U.S.C. § 1352(c)(1)-(2)(A), any person who makes a prohibited expenditure or fails to file or amend a required certification or disclosure form shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure or failure.

**16. NO GOVERNMENT OBLIGATION TO THIRD PARTIES**

(1) The Department and Contractor acknowledge and agree that, notwithstanding any concurrence by the Federal Government in or approval of the solicitation or award of the underlying contract, absent the express written consent by the Federal Government, the Federal Government is not a party to this contract and shall not be subject to any obligations or liabilities to the Department, Contractor, or any other party (whether or not a party to that contract) pertaining to any matter resulting from the underlying contract.

(2) The Contractor agrees to include the above clause in each subcontract financed in whole or in part with Federal assistance provided by FTA. It is further agreed that the clause shall not be modified, except to identify the subcontractor who will be subject to its provisions.

**17. PROGRAM FRAUD AND FALSE OR FRAUDULENT STATEMENTS AND RELATED ACTS**

(1) The Contractor acknowledges that the provisions of the Program Fraud Civil Remedies Act of 1986, as amended, 31 U.S.C. § 3801 et seq . and U.S. DOT regulations, "Program Fraud Civil Remedies," 49 C.F.R. Part 31, apply to its actions pertaining to this Project. Upon execution of the underlying contract, the Contractor certifies or affirms the truthfulness and accuracy of any statement it has made, it makes, it may make, or causes to be made, pertaining to the underlying contract or the FTA assisted project for which this contract work is being performed. In addition to other penalties that may be applicable, the Contractor further acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification, the Federal Government reserves the right to impose the penalties of the Program Fraud Civil Remedies Act of 1986 on the Contractor to the extent the Federal Government deems appropriate.

(2) The Contractor also acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification to the Federal Government under a contract connected with a project that is financed in whole or in part with Federal assistance originally awarded by FTA under the authority of 49 U.S.C. § 5307, the Government reserves the right to impose the penalties of 18 U.S.C. § 1001 and 49 U.S.C. § 5307(n)(1) on the Contractor, to the extent the Federal Government deems appropriate.

(3) The Contractor agrees to include the above two clauses in each subcontract financed in whole or in part with Federal assistance provided by FTA. It is further agreed that the clauses shall not be modified, except to identify the subcontractor who will be subject to the provisions.

**18. PROTEST PROCEDURES**

Protests based upon the award of the contract shall be made in writing to the Contract Services

Administrator no later than ten (10) calendar days following the award of the contract. The protest must clearly specify in writing the grounds and evidence on which the protest is based. The protest will be reviewed and decided pursuant to; the proposal documents issued by the Department, the Delaware Code, and the Federal Transit Authority's regulations.

**19. RECORD RETENTION**

The Contractor agrees to maintain all books, records, accounts and reports required under this contract for a period of not less than three years after the date of termination or expiration of this contract, except in the event of litigation or settlement of claims arising from the performance of this contract, in which case Contractor agrees to maintain same until the Department, the FTA Administrator, the Comptroller General, or any of their duly authorized representatives, have disposed of all such litigation, appeals, claims or exceptions related thereto. Reference 49 CFR 18.39(i)(11).

**20. SEISMIC SAFETY**

The contractor agrees that any new building or addition to an existing building will be designed and constructed in accordance with the standards for Seismic Safety required in Department of Transportation Seismic Safety Regulations 49 CFR Part 41 and will certify to compliance to the extent required by the regulation. The contractor also agrees to ensure that all work performed under this contract including work performed by a subcontractor is in compliance with the standards required by the Seismic Safety Regulations and the certification of compliance issued on the project.

**21. TITLE VI COMPLIANCE**

During the performance of any Contract entered into pursuant to these specifications, the Contractor, for itself, its assignees and successor in interest, agrees that it shall comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. section 2000d) and the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations Part 21, as they may be amended from time to time which are incorporated by reference and made a part of this contract.

**22. INTELLIGENT TRANSPORTATION SYSTEMS**

Intelligent transportation system (ITS) property and services must comply with the National ITS Architecture and Standards to the extent required by Section 5307(c) of SAFETEA-LU, FTA Notice, "FTA National ITS Architecture Policy on Transit Projects," 66 FR 1455 et seq., January 8, 2001, and later published policies or implementing directives FTA may issue. Consequently, third party contracts involving ITS are likely to require provisions to ensure compliance with Federal requirements.

## **Appendix A - REQUIRED FORMS**

The following completed forms are required to be returned with each proposal:

- **Certification of Eligibility**
- **Certificate Of Non-Collusion**
- **Certification Of Primary Participant Regarding Debarment, Suspension, and Other Responsibility Matters**
- **Certification Of Restrictions On Lobbying**

**CERTIFICATION OF ELIGIBILITY**

**Delaware Department of Transportation**

**Request for Proposal 1816-1818 – DBE Support Services**

**Attention:** Shelly K. Alioa, Contract Administration  
Delaware Department of Transportation  
800 Bay Road  
Dover, DE 19901

We have read Request for Proposal number 1816-1818 and fully understand the intent of the RFP as stated, certify that we have adequate personnel and knowledge to fulfill the requirements thereof, and agree to furnish such services in accordance with the contract documents as indicated should we be awarded the contract.

\_\_\_\_\_ hereby certifies that it is not included on the United States Comptroller General’s Consolidated List of Persons or Firms Currently Debarred for Violations of Various Public Contracts Incorporating Labor Standard Provisions.

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

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

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

Sworn and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

My commission expires \_\_\_\_\_.

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

## CERTIFICATE OF NON-COLLUSION

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

- 1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement for the purpose of restricting to such prices, with any other bidder or with any competitor;
- 2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the Bidder and will not knowingly be disclosed by the Bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
- 3) No attempt has been made or will be made by the Bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

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

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

Sworn and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

My commission expires \_\_\_\_\_.

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

**CERTIFICATION OF PRIMARY PARTICIPANT REGARDING DEBARMENT,  
SUSPENSION, AND OTHER RESPONSIBILITY MATTERS**

The Primary Participant (applicant for an FTA grant or cooperative agreement, or potential contractor for a major third party contract), \_\_\_\_\_ certifies to the best of its knowledge and belief, that it and its principals:

- 1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- 2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- 3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (2) of this certification; and
- 4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or Local) terminated for cause or default.

If the primary participant (applicant for an FTA grant or cooperative agreement, or potential third party contractor) is unable to certify to any of the statements in this certification, the participant shall attach an explanation to this certification.

The Primary Participant (applicant for an FTA grant or cooperative agreement, or potential contractor for a major third party contract), \_\_\_\_\_ certifies or affirms the truthfulness and accuracy of the contents of the statements submitted on or with this certification and understands that the provisions of 31 U.S.C. Sections 3801 et seq., are applicable thereto.

\_\_\_\_\_  
Signature and Title of Authorized Official

\_\_\_\_\_  
Date

## CERTIFICATION OF RESTRICTIONS ON LOBBYING

The Bidder or Offeror certifies, to the best of its knowledge and belief, that:

1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of a Federal department or agency, a Member of the U.S. Congress, an officer or employee of the U.S. Congress, or an employee of a Member of the U.S. 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 thereof.

2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for making lobbying contacts 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 Standard Form--LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions (as amended by "Government wide Guidance for New Restrictions on Lobbying," 61 Fed. Reg. 1413 (1/19/96). Note: Language in paragraph (2) herein has been modified in accordance with Section 10 of the Lobbying Disclosure Act of 1995 (P.L. 104-65, to be codified at 2 U.S.C. 1601, et seq.)).

3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was 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 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

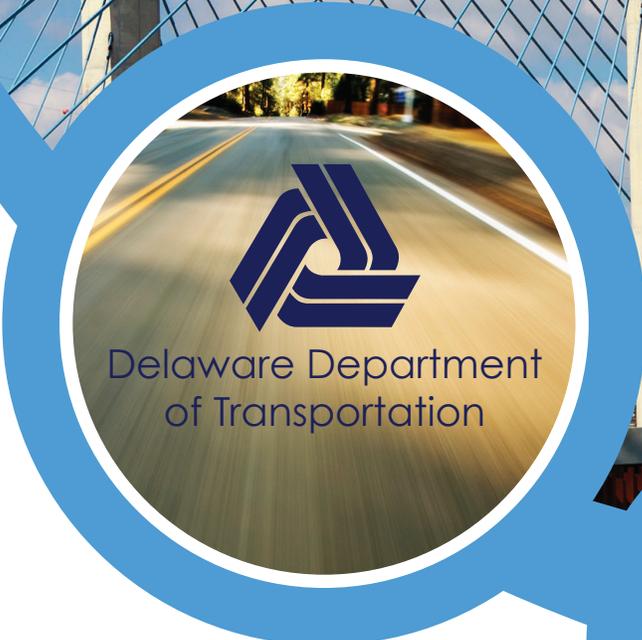
THE BIDDER OR OFFEROR, \_\_\_\_\_, CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF EACH STATEMENT OF ITS CERTIFICATION AND DISCLOSURE, IF ANY. IN ADDITION, THE BIDDER OR OFFEROR UNDERSTANDS AND AGREES THAT THE PROVISIONS OF 31 U.S.C. §§ 3801 ET SEQ. APPLY TO THIS CERTIFICATION AND DISCLOSURE, IF ANY.

\_\_\_\_\_ Signature of the Bidder or Offeror's Authorized Official

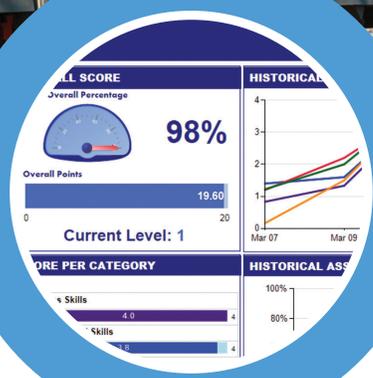
\_\_\_\_\_ Name and Title of the Bidder or Offeror's Authorized Official

\_\_\_\_\_ Date

**APPENDIX B - DELDOT'S BUSINESS DEVELOPMENT PROGRAM**



Delaware Department  
of Transportation



March 23, 2015

Disadvantaged  
Business Enterprise (DBE)

# Supportive Services Plan

Business  
Development  
Assessment



Financial  
Assistance



Competitive  
Bidding  
Assistance



Marketing &  
Networking



DBE  
Recruitment



Reporting



## Table of Contents

1. Introduction	2
2. Objectives/Policy Statement	2
3. Data Management System	2
4. Services Provided	4
a. Technical Assistance & Business Development Assistance	4
b. Marketing & Networking Assistance	8
c. Seminars & Workshops	9
5. DBE/SS Program Awareness & Marketing	10
a. Marketing Tactics	12
b. Inquiring About Services	14
c. Service Locations	14
6. Supportive Services Approach	14
7. Business Development Program (BDP)	16
a. Objectives of the BDP	17
b. BDP Program Approach	17
c. Networking/Recruitment of the BDP	18
d. Selection into the BDP	19
e. Identify Deficient Areas of Specialization	20
f. Acceptance Process	20
g. BDP Business & Action Plans	21
h. BDP Program Progression	22
i. Transitioning Out of the BDP	23
<b>Appendix</b>	<b>25</b>
a. Sample DBE BDP Service Agreement	
b. Sample DBE Assessment Form	

## **1. Introduction**

Delaware Department of Transportation (DelDOT) has established a Disadvantaged Business Enterprise Supportive Services (DBE/SS) program in accordance with the regulations of the U.S. Department of Transportation (USDOT), 49 CFR Part 26. It is DelDOT's policy to make sure that DBEs, as defined in Part 26, have an equal opportunity to receive and participate in USDOT-assisted contracts. It is also DelDOT's policy to:

- Ensure nondiscrimination in the award and administration of USDOT-assisted contracts.
- Create a level playing field on which DBEs can compete fairly for USDOT-assisted contracts.
- Ensure that the DBE program is narrowly tailored in accordance with applicable law.
- Ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are counted as DBEs.
- Help remove barriers to the participation of DBEs in USDOT-assisted contracts.
- Assist in the development of firms that can compete successfully in the marketplace outside the DBE program.

This plan will be reviewed and updated as needed, but at least once annually by DelDOT.

## **2. Objectives/Policy Statement**

The goal of the DBE program is to deliver services and activities designed to increase the total number of DBE participants in the construction program and to influence the growth and self-sufficiency of minority owned businesses.

The intention of the DBE/SS program is to support and assist qualified minority—and woman—owned businesses and to help them become certified as DBE firms. Once certified, the program assists DBE firms to get work on federal-aid contracts and to become self-sufficient in their respective line of work. A myriad of training programs and technical assistance is provided by the DBE/SS program to assist DBEs in meeting these goals.

The desired outcome is to level the playing field and allow DBE firms to acquire opportunities that will lead to a more equitable distribution of award opportunities.

## **3. Data Management System**

To manage all critical DBE/SS program data, DelDOT will utilize a central data management system that is easily accessible by both DelDOT staff and participants. This real-time system will be accessed via a web portal.

Data to be maintained includes participant profiles, training data, assessment results, training results, financial assistance, each encounter/contact with participant, partnership and the nature of such, events sponsored and attended with demographic data. Other data may be added as deemed necessary.

This system will assist DeIDOT in managing and evaluating the proficiency level of the DBEs in the program to perform highway and transportation related projects. The data management system provides:

- Customizable assessments to monitor Business Skills, Entrepreneurial Skills, Financial Health, Financial Skills, Trade & Industry Skills, etc.
- ScoreCards to establish baseline metrics as well as current & historical scores.
- Dashboard views with one stop access for client viewing – recent tasks will be listed to keep DBEs on the track to success.
- Client & Programmatic Reporting to track DBE performance in comparison to their peer DBEs.
- Track & manage DBE/SS level of effort and tasks in relationship to each DBE.
- Supported by a Program Website Portal that gives DBE/SS the ability to add news, contract & bidding opportunities, eLearning opportunities and more.
- Administrative control to create logins for each DBE, create customizable assessments & view reports to monitor how well DBEs are meeting their goals and more.

As services are required, action items would be assigned through the system and the DBE could login at any time to provide feedback, view notes and updates specific to them. The DeIDOT Administrators can then log into the system and at any particular time to see an up-to-date status of all the DBEs in the program.

The data management web portal will serve the following primary functions:

1. First, this system will serve as a tool for DeIDOT and will assist in managing the DBE/SS Program. The tool will provide timely information to DeIDOT on the performance of the DBEs and their progress as well as the performance of DBE/SS providing the supportive services. Every contact DBE/SS has with the DBE will be tracked in the system, providing transparency to DeIDOT.
2. Second, it is a clearinghouse of information for DBEs, Primes, DeIDOT and others. The system would consolidate this information into one program portal. Primes can post their needs and requirements, and the system can match and direct them to available DBEs. The portal can instantly notify potential DBEs via email and text messaging that an opportunity is on the site. In addition, the site would include a social aspect where DBE/SS would generate conversations about particular, advertised bids and would allow DBEs in the BDP to login and post questions to other DBEs.

The portal would provide:

- Program announcements
- Upcoming seminars, copies of past presentations
- Success stories
- Marketing material
- Resources
- Upcoming contract alerts
- Recent bids

- Text messages to clients on upcoming bids and bid results
- An area for Primes to solicit work
- Listing of DBEs, with links to download their sell sheet
- Archives of newsletters
- Listing of opportunities in surrounding states
- Workforce development opportunities
- Mentor opportunities

This portal could eventually be used as a data-driven tool to notify DBEs on bid opportunities, track questions on particular bids, potential barriers and concerns raised by anyone participating in the Program, DeIDOT, Primes, DBEs, etc. It would also allow the DBE to provide feedback about the program and propose ways to improve it.

The data that is collected utilizing the portal will be utilized to provide performance measures. These Performance measures will be implemented and reported by the data management system on a monthly basis. See Appendix for baseline measures.

### **3. Services Provided**

Several key factors impede the growth and participation of DBEs in the transportation industry. These factors can include, but are not limited to the unfamiliarity with the industry, navigating through the rules and regulations, time and expenses to understand the industry, time and expense to put proposals/bids together, lack of entrepreneurial skills, etc.

Additional training can greatly enhance a DBE's ability to run a successful business. DBE/SS will provide general supportive services to certified DBEs doing business with DeIDOT by providing a diverse range of general assistance services to help DBEs improve their long-term development, increase opportunities to participate in a variety of work types, handle increasingly significant projects, and eventually achieve self-sufficiency.

DeIDOT DBE/SS will facilitate monthly (or bi-monthly) orientation to new or reevaluated certified DBE firms. The orientation will consist of the following:

- Inform DBE firms about the types of technical assistance available from the supportive services consultant including basic DBE program terminology; DeIDOT construction/consulting contracting procedures and requirements; networking with prime consultants and large sub consultants and training on the bidding process.
- Assistance and encouragement to DBEs in developing their capability to utilize new technology and conduct business through electronic media. The supportive services consultant will ensure computers are available for use by DBE firms, either at their offices, or at other convenient locations in order to provide training and other services.
- Utilize web-based technology for DBE firms who are out of town.

#### **a. Technical Assistance & Business Development Assistance**

Along with actual contract work, DBE/SS will assist DBEs who are in immediate need of general technical and business assistance. DBE/SS will develop and improve immediate

and long-term business management, record keeping, and financial and accounting capability while assisting DBEs in developing their capability to utilize emerging technology to conduct business through electronic media.

Technical assistance shall be provided in such a manner to enable the firm, in the future, to move into non-traditional areas of work and/or compete in the marketplace outside the DBE program, via the provision of training and assistance.

DBE/SS will focus on strengthening and enhancing the DBEs ability to bid and estimate projects, including intensive one-on-one assistance as needed in plan reading, quantity take-offs, unit prices, overhead costs, and bidding and estimating skills. One of the most important skills in estimation and bid development is the ability to thoroughly read and understand the language and scope of services outlined in contract documents. These contract documents include DelDOT standard specs, standard details, and bid documents including job specifics and plans. DBE/SS will assist the DBEs in understanding how these documents are interrelated and the order of precedence.

Organizational and writing assistance will also be provided to DBE firms interested in submitting RFP submissions as either a Prime or as a Sub-Consultant on a project team. DBE/SS will work with the DBE on their submissions and will teach them about the process of reading the RFP and understanding supporting documents, resumes, and other documents. On their second submission—DBE/SS will work more as a coach, providing guidance and support.

Assistance shall be provided in the form of education that includes counseling, classroom and online training, workshops, and one-on-one technical or managerial assistance, and when appropriate, referrals to other supportive services providers.

The level of effort required for providing business skill assistance will depend upon the level of need each DBE requires. Once the DBE's specific needs are assessed, DBE/SS will provide specific and immediate services that will correspond with each DBE's needs. The services provided will include:



DBE/SS will also perform outreach with new firms, particularly in fields in which DBE participation has been historically low. DBE/SS will recruit and solicit DBE certification applicants, providing information and assistance in becoming certified as a Delaware DBE and in applying for any required business or professional licenses.

Some of the key technical skill training that will be provided are:

**i. Loan Packaging Assistance**

Services will include the facilitation of loan packaging, post-loan follow up and technical assistance, pre-loan development assistance, loan committee presentations, business planning and consulting, collection activity, as well as monthly invoice review and distribution. In addition to general lending and monitoring functions, DBE/SS will hold meetings with existing and potential DBEs, and also periodically meet with clients to report on Program metrics.

DBE/SS will be a resource and provide contacts, and assistance in the development and presentation of loan packages, which are anticipated loan approvals from commercial banks, SBA-guaranteed, and other sources as deemed appropriate.

**ii. Bond Packaging Assistance**

DBE/SS will assist DBEs who have the potential to bid projects as a prime, have excellent work history, and have good financial rating in developing the necessary understanding of bonding procedures and the paperwork necessary to apply for bonding. DBE/SS will provide expert instruction from a variety of sources familiar with this process consistent with the goals of DeIDOT. Alternatively, if a DBE is already bonded, DBE/SS can also assist them in the process necessary to increase their bond limits. DBE/SS will also assist in determining the common types of insurance—such as key man life, liability, auto and home—which are required to protect their assets and win DeIDOT jobs.

**iii. Computerized Accounting/Finances**

DBE/SS will work closely with DBEs on financial management issues ranging from accurate record keeping, proper billing and invoicing to managing AR/AP and cash flow. Assistance may include:

- Assisting firms in establishing accounting programs that will offer a more comprehensive view of their financial status and overall operations.
- Converting manual systems to software programs like QuickBooks for accurate and efficient monitoring and reporting as well as a more comprehensive view of its financial status and overall operations.
- Selection and provision of appropriate software as well as training. If the DBE is already utilizing QuickBooks, DBE/SS will assist them in maximizing their use of the software.
- Establishing job cost integrated systems, cost estimations, calculating profit margins and managing cash flow.

**iv. Job Cost Accounting**

DBE/SS will assist the DBE in understanding the principal to a job cost accounting system by reviewing the DBE's current methods and will provide a course of action to migrate to a computerized system.

In addition, DBESS will assist DBEs with calculating their overhead costs and how to apply it to their cost estimates when they bid a project. DBE/SS will also assist firms with determining this, as well as establishing job cost integrated systems, cost estimations, calculating profit margins and managing cash flow.

**v. Competitive Bidding Assistance**

DBE/SS will assist the DBE in breaking down the bidding process into small manageable pieces through small short seminar series that transition into one-on-one personalized training. Regardless of what the project is, there are three main distinctions that are clarified:

- DeIDOT Process vs. Estimating Process
- Bidding as a Prime vs. Bidding as a Sub
- Costing Estimating vs. Bid Strategies

**vi. Electronic Bidding Assistance**

DeIDOT utilizes electronic bidding procedures in securing competitive bids for all construction projects. Engineering and professional services are qualification based and require the submission of a well-written Request for Proposal (RFP) for DeIDOT review and evaluation. DBE firms may not be prepared to participate in the online bidding process due to a lack of technical capabilities.

DBE/SS will assist DBEs to help them prepare and participate in the online bidding process, creating estimates, and providing guidance regarding proper procedures for preparing and submitting responses to DeIDOT as well as sending quotes to Primes for bids as a sub-consultant.

DBE/SS will provide training and assistance for electronic bidding, estimating, proposal submission and negotiating skills. It is understood that many DBEs may not have computerized estimating software, or a suitable historical database with prior costs, which provides information to know what to bid.

DBEs will also provide seminars and one-on-one training that will encompass everything from turning on a computer to walking through all the steps of the bidding process, including understanding the scope and language of a bid, developing estimates, and accurately bidding, securing contracts and scheduling projects. DBE/SS will also provide the much-needed support with contract management, cost control and on-site management skills to ensure projects are well executed and profitable.

**vii. DBE Firm Bidding as a Prime**

DBE/SS will also assist DBE Contractors and Consultants to improve their estimating, bidding, and negotiating skills to develop their capacity to bid as prime contractors or consultants on DeIDOT projects. Assistance will include educating the DBE on the requirements and risks and the general overhead associated with being the Prime.

DBE/SS will also assist firms in establishing stable contract management practices. This entails training personnel to understand the importance of contract management as well as the entire contract process, from the creation, reading, and closing of a contract. This includes managing paperwork that is required to receive the appropriate compensation from owners and prime contractors. It includes certified payrolls, certificates of compliance, change orders, etc. In addition to contractual requirements that entail paperwork, there are essential general correspondences, such as Request for Information (RFI), general letters and change order requests, all of which can have a major positive and/or negative impact on a contract.

DBE/SS will provide DBEs the necessary assistance including letters, contract checklist, and ongoing assistance. DBE/SS will also assist in the review of the language and scope represented in the contracts.

**b. Marketing & Networking Assistance**

A professional appearance greatly enhances a DBE's ability to build relationships and acquire work. DBE/SS will assist DBEs in the program with marketing their firms to the construction and professional services industry through marketing tool kits based upon each DBEs area of expertise. These marketing pieces are vital for DBEs as they market their business to Primes, prior to bids, during networking events, or at trade shows. Marketing Toolkits may include:

- *Logo*: Development of the DBE's identity and brand that best represents their business – this logo will be used on all DBE collateral pieces.
- *Business Card*: A necessity for DBE's as they try to grow their business and their contact list.
- *Sell Sheets*: A key way to raise awareness of DBEs with Primes. Sell sheets can be business or service focused. DBEs can use these at bid openings, association meetings, networking, new proposals/bids and include with letters of introductions.

- *Web page*: Crucial for all DBEs to have a web presence that will allow Primes an easy way to find out more information prior to bidding.
- *RFP/RFQ Response*: Assist DBEs in developing material they may need to respond to RFP and RFQs.
- *Letters to Primes*: An introduction to send to Primes along with the Sell Sheet.

In addition, DBE/SS will assist DBEs in developing individualized marketing plans that will be included in their Business Plan. This plan would set reasonable goals for growth. The DBE will be able to utilize the plan as a guide to running their marketing initiatives and would include at a minimum:

- |                        |                      |                      |
|------------------------|----------------------|----------------------|
| • Sales Goals          | • Demographics       | • Pricing            |
| • Economic Environment | • Trends             | • Packaging          |
| • Industry Environment | • Competition        | • Sponsoring         |
| • Customer Profile     | • Marketing Channels | • Marketing Calendar |
|                        | • Sales Tactics      |                      |

**c. Seminars & Workshops**

To build and sustain a successful business, DBE owners must focus on strategies addressing social/economic and general business challenges facing all small business owners. A seminar series will assist DBE clients in addressing these challenges. These seminars will provide training in areas critical to success in the industry. DBE/SS team members, business educators, transportation leaders and DBEs will be guest speakers throughout the seminar series.

Seminars and workshops will be developed based upon the needs, capacity, skill sets of the DBEs, and information noted during the assessments. An electronic survey will be developed and sent to assess the best time of day, the best time of year and which topics are of most interest.

Based upon the DBEs’ feedback, there may be various formats offered, depending on the topic of the seminar. For instance, seminar formats may be:

- Intense hourly sessions (2-3 hours), after hours
- All day seminar
- Multi-day series
- Classroom training that includes post-seminar homework
- Online videos and tutorials
- Series of mini-webinars (8-10 minutes each)

All Delaware certified DBEs will be invited to an initiation seminar entitled *How to Bid DeIDOT Work*. This seminar would introduce these DBEs to the DeIDOT bidding process: the process of submitting bids to Primes, responding to RFPs, etc.

Seminars will focus on innovation, professional development, and the advancement of DBE business growth and capacity. Curriculum will include (at a minimum):

- Navigating the Department’s and State of Delaware’s websites
- Scheduling & Project Management
- Safety
- Bidding and Estimating (as a Prime and Sub)
- RFP Review and Response
- Contract Negotiation
- Marketing
- Plan Reading
- Procurement Process
- Business Plans
- Bonding, Insurance and Finance
- Cost Management and Project Cash Flow Analysis
- Accounting and Cash Flow Management
- Business Law
- Emerging Technology
- Software Packages and Tools
- Networking

Opportunities for collaboration and networking will be made available to DBEs to allow information-sharing around best practices and strategies for success. The DBE Administrator may specify additional topics and/or may specify alternate locations if deemed necessary.

Communication will be kept open with the DBEs post-seminar through the use of an electronic feedback survey and other methods to adapt the seminars to maintain a high level of interest.

Seminars will be video recorded and posted to the program portal. DBEs can access the seminar videos at anytime by logging into the portal utilizing their personalized login credentials. Anytime a new video is posted on the portal, the DBE will be alerted via email and text messages. A link will be included in all marketing materials. This will help build DeIDOT DBE/SS presence as an online resource for business support.

These seminar workshops will be open to the public, and will be used as a recruiting tool. DBE/SS will coordinate with DeIDOT’s Public Relations office and may utilize previously approved outreach efforts such as DeIDOT’s Twitter and Facebook pages.

#### **4. DBE/SS Program Awareness & Marketing**

In the recent 2009-2012 DeIDOT DBE/SS Program Evaluation, 44% of Delaware DBEs were unaware of the Supportive Services that were offered. According to the “Rule of Seven” marketing adage, it says that a prospect needs to see or hear your marketing message at least seven times before they take action. Therefore, it is greatly recommended that we utilize multiple touchpoints to promote the

services provided by DBE/SS. Some of these touchpoints may be pre-existing, and some may need to be developed. These will include:



It is critical to not only develop the communication but to also maintain the communication on an ongoing basis until DBEs truly understand the services provided and understand the value of the services. Since the majority of DBEs certified in Delaware are outside of the state, it is also crucial that the DBE/SS develop communications (including seminars and networking events) that can overcome the distance.

In order to promote awareness of Supportive Services, anytime a DBE is awarded a project they will receive a mailer: an email and a phone call from supportive services to congratulate them on the award and to offer DBE/SS services.

In addition, the success of the program requires continuous and ongoing coordination among DeIDOT, their consultant, appointed team members, the DBE Community and the current contractor and/or engineering community. DBE/SS will provide ongoing coordination with DeIDOT and will meet with the DeIDOT DBE Administrator on a monthly basis. Written minutes of any and all meetings will be submitted for review.

DeIDOT will measure the program’s success on an ongoing basis using a combination of monthly conference calls between DeIDOT and the DBE/SS Provider via in-person site visits, consultant monthly performance reports, and annual program reviews that monitor, track, and assess the overall performance results of the DBE/SS program. The DBE Program Manager will communicate with DBEs or primes the DBE/SS Provider assisted or trained to evaluate participant satisfaction

including, but not limited to, quality of service, timeliness of the response, and the results of the assistance provided. Information will be communicated to the DBE/SS Provider as deemed necessary, and will be included in reports to FHWA.

The DBE/SS Provider will conduct monthly meetings/conference calls with those providing services to DBEs on their behalf to discuss quality assurance review results, address shortfalls, identify needed improvements and barriers, and provide redirection of resources if needed. This information must be reported to DelDOT in monthly reports.

The DBE/SS Provider will provide follow up services and surveys to DBEs regularly to determine the outcome of training and assistance provided. This information must also be included in monthly reports to DelDOT.

**a. Marketing Tactics**

DBE/SS will utilize multiple channels to raise awareness of the program. These may include:

**i. Quarterly e-Newsletter**

An eNewsletter will allow DBE/SS to keep DBEs up-to-date with upcoming contracts, low bidders, seminars, resources, success stories, and other business development tips.

**ii. Prime-Focused Online Directory**

DBE/SS will also create a Prime-focused online directory that outlines the DBE program and the benefits of working with Delaware DBEs. This directory will also include a listing of DBEs by company type and will provide contact information.

A link to this directory will be emailed to all Primes who have bid on DelDOT contracts in the past two years and can be provided in printed form if requested. This mailing list will include the new contractors picking up plans and bidding on DelDOT work that have not bid in the past (including out-of-state Primes). This directory will also be accessible from the program portal.

**iii. Advertising**

Advertising is a key way to build program visibility amongst DBEs. DBE/SS will develop an ad that speaks to all minority ethnicities with a call to action to contact DBE/SS to set up an informational meeting. The ad will highlight the opportunities that are currently available, including some of our new initiatives, as well as use testimonials from current DBE clients.

**iv. Outreach to Minority Business Networking Groups and Industry Groups**

DBE/SS will identify and meet with minority associations, community groups and existing DBEs in an effort to identify potential new DBEs—there are many associations that DBE/SS will target to recruit new DBEs into the Program. DBE/SS will identify the groups to pursue, schedule meetings with association/group leaders and develop a plan to target these associations/groups.

**v. Success Story Videos**

In order to get potential DBEs and the overall community more knowledgeable about DeIDOT, DBE/SS success stories will be developed to provide an overall insight to the DBE program. These stories will come from DBEs, Contractors or Primes and will showcase the DBEs talents and successes. It will be an opportunity for potential DBEs to hear advice on a variety of different issues from a wide scale audience. These interviews can be featured on the program portal as a learning tool for other DBEs and potential DBEs. Interviews will include helpful tips, lessons they've learned along the way and success stories, all captured on video.

**vi. Facebook**

DBE/SS will assess the feasibility of developing a program Facebook page and provide strategic direction and initial content. The page can be used in conjunction with the portal to post bids, info, events, photos, and links to other resources – as well as driving traffic back to the program portal. The DeIDOT DBE/SS Facebook URL can appear on marketing initiatives in order to drive “Likes” and also link from the DeIDOT DBE/SS portal.

**vii. Bid Text/Email Alert Series**

To get bid information out in a more timely and focused fashion, DBE/SS will implement a text alert series. A page will be set up on the portal that would allow anyone to submit their cell phone number in order to receive these alerts. DBE/SS would contact all DBEs currently in the program to confirm they would like to be added to this alert list. A series of three text alerts will be sent for each Bid. The series will include:

1. Bid Advertised: This text alert is sent as soon as the bid is advertised. The text includes: Project Name, Bid Number, Link to DeIDOT site and messaging to tell the DBE to visit the DeIDOT Contracting Office to pick up specs.
2. List of Primes Interested in Bid: This text provides a list of the Primes who have picked up specs for the specific bid and encourages the DBE to contact each of the Primes on the list to submit bids by the bid opening date.
3. Bid Opened: This text alerts the DBE to which Prime Contractor/Consultant was awarded the bid and encourages the DBE to contact the Prime to see if they need pricing for their services.

In doing this, DeIDOT can maintain a list of all DBE consultants notified of the project, the DBEs who picked up plans, and DBEs awarded subcontracts on projects. This information can serve as a baseline and future measurement tool. This process could eventually replace the subcontractors sign up sheet.

**viii. DeIDOT Minority Business of the Year Award**

This award will allow people to nominate a minority business owner in Delaware that has a substantiated history as an established business. DBE/SS would promote this in all marketing and PR materials and a winner will be selected based upon agreed upon criteria such as:

- Staying power — a history as an established business
- Growth in number of DeIDOT contracts worked on
- Increase in sales and/or unit volume
- Current and past financial performance
- Innovativeness of product or service offered
- Response to adversity — examples of problems faced in the nominee’s business/industry and the methods used to solve them
- Contributions to community-oriented projects

The winning DBE Business Owner can be recognized at a luncheon, in DeIDOT marketing materials, via PR, etc.

**ix. Opportunity Fair for Primes/DBEs**

An Opportunity Fair where Primes, DBEs, prospective DBEs and DeIDOT officials have the chance to learn and network with each other is a great networking event to help existing DeIDOT DBEs be successful. The format will be a presentation from DBE/SS, as well as a panel of primes where DBEs could ask questions of the primes. After the presentation, Primes will each have booths/tables where the DBEs can introduce themselves and network with Primes on a one-on-one basis.

**b. Inquiring About Services**

An email address and phone number are provided on all marketing materials for the DBE/SS program. These channels will be monitored by DBE/SS and translation services will be provided for non-English speaking participants.

**c. Service Locations**

Delivery of services will be provided online and on-site including training, counseling and other services to DBEs within the state of Delaware.

**5. Supportive Services Approach**

The DBE/SS program will provide a direct link between business development programs, technical and financial assistance and allow for the utilization of new partnerships with existing community resources.

Many DBEs start their own business because they are experts in their trade, whether it’s laying sidewalks, erecting steel trusses, creating landscapes or driving trucks. They are skilled in their area of expertise but may need assistance managing and growing a business – the bidding process, managing finances, building relationships with Primes, developing a business plan, marketing and so forth. DBE/SS will provide a wide range of services to enhance DBEs’ business skills and increase their participation in DeIDOT projects.

DBE/SS will take a two-pronged approach to the program to ensure all DBEs that require support receive it.

1. General Supportive Services: Existing DBE clients that are under contract or pursuing DeIDOT work that require immediate assistance.

2. Business Development Program: DBEs who are selected and enrolled into the Business Development Program will receive continuous long-term, and formalized support and assistance.

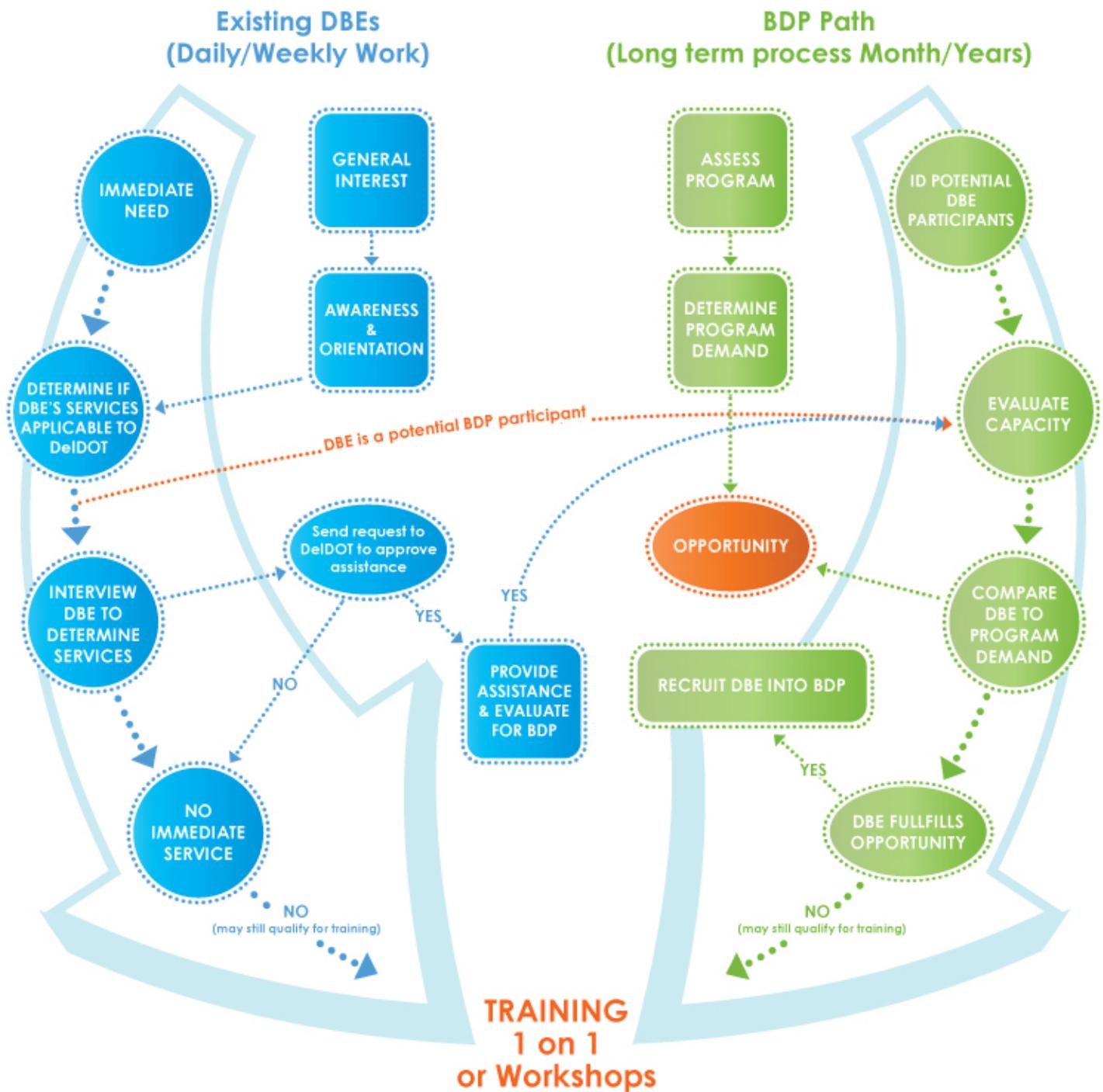
Assistance can be provided to DBEs that are pursuing DeIDOT work or who are currently under contract for DeIDOT work. Supportive services will still be available to those DBEs that are not selected and enrolled into the BDP. It should be noted that performance assessments will be performed on all Delaware DBEs available to provide services on DeIDOT contracts. Prioritization will be determined based on various factors such as geographic location, services provided, etc. For example, a DBE located in Delaware may be assessed before a DBE located in California.

Due to the fluctuation of work, and the nature of the clients and industry business processes, the needs required by these DBEs can be immediate needs, or needs that can be planned and executed over time. An example of an immediate need is a DBE that is bidding work as a sub-contractor and has questions regarding specifications, bidding and estimating or may have a conflict on an existing project. An example of a non-immediate need of assistance is a DBE looking to expand, or needs help with marketing material.

Immediate assistance requests will be quickly assessed to determine where the assistance is needed and how it can be executed. Can it be handled utilizing existing on-site DeIDOT staff or will they need specialized assistance from the SS Consultant. DBE/SS will utilize a DeIDOT approved Communication Plan to handle all communications.

For the non-immediate need, the DBE will be guided to the necessary resources to handle the need. This can be one-on-one training and support, or a classroom based training.

In both scenarios, provided needs and assistance will be logged and tracked in a DeIDOT specific data management system that will be utilized to track SS efforts and DBE services provided, and will feed into the performance metrics of the program.



## 6. Business Development Program (BDP)

The Business Development Program (BDP) is a program created to increase and enhance participation of Disadvantaged Business Enterprises in DeIDOT projects. The program's intention is to provide a wide range of personalized assistance aimed at helping DBEs secure more state

transportation contracts. While providing individualized technical and business development services, the program will generate better awareness of the DBEs in the transportation community.

**a. Objectives of BDP:**

- Target is underutilized DBEs
- Identify individuals with business aptitude and skill set
- Provide necessary technical, business and marketing skills training
- Transition existing, underutilized DBE into new growth areas
- Develop partnerships and opportunities with existing primes
- Develop capacity amongst DBE firms

**b. BDP Program Approach**

It is vital to understand the struggles DBEs face and assist them in recognizing and addressing their own limitations in order to teach them how to maximize and harness their trades and entrepreneurial skills. We will take an intensive one-on-one consulting approach to build relationships and trust as well as address the variety of challenges that each of our DBEs are presented. By employing a combination of technical and “soft skills”, we garner the respect and trust of our DBE clients to assist them in navigating through a myriad of business decisions.

We will establish a formal approach to the Business Development Program (BDP). The BDP would be a two-year specified program with a formal process and exit strategy. The goal of the program would be to transition the DBE toward independence. Program participation would be divided into two stages:

1. Developmental stage: designed to assist BDP DBE participants to overcome their social and economic disadvantage by providing such assistance as may be necessary and appropriate to enable them to access relevant markets and strengthen their financial and managerial skills.
2. Transitional stage: follows the developmental stage and is designed to assist BDP DBE participants to overcome, insofar as practical, their social and economic disadvantage and to prepare the participant for leaving the program.

The length of service in the program term will not be a pre-set time frame for either the developmental or transitional stages but will be determined on the number of years considered necessary to achieve the firm’s established goals and objectives. The setting of such time will be factored on such items as the number of contracts, aggregate amount of the agreement received, years in business, growth potential, etc.

Beginning in the first year of the transitional stage of program participation, each participant should annually submit for inclusion in its business plan a transition management plan outlining specific steps to promote profitable business operations in areas other than traditional areas of DBE participation after graduation from the program. At a minimum, the business plan would include:

- Executive Summary - providing a succinct synopsis of the business plan, and highlighting the key points raised within.
- Company Analysis - a strategic overview of the company and describes how the

company is organized, what products and services it offers/will offer, and goes into further detail on the company's unique qualifications in serving its target markets.

- Industry Analysis - evaluates the playing field in which the company will be competing.
- Analysis of Customers - assesses the customer segment(s) that the company serves and conveys the needs of its target customers.
- Analysis of Competition - defines the competitive landscape of the DBEs business.
- Marketing Plan - details the DBEs strategy for penetrating the target markets.
- Operations/Design and Development Plans - details the internal strategies for building the venture from concept to reality.
- Financial Plan - involves the development of the company's revenue and profitability model.
- Appendix – includes a full set of financial projections, with the summary of these financials in the Executive Summary and the Financial Plan. Other documentation that could appear in the Appendix includes technical drawings, partnership and/or customer letters, expanded competitor reviews and/or customer lists.

The transition management plan should be submitted at the same time other modifications are submitted pursuant to the annual review

**c. Networking/Recruitment of the BDP**

The DBE/SS shall develop working relationships with all of the certified DBE firms. As time and budget permits, this can be accomplished via site visits, and/or written, phone and/or email contacts with each firm. The Supportive Services Consultant shall perform the following:

- Organize and facilitate periodic meet and greet events for DBEs and DeIDOT/FHWA staff and/or other Agency representatives that support small business development.
- Organize and facilitate periodic networking events between the prime contracting community and Department- certified DBE firms. These events may also be facilitated in collaboration with the other State and Local small business development agencies, and organizations.
- Administer an effective outreach and marketing program to solicit qualified firms to the DBE program, including but not limited to identifying potential DBEs in areas of need to the Department; and working with outside entities such as the Small Business Administration, Small Business Development Council, U.S. Department of Transportation's Office of Small and Disadvantaged Business Utilization (OSDBU), colleges, and universities.
- Conduct statewide outreach activities and events to raise DBE program awareness and disseminate information to potential DBEs that have the potential to conduct business in the transportation construction industry.
- Participate in and disseminate information about the Department, and Delaware Office of Supplier Diversity meetings and other events with DBE opportunities. Provide ongoing communication to DBEs in order for them to become better prepared to compete for and receive transportation related awards.
- Identify and recruit Small Business Enterprises and Minority Business Enterprises potentially eligible for DBE certification that perform road and bridge work to become certified DBEs.

- Assist firms through the steps to become certified.
- DBE firms that do not take advantage of assistance through the BDP may still qualify for similar services under the DBE Supportive Services Program. Develop working relationships with state, local and federal agencies and staff for possible referrals of DBE firms. The agencies and individuals may provide additional supportive services to DBE firms in the areas of bonding, small business accounting practices, marketing, computer technology, equipment purchasing and leasing, workforce development and basic business financial management skills. The entities include, but are not limited to:
  - Delaware River and Bay Authority
  - Delaware Office of Supplier Diversity
  - The U.S Department of Transportation Office of Small and Disadvantaged Business Utilization
  - U.S. Department of Transportation Small Business Transportation Resource Center Program (Financial technical assistance provider)
  - U.S. Small Business Administration (SBA)
  - U.S. Department of Commerce (Minority Business Development Agency)
- Develop working relationships with other small business development entities, including, but not limited to:
  - National Association of Minority Contractors
  - Delaware Contractors Association (DCA)
  - American Council of Engineering Companies
  - Conference of Minority Transit Officials
  - Latin American Community Center
  - Delaware Chamber of Commerce
  - Other small business development entities

**d. Selection into the BDP**

A list of qualified DBEs would be developed by evaluating the capacity of DBEs already housed in DelDOT's directory. Such evaluation would include the firm's geographical concentration and related business activity concentration, gross receipts, equipment, and relevant experience, among other considerations. In order to have a concise indication of the DBE's capacity to complete specific items on the DelDOT contracts. DBE/SS would also email a survey to the entire list to gauge interest in each DBE in the Program, as well as self-identify additional information in order to reflect potential BDP Participants. Participation in the BDP would be based on selection criteria developed by DBE/SS, available funding, and progress DBE firms make within the program.

The following categories of firms would be targeted to be included in the program for assistance via the BDP:

- Newly-certified DBE firms that have been bidding on transportation-related projects for 12 months or less.
- DBE firms that have, in the past, or are currently participating in transportation-

related projects.

- Newly-certified DBE firms who have been in business for at least 3 years.
- DBE firms that have never engaged in transportation-related projects, but, have the desire and potential to do so.
- DBE firms with marketable goods and services (applicable to the transportation industry) that are not considered a construction company.
- Underutilized firms.

Once we have the list of potential DBEs we will select DBEs for an initial interview. The initial interview would be an hour in length, with the goal of determining if the DBE was “ready, willing and able” to be included in the BDP. Our interview would gauge:

- Do they have an understanding of what is involved with bidding as a sub or prime on DeIDOT contracts?
- Do they understand what is involved with working on DeIDOT contracts?
- Do they have the time and skills required?
- Do they have the capacity?
- Do they have the potential to provide current services or skills?
- Do they have the potential to acquire new services or skills that may be utilized on DeIDOT contracts?

**e. Identify Deficient Areas of Specialization**

The firms to be recruited shall be primarily involved in areas identified by the respective construction and engineering industries as a deficient field of specialty in the transportation industry. We would then coordinate with DeIDOT’s Public Relations office to utilize pre-approved channels (DeIDOT’s website, Twitter, Facebook, Advertising, etc) as well as other pre-approved tactics to administer an effective outreach and marketing program to solicit qualified firms into the DBE program, including but not limited to identifying potential DBEs in areas of need to DeIDOT; and working with outside entities such as the Small Business Administration, Small Business Development Council, U.S. Department of Transportation’s Office of Small and Disadvantaged Business Utilization (OSDBU), colleges, and universities.

DeIDOT’s monthly project status meeting will provide DBE/SS with an up-to-date list of the upcoming construction and professional services projects. This list will provide DBE/SS with specific items on DeIDOT’s federal aid contracts that will be utilized to determine potential work available for DBEs.

An electronic survey could be sent to the construction and engineering industry in Delaware to ask these companies what they need, potential skills that need to be provided by DBEs, up and coming work planned for the year, new technologies or skill sets desired, etc. The results of this survey would identify deficient areas/targets and would allow DBE/SS to search demographically and psycho-graphically for existing pool of new DBEs.

**f. Acceptance into the BDP**

After the interview is complete, it would be determined by DBE/SS whether the DBE should be included in the program. A letter would be sent to the DBE letting them know whether they have been accepted into the program. If they have been accepted, the letter would be

sent along with the DBE Supportive Services Agreement (see Appendix) that must be signed by the DBE to be accepted into the BDP. This Service Agreement would outline the expectations required by the program, as well as what to expect as a member of the program. Under the BDP, we will provide technical assistance to DBE firms to assist them in developing and growing their business. DBEs shall make a two-year commitment to the program and abide by all program governance rules.

Upon signing of the Service Agreement, we would create an online account for the DBE on the secure web-based data management portal. A profile will be created for all new DBE clients. This profile is an internal tool that includes all pertinent information about the client including contact information, history prior to acceptance into the BDP, a list of past projects/contracts, an overview of operations, financial position, loan information, DeIDOT contacts, challenges, successes and a list of the DBEs goals. This portal will be configured to establish, maintain and monitor an electronic BDP.

The first step in the BDP is the assessment of the DBE. We would schedule a meeting with the DBE to complete an initial assessment utilizing the web-based Business eValuation tool set that is part of the portal (see Appendix).

This electronic capacity/needs assessment would evaluate each DBE's proficiency level to perform highway construction and transportation support related projects. This interview and assessment will identify the DBE's strengths, weaknesses, areas of desired growth along with any major challenges that need to be addressed. This information will provide a baseline to measure, on an ongoing basis, the success of the DBE as well as compare the DBE to other DBEs in the Program.

**g. BDP Business and Action Plans**

Based upon the assessment, DBE/SS will develop the BDP Action Plan that would specify tasks and goals for each DBE in the program. The plan would be viewable online under each DBEs online login and tasks, activities, meeting notes and actions/to-dos would also be tracked.

By no later than six months of a DBE firm's entry into the BDP, and with DBE/SS's assistance, the DBE should develop and submit a comprehensive business plan setting forth their business targets, objectives and goals based upon their assessments. These business plans will include an overview of the business, operations plan, market analysis, overview of services/products, sales and marketing, competitive analysis, overview of management, financial plan and projections. The business plan allows the client, along with DBE/SS, to work through what they perceive to be a valid business entity. It also allows everyone to be on the same page, understand goals and objectives as well as strengths and weaknesses.

The participant will not be eligible for BDP benefits until such business plan is submitted, reviewed by DBE/SS and approved by DeIDOT. The approved business plan will constitute the participant's short and long-term goals and the strategy for developmental growth to the point of economic viability in non-traditional areas of work and/or work outside the DBE program.

Each DBE participant will annually review its currently approved business plan with DBE/SS

and modify the plan as may be appropriate to account for any changes in the business structure and redefined needs. The currently approved plan should be considered the applicable plan for all program purposes until DeIDOT approves in writing a modified plan. We will establish an anniversary date for review of the DBE's business plan.

Each participant should annually forecast in writing its need for contracts for the next program year and the succeeding program year during the review of its business plan. Such forecast should be included in the participant's business plan. The forecast should include:

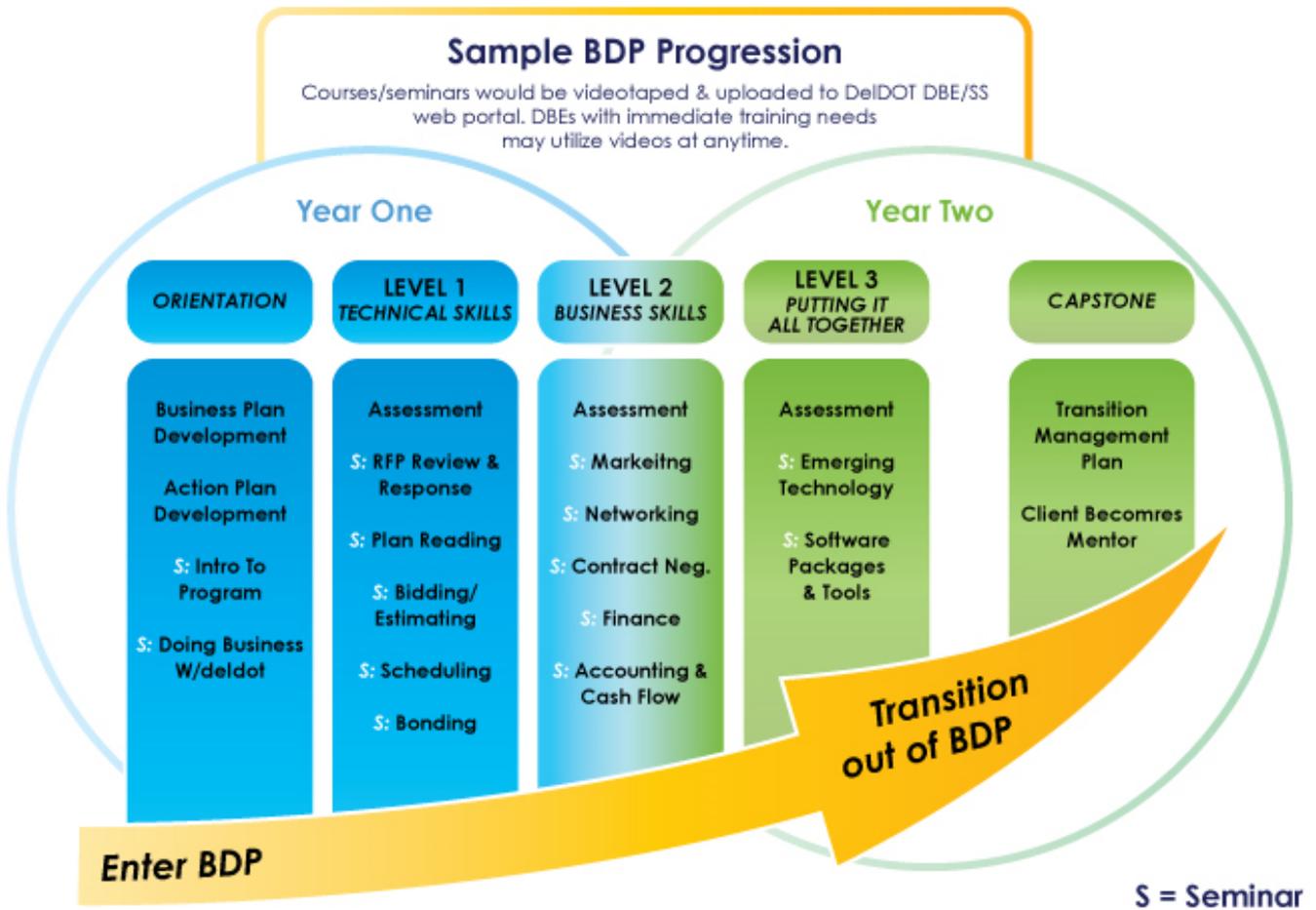
- The aggregate dollar value of contracts to be sought under the DBE program, reflecting compliance with the business plan.
- The aggregate dollar value of contracts to be sought in areas other than traditional areas of DBE participation.
- The types of contract opportunities being sought, based on the firm's primary line of business.
- Such other information as may be required to aid in providing effective business development assistance to the participant.

#### **h. BDP Program Progression**

The DBE/SS shall develop and organize training workshops for participants in the BDP as well as non-participant DBE firms. Trainings should be held semi-annually during the fall/winter and early spring seasons. Those trainings shall include, but shall not be limited to the following:

- Financial capacity workshops - in coordination with the U.S. Department of Transportation Small Business Resource Technical Centers, Short-Term Lending Program Lenders and other SBA-backed financial entities that support small business development.
- Davis Bacon Wage Act Workshop in partnership with the U.S. Department of Labor. This workshop is to assist consultants in understanding how to properly submit certified payrolls and is helpful in determining labor costs during the bidding process.
- Develop, organize and facilitate a winter highway construction training program during the period of December - April to include, but not limited to, the following courses:
  - 30 Hour OSHA Safety Training
  - Construction Math
  - Estimating
  - Blueprint Reading
  - Flagger Certification
  - Work Zone Safety (Delaware Manual on Uniform Traffic Control Devices MUTCD standards)
  - Certified Construction Reviewer
  - How to Read A DeIDOT solicitation
  - Marketing Strategies
  - Quickbooks or other financial software training
  - Project Management Software

- Contractor Debriefing Procedures
- Agency Construction Manual
- Electronic Bidding
- Other informative workshops
- The DBE/SS shall develop and maintain an electronic list of relevant business training opportunities for DBE firms from:
  - Local colleges and universities
  - State and federal agencies
  - Other Department approved training facilities



**i. Transitioning Out of the BDP**

When a participant is recognized as successfully completing the program by substantially achieving the targets, objectives and goals set forth in its program term, and has demonstrated the ability to compete in the marketplace, further participation within the program may be determined by DeIDOT. In determining whether a DBE has substantially achieved the goals and objectives of its business plan, the following factors, among others, will be considered:

- Profitability
- Sales, including improved ratio of non-traditional agreements to traditional-type agreements
- Net worth, financial ratios, working capital, capitalization, access to credit and capital
- Ability to obtain bonding
- A positive comparison of the DBE's business and financial profile with profiles of non-DBE businesses in the same area or similar business category
- Good management capacity and capability

Upon determination by DeIDOT that the participant should be progressed from the developmental program, we will notify the DBE in writing of its intent to advance the firm in a letter of notification. The letter of notification should also provide the participant 45 days from the date of the letter to submit in writing information that would explain why the proposed basis of advancement is not warranted.

Participation of a DBE firm in the program may also be discontinued by DeIDOT prior to expiration of the firm's program term for good cause due to the failure of the firm to engage in business practices that will promote its competitiveness within a reasonable period of time as evidenced by, among other indicators, a pattern of inadequate performance or unjustified delinquent performance. Also, DeIDOT can discontinue the participation of a firm that does not actively pursue and bid on contracts, and a firm that, without justification, regularly fails to respond to solicitations in the type of work it is qualified for and in the geographical areas where it has indicated availability under its approved business plan.

Each quarter during the two-year commitment period each participant will be reviewed to determine if they are ready to move into the transitional phase to prepare for leaving the business development program. This is demonstrated by a significantly increased capacity to bid and compete on Department projects. The move to the transitional phase can occur at any point during the two years. If the participant is not ready to enter the transitional phase after two years in the program, reasons for such must be documented. This information must be reported to DeIDOT for review. A determination will be made regarding whether or not the participant is eligible to continue in the business development program. Participants in the transitional phase may continue in the program for a period of 12 months at which time they must be reviewed to determine whether or not they can continue in the program. Specific documentation and criteria must support all determinations.

# APPENDIX

## Sample Program Performance Measures

### Developmental Assistance in the BDP

- Number of DBEs provided needs assessments
- Number of BDP participants overall
- Number of BDP participants receiving developmental assistance including
  - Number of DBEs provided counseling/assistance
  - Number of training workshops/programs provided
  - Successful impact of training based on participant responses to survey/questionnaires
- Number of approved business plans that show developmental growth
- Number of DBEs bidding on contracts

### Transitional Assistance in the BDP

- Number of BDP participants receiving transitional assistance
- Number of approved business plans that show increasing achievement of targets, objectives, and goals
- Number of DBEs awarded prime contracts
- Number of DBEs awarded non-DeIDOT contracts
- Number of BDP graduates

### Matchmaking Assistance

- Number of requests from primes for DBEs on projects
- Number of one-on-one matchmaking opportunities created
- Number of DBEs awarded subcontracts due to matchmaking assistance

### Outreach and Recruiting

- Number of outreach events attended/facilitated
- Number of SBEs, MBEs, and DBEs recruited to the program
- Number of new community, agency, and business partnerships developed
- Number of firms assisted with completing the application for certification

# SAMPLE

## **DBE BDP SERVICE AGREEMENT** **February 12, 2015**

A Supportive Services Partnership Sponsored by the Delaware Department of  
Transportation



### **Overview**

Delaware Department of Transportation (DelDOT) recognizes that Disadvantage Business Enterprises (DBE) in the construction industry start their own business because they know and are passionate about their trade. DelDOT also understands that these DBE Companies may need assistance managing their growing business in areas such as, the bidding process, managing finances, building relationships with Primes, developing a business plan and marketing material such as business cards and sell sheets.

The DBE Supportive Services component branded as “The Program [NAME TBD]” was created by Delaware Department of Transportation to provide a wide range of services that enhances a DBEs’ business skills and potentially increase the DBE’s participation in DelDOT projects, in accordance with 49 CFR 26.

The Program realizes that the first steps toward a successful business starts with establishing common ground, setting goals and outlining a path to achieve those goals.

Below outlines the expectations required by The Program, as well as what to expect as a member of The Program.

### **Professional Services Agreement**

This Contract Agreement of Professional Services (The Agreement) is made on this \_\_\_\_\_ day of \_\_\_\_\_, (year), between The Program, Delaware Department of Transportation and (Insert Name of DBE Company).

### **Terms and Conditions**

#### **General Overview**

Below lists the services available to a Program Participant. Also listed are expectations required in order to receive the services provided by the Program. This document can be considered legally binding when the terms and conditions are not met.

#### **Services Provided**

The Program is committed to the success of each DBE in the program by offering services in Business Skill Development, Marketing Assistance, and Technical & Accounting/ Financial Management to assist in their success.

A Program participant has access to the following professional services:

- Business Skill Development, which includes Asset Management, Business Continuity Plans, Business Development Resources, Business Plans, Certifications, Conflict Resolution, Estimating, Human Resources, Prime Contractor Relationships, Project Management, Time Management and Vendor Relations.
- Marketing Assistance consisting of workshops and one-on-one consulting to help DBEs promote their business. The marketing team assists with business cards, direct mail and sell sheets, which provides valuable information about the DBE to a Prime.
- Technical Assistance support entails assisting DBE's through the bidding and scheduling process, including understanding the scope and language of a bid, developing estimates and accurately bidding and scheduling projects. Additional services include contract management, cost control and on-site management skills to ensure that projects are well executed and profitable.
- Financial Training such as recordkeeping, proper billing and invoicing to manage Accounts Receivable, Accounts Payable and cash flow. A financial specialist will assist DBE's to convert their manual system into software programs like QuickBooks for accurate and efficient monitoring and reporting.

The first step to understanding the DBE needs begins with an assessment. The assessment will determine what services are needed for the DBE business to thrive and develop. Upon entry, The Program will conduct an initial interview to identify the Company's strengths, weaknesses, areas of desired growth and any major challenges to be addressed.

Below outlines what is required by the DBE.

## **DBE Company Agreement**

The Program is committed to the success and growth of the DBE as an individual, an enterprenuer and as a business owner.

At the same time, we need the DBE's commitment and active participation within the program to ensure a greater chance towards positioning the DBE and the DBE Company's success. Being an active member of The Program requires a DBE to:

### **Initial Requirements:**

- Attend Program orientation
- Schedule a meeting with a Program Consultant
- Submit a formal letter of interest and intent to participate in the program
- Attend an interview with The Program Committee

### **Participation:**

- Take the initial Assessment
- Attend a feedback session resulting from the Assessment
- Write a letter of commitment agreeing to work on the action items outlined within the Assessment
- Attend all scheduled seminars, workshops, classes and/or meetings
- Be prompt at all scheduled seminars, workshops, classes and/or meetings as required
- Call prior to being late to any scheduled event
- Schedule and meet with The Program Consultant on a Monthly Basis
- Inform The Program Consultant of all bidding opportunities
- Submit a copy of all DeIDOT contracts to the Consultant

### **Disclosure:**

- Inform The Program Consultant of any and all changes that impact the DBE business both postively, negatively and financially.

### **Professional Conduct:**

- Represent the DBE in a positive manner at all times
- Refrain from any conduct that could adversely reflect, the DBE and/or The Program
- Raise any concerns or conflicts about the program performance, first with the Program Consultant. If you are not satisfied with the resolution, then contact \_\_\_\_\_ at \_\_\_\_\_. If you are still not satisfied, please contact, \_\_\_\_\_ at DeIDOT.

**Annual Work Plan:**

- Submit a work plan with the guidance of the Consultant. A work plan will include all contracts, invoices, disbursements, payments and expenses related to your business
- Quarterly Updates are required

**Financial Records:**

- Submit all financial statements to The Program Consultant on a quarterly basis
- Submit all tax records to The Program Consultant annually
- Submit all DelDOT invoices (billed to your Prime Contractors) to The Program Consultant

**Performance Monitoring and Oversight**

The Program reserves the right to audit any and all records associated with participating in The Program. This includes but is not limited to tax records, financial records, company records, employee records, expenses, invoices and contracts.

**Additional Program Requirements**

**Code of Ethics.** All participants associated with The Program shall maintain the highest standards of personal and professional integrity. In particular, parties shall conduct themselves in a manner which avoids conflicts of interest and maintains the interest of borrowers and potential borrowers as confidential at all times.

**Confidentiality Defined.** “Confidential Information” means any and all non-public information, materials or data which:

- (a) is possessed or used by, or developed by or for, the DBE Company; and/or
- (b) the DBE Company seeks to protect from disclosure to other individuals, companies or entities (including, without limitation, its existing or potential competitors), including, but not limited to, knowledge, know-how, practices, data, estimates, sales, accounting, products, prices and pricing policies, costs, specifications, contracts with past, current or future customers of the Company (and the terms and conditions thereof), programs, devices, methods, system, techniques, strategies, processes, business plans, marketing plans, existing or proposed bids, technical developments, existing or proposed research projects, financial or business projections, personnel information, training information and materials, DBE Company’s services or business operations; and/or
- (c) is received by the DBE, orally or in writing, from other individuals, companies or entities and the DBE has an obligation to treat as confidential.

**Hold Harmless.** The DBE and the DBE principals agree that it shall defend, indemnify, save and hold Delaware Department of Transportation and its program affiliates harmless from any and all demands, liabilities, losses, costs and claims (including reasonable attorney’s fees),

asserted against the DBE and its subcontractors, employees, servants, partners, members, owners, agents, and/or clients which may arise or result from any violation by the DBE and the DBE of the covenants contained within this Agreement.

**Termination/Separation Agreement**

The Program and the DBE can mutually agree to terminate the agreement at any time when the terms and conditions of the agreement are not met. The Program reserves the right to termination a DBE that does not comply with the requirements set forth by The Program.

Note: A thirty-day (30-day) written notice is required in all instances outlined above prior to termination.

**Signature and Acknowledgment**

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the day and year written above.

\_\_\_\_\_  
Print Name:  
**DBE**

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

\_\_\_\_\_  
Print Name:  
**The Program (A Support Services Partner of Delaware Department of Transportation)**

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

\_\_\_\_\_  
Print Name:  
**Delaware Department of Transportation**

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

SAMPLE DBE ASSESSMENT FORM

Trade & Industry Skills

(Category Score:)

Measure - TI 1	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Owner's Experience In Trade</b>	Level of experience on own trade.	<input type="checkbox"/> Less than 1 year experience in the trade.	<input type="checkbox"/> 1 - 3 years of experience in the trade.	<input type="checkbox"/> 4 - 7 years of experience in the trade.	<input type="checkbox"/> 7 - 10 years of experience the trade.	<input type="checkbox"/> Over 10 years of experience in the trade.
<input type="checkbox"/> N/A		<input type="checkbox"/> No formal Training.	<input type="checkbox"/> Some formal training.	<input type="checkbox"/> Had formal training.		
<input type="checkbox"/> Unknown		<input type="checkbox"/> No license.	<input type="checkbox"/> No license.	<input type="checkbox"/> Licensed.		
		<input type="checkbox"/> No Certifications.	<input type="checkbox"/> No Certifications.	<input type="checkbox"/> Certifications.		
<b>Comments:</b>						

Measure - TI 2	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Staff's Experience In Trade</b>	Level of experience on own trade.	<input type="checkbox"/> Less than 1 year experience in the trade.	<input type="checkbox"/> 1 - 3 years of experience in the trade.	<input type="checkbox"/> 4 - 7 years of experience in the trade.	<input type="checkbox"/> 7 - 10 years of experience the trade.	<input type="checkbox"/> Over 10 years of experience in the trade.
<input type="checkbox"/> N/A		<input type="checkbox"/> No formal Training.	<input type="checkbox"/> Some formal training.	<input type="checkbox"/> Had formal training.		
<input type="checkbox"/> Unknown		<input type="checkbox"/> No license.	<input type="checkbox"/> No license.	<input type="checkbox"/> Licensed.		
<b>Comments:</b>						

**DeIDOT BIDDING RESOURCES & PROCESS**

Measure - TI 3	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Bid Solicitation</b>	Understanding of Bid Solicitation.	<input type="checkbox"/> Has never heard of Bid Solicitation.	<input type="checkbox"/> Has heard of Bid Solicitation.	<input type="checkbox"/> Knows exactly what it is about.	<input type="checkbox"/> Knows where to find it.	<input type="checkbox"/> Has used it and requires no assistance.
<input type="checkbox"/> N/A			<input type="checkbox"/> Has vague idea of what it is about.	<input type="checkbox"/> Does not know where to find it.	<input type="checkbox"/> Has used it with minimal assistance.	
<input type="checkbox"/> Unknown				<input type="checkbox"/> Has never used it.		
<b>Comments:</b>						

Measure - TI 4	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Plans &amp; Specification Package</b>	Knows of Plans & Specification Package	<input type="checkbox"/> Has never heard of Project Plans and Specification Package available for contractors.	<input type="checkbox"/> Has heard of Project Plans & Specification Package.	<input type="checkbox"/> Knows exactly what it is about.	<input type="checkbox"/> Knows where to pick up the package.	<input type="checkbox"/> Has used it and requires no assistance.
<input type="checkbox"/> N/A			<input type="checkbox"/> Has vague idea of what it is about.	<input type="checkbox"/> Does not know where to pick up the package.	<input type="checkbox"/> Has used it with minimal assistance.	
<input type="checkbox"/> Unknown				<input type="checkbox"/> Has never used it.		
<b>Comments:</b>						

Trade & Industry Skills

(Category Score:)

Measure - TI 5	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Q/A Section during Pre-bid</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Understanding of Q/A Section during the pre-bid process	<input type="checkbox"/> Has never heard of the Q/A Section.	<input type="checkbox"/> Has heard of the Q/A Section. <input type="checkbox"/> Has vague idea of what it is about.	<input type="checkbox"/> Has heard or seen the Q/A Section. <input type="checkbox"/> Knows exactly what it is about. <input type="checkbox"/> Does not know where to find it. <input type="checkbox"/> Has never used it.	<input type="checkbox"/> Knows where to find it. <input type="checkbox"/> Has used it minimal assistance.	<input type="checkbox"/> Has used it and requires no assistance.

Comments:

Measure - TI 6	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Submitting Bid As Subcontractor</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Knowledge on submitting bid as Sub	<input type="checkbox"/> Has never submitted a bid as a Sub. <input type="checkbox"/> Does not know where or how to start.	<input type="checkbox"/> Has never submitted a bid as a Sub. <input type="checkbox"/> Has vague idea where to look for specific info and what paperwork to start creating.	<input type="checkbox"/> Has submitted a bid as a Sub. <input type="checkbox"/> Knows where to look for specific info and vaguely what paperwork to start creating but requires assistance.	<input type="checkbox"/> Can submit bid in hand-written form. <input type="checkbox"/> Can put together necessary paperwork <input type="checkbox"/> Requires minimal assistance	<input type="checkbox"/> Submits bid in computerized form including all required paperwork <input type="checkbox"/> Requires no assistance.

Comments:

Measure - TI 7	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Bid Opening</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Knowledge of Bid Opening	<input type="checkbox"/> Has never heard of the Bid Opening.	<input type="checkbox"/> Has heard of the Bid Opening. <input type="checkbox"/> Has vague idea of what it is about.	<input type="checkbox"/> Has heard of a Bid Opening. <input type="checkbox"/> Knows what a bid opening is about. <input type="checkbox"/> Does not know when it takes place. <input type="checkbox"/> Has never been to it.	<input type="checkbox"/> Knows where and where to go for a bid opening. <input type="checkbox"/> Has been to bid openings <input type="checkbox"/> Requires minimum assistance to know when Bid openings take place	<input type="checkbox"/> Knows about, where, and where to go for a bid opening. <input type="checkbox"/> Requires no assistance

Comments:

Trade & Industry Skills

**READING STANDARDS & SPECIFICATIONS**

Measure - TI 8	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>DelDOT's Standards Specification</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Understanding of DelDOT's Standards Specification	<input type="checkbox"/> Has never seen DelDOT's Standards Specification	<input type="checkbox"/> Has seen DelDOT's Standards Specification <input type="checkbox"/> Does not know what it's about.	<input type="checkbox"/> Knows what it's about. <input type="checkbox"/> Does not know how to interpret it. <input type="checkbox"/> Does not know how to tie DelDOT's Standards Specification information to Specifications and Plans.	<input type="checkbox"/> Knows how to interpret it. <input type="checkbox"/> Know how to tie the information to Specifications and Plans with minimal assistance.	<input type="checkbox"/> Knows how to tie the information to Specifications and Plans with no assistance.

Comments:

Measure - TI 9	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Job Specifications/ Special Provision/ Supplemental Specifications</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Understanding of job-specific specifications, Special Provision and Supplemental Specifications	<input type="checkbox"/> Has never seen Specification for a specific project.	<input type="checkbox"/> Has seen Specification for a specific project. <input type="checkbox"/> Does not know what it's about.	<input type="checkbox"/> Knows what it's about. <input type="checkbox"/> Does not know how to interpret it. <input type="checkbox"/> Does not know how to tie Specification to Standards and Plans.	<input type="checkbox"/> Knows how to interpret it. <input type="checkbox"/> Knows how to tie Specification to Standards and Plans with minimal assistance.	<input type="checkbox"/> Knows how to tie Specification to Standards and Plans with no assistance.

Comments:

Measure - TI 10	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Distribution of Quantity (DOQ)</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Familiarity of the DOQ	<input type="checkbox"/> Has never seen a DOQ. <input type="checkbox"/> Does not know what it is about.	<input type="checkbox"/> Has seen a DOQ before. <input type="checkbox"/> Does not know what it's about.	<input type="checkbox"/> Knows what it's about. <input type="checkbox"/> Cannot identify own items. <input type="checkbox"/> Does not know how to tie the information to Standards, Specifications and Plans.	<input type="checkbox"/> Can identify own items. <input type="checkbox"/> Knows how to tie the information to Standards, Specifications and Plans with minimal assistance.	<input type="checkbox"/> Knows how to tie the information to Standards, Specifications and Plans with no assistance.

Comments:

Trade & Industry Skills

(Category Score:)

Measure - TI 11	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Addendum</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Understanding of an Addendum	<input type="checkbox"/> Has never seen an addendum. <input type="checkbox"/> Does not know what it is about.	<input type="checkbox"/> Has seen an addendum before. <input type="checkbox"/> Does not know what it is about.	<input type="checkbox"/> Knows what it's about. <input type="checkbox"/> Does not know how to interpret it. <input type="checkbox"/> Does not know how to tie the information to Standards, Specifications and Plans.	<input type="checkbox"/> Knows how to interpret it. <input type="checkbox"/> Knows how to tie the information to Standards, Specifications and Plans with minimum assistance.	<input type="checkbox"/> Knows how to tie the information to Standards, Specifications and Plans with no assistance.

Comments:

**READING PLANS**

Measure - TI 12	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Symbols</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Understanding of symbols in a plan	<input type="checkbox"/> Has never seen a plan before.	<input type="checkbox"/> Has seen a plan before. <input type="checkbox"/> Does not know how to find own items or relevant areas within a plan.	<input type="checkbox"/> Knows how to find own items or relevant areas within a plan. <input type="checkbox"/> Does not know the meaning of the symbols.	<input type="checkbox"/> Knows how to interpret all the symbols with minimum assistance.	<input type="checkbox"/> Knows how to interpret all the symbols with no assistance.

Comments:

Measure - TI 13	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Take-offs</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Ability to do take-offs	<input type="checkbox"/> Has never seen a plan before.	<input type="checkbox"/> Has seen a plan before. <input type="checkbox"/> Does not know how to find own items or relevant areas within a plan.	<input type="checkbox"/> Knows how to find own items or relevant areas within a plan. <input type="checkbox"/> Does not know how to perform take-offs.	<input type="checkbox"/> Knows how to perform take-offs with minimal assistance.	<input type="checkbox"/> Knows how to perform take-offs with no assistance.

Comments:

Trade & Industry Skills

Measure - TI 14	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Anomalies</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Ability to identify anomalies	<input type="checkbox"/> Has never seen a plan before.	<input type="checkbox"/> Has seen a plan before. <input type="checkbox"/> Does not understand how to find own items or relevant areas within a plan.	<input type="checkbox"/> Knows how to find own items or relevant areas within a plan. <input type="checkbox"/> Has looked for anomalies only with considerable assistance.	<input type="checkbox"/> Knows how to look for anomalies with minimal assistance.	<input type="checkbox"/> Knows how to look for anomalies with no assistance.
<b>Comments:</b>						

<b>ESTIMATING &amp; BIDDING</b>						
Measure - TI 15	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Pricing/Estimating</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Ability to price and estimate properly	<input type="checkbox"/> Has never attempted to price a DelDOT Item for bid.	<input type="checkbox"/> Guesses to price an item. <input type="checkbox"/> Price cannot be substantiated against company's capability.	<input type="checkbox"/> Uses industry's historical information to come up with average pricing for an item. <input type="checkbox"/> Price cannot be substantiated against company's capability.	<input type="checkbox"/> Consistently and correctly uses own labor, equipment and production rate to come up with a price for an item. <input type="checkbox"/> Price can be substantiated against company's capability at all times. <input type="checkbox"/> Requires minimum assistance	<input type="checkbox"/> Consistently and correctly uses own labor, equipment and production rate to come up with a price for an item. <input type="checkbox"/> Price can be substantiated against company's capability at all times. <input type="checkbox"/> Requires no assistance
<b>Comments:</b>						

Measure - TI 16	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Bidding Software</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Knowledge of Bidding Software for bidding Primes	<input type="checkbox"/> Has never heard of Bidding Software and does not know what it is used for.	<input type="checkbox"/> Has heard of Bidding Software <input type="checkbox"/> Has a vague idea of what it is used for.	<input type="checkbox"/> Knows exactly what it is used for. <input type="checkbox"/> Has never used or seen anyone use it.	<input type="checkbox"/> Has used it before. <input type="checkbox"/> Can get up and running with Bidding Software with minimal assistance.	<input type="checkbox"/> Has used it before. <input type="checkbox"/> Can get up and running with Bidding Software with to no assistance.
<b>Comments:</b>						

**Business Skills**

<b>MARKETING</b>						
<b>Measure - BS 1</b>	<b>Definition</b>	<input type="checkbox"/> <b>0</b>	<input type="checkbox"/> <b>1</b>	<input type="checkbox"/> <b>2</b>	<input type="checkbox"/> <b>3</b>	<input type="checkbox"/> <b>4</b>
<b>Strategy</b>  <input type="checkbox"/> <b>N/A</b> <input type="checkbox"/> <b>Unknown</b>	Implementing a long term plan of action to achieve a particular goal(s)	<input type="checkbox"/> Does not have a long term goal(s).	<input type="checkbox"/> Has a long term goal(s). <input type="checkbox"/> Cannot identify actions required to reach goal(s). <input type="checkbox"/> Has not implemented key actions. <input type="checkbox"/> Does not have a long term plan.	<input type="checkbox"/> Has a long term goal(s). <input type="checkbox"/> Can identify actions required to reach goal(s). <input type="checkbox"/> Has not implemented key actions. <input type="checkbox"/> Does not have a long term plan.	<input type="checkbox"/> Has a long term goal(s). <input type="checkbox"/> Can identify actions required to reach goal(s). <input type="checkbox"/> Has implemented key actions. <input type="checkbox"/> Does not have a long term plan.	<input type="checkbox"/> Has a long term goal(s). <input type="checkbox"/> Can identify actions required to reach goal(s). <input type="checkbox"/> Has implemented key actions. <input type="checkbox"/> Has a long term plan.
<b>Comments:</b>						

<b>Measure - BS 2</b>	<b>Definition</b>	<input type="checkbox"/> <b>0</b>	<input type="checkbox"/> <b>1</b>	<input type="checkbox"/> <b>2</b>	<input type="checkbox"/> <b>3</b>	<input type="checkbox"/> <b>4</b>
<b>Identity/Brand</b>  <input type="checkbox"/> <b>N/A</b> <input type="checkbox"/> <b>Unknown</b>	Uses corporate identity effectively	<input type="checkbox"/> Does not have a corporate identity or logo.	<input type="checkbox"/> Has a corporate identity or logo. <input type="checkbox"/> Does not have corporate business cards, letterhead <input type="checkbox"/> Does not have corporate identity on equipment, storefront. <input type="checkbox"/> Does not have corporate identity on all internal and external communication pieces.	<input type="checkbox"/> Has a corporate identity or logo. <input type="checkbox"/> Has corporate business cards, and letterhead. <input type="checkbox"/> Does not have corporate identity on equipment, storefront. <input type="checkbox"/> Does not have corporate identity on all internal and external communication pieces.	<input type="checkbox"/> Has a corporate identity or logo. <input type="checkbox"/> Has corporate business cards, and letterhead. <input type="checkbox"/> Has corporate identity on equipment, storefront. <input type="checkbox"/> Does not have corporate identity on all internal and external communication pieces.	<input type="checkbox"/> Has a corporate identity or logo. <input type="checkbox"/> Has corporate business cards, and letterhead. <input type="checkbox"/> Has corporate identity on equipment, storefront (if applicable). <input type="checkbox"/> Has corporate identity on all internal and external communication pieces.
<b>Comments:</b>						

Business Skills

Measure - BS 3	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Relationships</b>	Has strong relationship with primes	<input type="checkbox"/> Has no relationship with primes.	<input type="checkbox"/> Has relationship with select primes and communicates inconsistently	<input type="checkbox"/> Has relationship with select primes and communicates consistently.	<input type="checkbox"/> Has wide range of relationships and communicates consistently. <input type="checkbox"/> Is seeking to expand relationships. <input type="checkbox"/> Requires assistance	<input type="checkbox"/> Has wide range of relationships and communicates consistently. <input type="checkbox"/> Requires no assistance.
	<input type="checkbox"/> N/A <input type="checkbox"/> Unknown					
<b>Comments:</b>						

Measure - BS 4	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Client and Prospect List</b>	Has and effectively uses client/prospect list	<input type="checkbox"/> Does not have a client or prospect list.	<input type="checkbox"/> Has a client list or a prospect list, but not both.	<input type="checkbox"/> Has a client list and a prospect list.	<input type="checkbox"/> Has a client list and a prospect list and updates quarterly.	<input type="checkbox"/> Has a client list and a prospect list and updates monthly.
	<input type="checkbox"/> N/A <input type="checkbox"/> Unknown					
<b>Comments:</b>						

Measure - BS 5	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Associations/ Memberships</b>	Belongs to and effectively uses membership in applicable associations (peer and trade)	<input type="checkbox"/> Does not belong to any trade or peer associations (e.g. labor unions)	<input type="checkbox"/> Belongs to primary trade/peer associations for his/her trade	<input type="checkbox"/> Belongs to primary trade/peer associations for his/her trade; and those of targeted primes.	<input type="checkbox"/> Regularly attends trade/peer associations meetings for trade and targeted primes.	<input type="checkbox"/> Utilizes membership in trade/peer associations to network and improve skill set.
	<input type="checkbox"/> N/A <input type="checkbox"/> Unknown					
<b>Comments:</b>						

Business Skills

Measure - BS 6	Definition	0	1	2	3	4
<b>Business Cards</b>	Effectively uses business cards	<input type="checkbox"/> Does not have business cards.	<input type="checkbox"/> Has business cards but does not always carry or give them away.	<input type="checkbox"/> Always carries business cards but does not consistently give them away.	<input type="checkbox"/> Always carries business cards and consistently gives them away.	<input type="checkbox"/> Always carries business cards and consistently gives them away. <input type="checkbox"/> Has business cards for key employees.
	<input type="checkbox"/> N/A <input type="checkbox"/> Unknown					

Comments:

Measure - BS 7	Definition	0	1	2	3	4
<b>Sell/Business Sheet</b>	Effectively uses sell/Business sheet.	<input type="checkbox"/> Does not have a sell sheet.	<input type="checkbox"/> Has a sell sheet but does not always bring to bid openings, association meetings, or includes it with proposals/bids or letters of introduction.	<input type="checkbox"/> Always brings a sell sheet to bid openings, association meetings but does not always include with proposals/bids or letters of introduction	<input type="checkbox"/> Always brings a sell sheet to bid openings, association meetings and includes with new business proposals/bids or letters of introduction. <input type="checkbox"/>	<input type="checkbox"/> Always brings a sell sheet to bid openings, association meetings and includes with new business proposals/bids or letters of introduction. <input type="checkbox"/> Adapts sell sheet for different target audiences
	<input type="checkbox"/> N/A <input type="checkbox"/> Unknown					

Comments:

Measure - BS 8	Definition	0	1	2	3	4
<b>Brochure</b>	Has and effectively uses brochure	<input type="checkbox"/> Does not have a brochure.	<input type="checkbox"/> Does not have effective brochure	<input type="checkbox"/> Has an effective brochure, but does not distribute.	<input type="checkbox"/> Has an effective brochure; distributes occasionally at meetings, networking events, etc.	<input type="checkbox"/> Has an effective brochure; always distributes at meetings, networking events, etc.
	<input type="checkbox"/> N/A <input type="checkbox"/> Unknown					

Comments:

Business Skills

Measure - BS 9	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Business Letters</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Regularly sends effective business letters	<input type="checkbox"/> Does not send business letters.	<input type="checkbox"/> Sends an effective business letter with bids.	Consistently sends 2 of the following business letters: <input type="checkbox"/> An effective business letter with bids. <input type="checkbox"/> An effective letter of thanks to customers at completion of job. <input type="checkbox"/> An effective letter to customers for new business, referrals. <input type="checkbox"/> An effective letter of introduction to new business prospects.	Consistently sends 3 of the following business letters: <input type="checkbox"/> An effective business letter with bids. <input type="checkbox"/> An effective letter of thanks to customers at completion of job. <input type="checkbox"/> An effective letter to customers for new business, referrals. <input type="checkbox"/> An effective letter of introduction to new business prospects.	Consistently sends all of the following business letters: <input type="checkbox"/> An effective business letter with bids. <input type="checkbox"/> An effective letter of thanks to customers at completion of job. <input type="checkbox"/> An effective letter to customers for new business, referrals. <input type="checkbox"/> An effective letter of introduction to new business prospects.
<b>Comments:</b>						

Measure - BS 10	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Business Communications/ Mail</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Effectively uses direct mail	<input type="checkbox"/> Does not use direct mail.	<input type="checkbox"/> Inconsistently mails to customer, or prospect list.	<input type="checkbox"/> Inconsistently mails to both customer and prospect list.	<input type="checkbox"/> Consistently mails to customer or prospect list.	<input type="checkbox"/> Consistently mails to both the customer and prospect list. <input type="checkbox"/> Tracks success of direct mail efforts.
<b>Comments:</b>						

Business Skills

Measure - BS 11	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Advertising</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Effectively uses advertising	<input type="checkbox"/> Does not employ advertising.	<input type="checkbox"/> Has an ad but it isn't effective <input type="checkbox"/> Does not consistently place ads in target market publications (e.g. blue book, yellow pages and trade associations). <input type="checkbox"/> Does not have a strategy for advertising <input type="checkbox"/> Does not track effectiveness of ads.	<input type="checkbox"/> Has an effective ad <input type="checkbox"/> Does not consistently place ads in target market publications (e.g. blue book, yellow pages and trade associations). <input type="checkbox"/> Does not have a strategy for advertising <input type="checkbox"/> Does not track effectiveness of ads.	<input type="checkbox"/> Has an effective ad <input type="checkbox"/> Places ads consistently in target market publications (e.g. blue book, yellow pages and trade associations). <input type="checkbox"/> Has a strategy for advertising <input type="checkbox"/> Does not track effectiveness of ads.	<input type="checkbox"/> Has an effective ad <input type="checkbox"/> Places ads consistently in target market publications (e.g. blue book, yellow pages and trade associations). <input type="checkbox"/> Has a strategy for advertising. <input type="checkbox"/> Tracks effectiveness of ads.

Comments:

Measure - BS 12	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>DelDOT Business Development</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Effectively uses a business development process for DelDOT jobs	<input type="checkbox"/> Does not have a business development process.	<input type="checkbox"/> Checks DelDOT site for new bids regularly. <input type="checkbox"/> Does not attend pre-bid meetings. <input type="checkbox"/> Does not call or write to primes prior to pre-bid meeting. <input type="checkbox"/> Does not follow up with primes after pre-bid meeting.	<input type="checkbox"/> Checks DelDOT site for new bids regularly. <input type="checkbox"/> Attends pre-bid meetings. <input type="checkbox"/> Does not call or write to primes prior to pre-bid meeting. <input type="checkbox"/> Does not follow up with primes after pre-bid meeting.	<input type="checkbox"/> Checks DelDOT site for new bids regularly. <input type="checkbox"/> Attends pre-bid meetings. <input type="checkbox"/> Calls or writes to primes prior to pre-bid meeting. <input type="checkbox"/> Does not follow up with primes after pre-bid meeting.	<input type="checkbox"/> Checks DelDOT site for new bids regularly. <input type="checkbox"/> Attends pre-bid meetings. <input type="checkbox"/> Calls or writes to primes prior to pre-bid meeting. <input type="checkbox"/> Follows up with primes after pre-bid meeting.

Comments:

Business Skills

Measure - BS 13	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Website</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Has and promotes an effective website	Does not have a website	<input type="checkbox"/> Has a website with contact information, list of services	<input type="checkbox"/> Website includes work samples	<input type="checkbox"/> Has a website with work samples and testimonials; inconsistently promote on communication material	<input type="checkbox"/> Has an effective website and always promotes it on communication material
<b>Comments:</b>						

Measure - BS 14	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Tradeshows</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Uses trade show to increase awareness, generate leads	Does not attend trade shows	<input type="checkbox"/> Inconsistently attends key trade shows	<input type="checkbox"/> Consistently attends key trade shows	<input type="checkbox"/> Consistently attends and prepares for key trade shows with relevant communication material	<input type="checkbox"/> Consistently attends and prepares for key trade shows and follows up on leads
<b>Comments:</b>						

Business Skills

<b>MANAGEMENT</b>						
Measure - BS 15	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Staff Management</b>		<input type="checkbox"/> Has never had experience managing staff or crew.	<input type="checkbox"/> Has experience managing staff/crew.	<input type="checkbox"/> Somewhat effective managing and delegating tasks to staff/crew.	<input type="checkbox"/> Effectively manages and delegates tasks to staff/crew.	<input type="checkbox"/> Provides clear mission and objectives for staff to follow.
<input type="checkbox"/> N/A		<input type="checkbox"/> Does not know how to delegate tasks to staff/crew.	<input type="checkbox"/> Ineffective managing and delegating tasks to staff/crew.	<input type="checkbox"/> Does not train staff/crew.	<input type="checkbox"/> Trains staff/crew when have time.	<input type="checkbox"/> Maintains a sufficient level of training for staff/crew.
<input type="checkbox"/> Unknown				<input type="checkbox"/> Does not provide mission or objectives for staff/crew to follow.	<input type="checkbox"/> Provides vague mission and objectives for staff/crew to follow.	<input type="checkbox"/> Conducts timely employee assessment.
				<input type="checkbox"/> Does not conduct employee assessment.	<input type="checkbox"/> Does not conduct employee assessment incorrectly.	
<b>Comments:</b>						

Measure - BS 16	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Assets Management</b>	Manages assets effectively	<input type="checkbox"/> Does not manage company assets.	<input type="checkbox"/> Has vague idea of company's assets	<input type="checkbox"/> Inconsistently manages assets	<input type="checkbox"/> Manages assets with assistance	<input type="checkbox"/> Has computerized listing of all company equipment.
<input type="checkbox"/> N/A			<input type="checkbox"/> Understands asset management			<input type="checkbox"/> Can provide life status of each asset.
<input type="checkbox"/> Unknown			<input type="checkbox"/> Does not manage assets well			
<b>Comments:</b>						

Measure - BS 17	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Vendor Management</b>	Vendor Relationships	<input type="checkbox"/> Does not have list of vendors	<input type="checkbox"/> Inaccurate list of vendors.	<input type="checkbox"/> Does have a list of vendors.	<input type="checkbox"/> Diligently tracks vendor information.	<input type="checkbox"/> Has database of all vendors and their information.
<input type="checkbox"/> N/A		<input type="checkbox"/> Does not have a good relationship with vendors	<input type="checkbox"/> Cannot provide correct contact information on vendors.	<input type="checkbox"/> Does not track any other vendor information other than the contact info.	<input type="checkbox"/> Vendor information is not tracked electronically.	<input type="checkbox"/> Keeps up with each vendor's offering to ensure best pricing.
<input type="checkbox"/> Unknown				<input type="checkbox"/> Has relationships with some vendors	<input type="checkbox"/> Relationships with Key vendors are not all positive	<input type="checkbox"/> Has good relations with key vendors
<b>Comments:</b>						

**Business Skills**

(Category Score: )

Measure - BS 18	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Project Management</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Ability to plan, organize and manage resources to bring about the successful completion of projects.	<input type="checkbox"/> Does not keep track of projects. <input type="checkbox"/> Does not understand project management	<input type="checkbox"/> Tracks projects but does not provide a plan.	<input type="checkbox"/> Provides a plan for each project that includes cost, resources and schedule. <input type="checkbox"/> Does monitor projects as they progressed. <input type="checkbox"/> Requires assistance.	<input type="checkbox"/> Provides a plan and monitors progress of each project. <input type="checkbox"/> Projects do have contingency plans. <input type="checkbox"/> Requires minimum assistance.	<input type="checkbox"/> Has contingency plan for each project. <input type="checkbox"/> All projects are tracked using a computer. <input type="checkbox"/> Does not require assistance.
<b>Comments:</b>						

Measure - BS 19	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Time Management</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Effectively use of time in order to make the most out of it	<input type="checkbox"/> Cannot remember and keep up with necessary appointments and tasks.	<input type="checkbox"/> Cannot keep up with appointments and tasks. <input type="checkbox"/> Has no list of appointments or tasks lined up before the start of business day.	<input type="checkbox"/> Has a rough list of appointments and tasks lined up before the start of business day. <input type="checkbox"/> Appointments and tasks are not prioritized.	<input type="checkbox"/> Has a prioritized list of appointments and tasks lined up before the start of business day. <input type="checkbox"/> Does not write down schedule (calendar/book/PDA) to manage appointments and tasks.	<input type="checkbox"/> Writes down daily schedule to manage prioritized appointments and tasks. <input type="checkbox"/> Adheres to the allocated time in the schedule.
<b>Comments:</b>						

Financial Skills

RECORD KEEPING							
Measure - FS 1	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	
<b>Client Billing</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Client billing is done accurately and timely	<input type="checkbox"/> There is no billing done.	<input type="checkbox"/> There is billing being done. <input type="checkbox"/> Billing is <u>not</u> done on a timely basis, there is no consistency and it is not always accurate.	<input type="checkbox"/> Billing is done on a timely basis, but not always accurate.	<input type="checkbox"/> Billing is done on a timely basis and accurate with assistance.	<input type="checkbox"/> Billing is done on a timely basis and is accurate.	
<b>Comments:</b>							

Measure - FS 2	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	
<b>Pay Bills</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Ability to pay bills accurately	<input type="checkbox"/> Has no idea of how much is owed to vendors.	<input type="checkbox"/> Has rough idea of what is owed to vendors. Bills and payments are not recorded timely and accurately.	<input type="checkbox"/> Has a good idea of what is owed vendors. Bills and payments are recorded, but there are records missing.	<input type="checkbox"/> Knows what is owed to vendors. Bills and payments are recorded timely and accurately with assistance.	<input type="checkbox"/> Knows what is owed vendors and records are accurate.	
<b>Comments:</b>							

Measure - FS 3	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	
<b>Payroll/Timesheets</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Keeps accurate/signed timesheets for all employees	<input type="checkbox"/> No timesheets are maintained.	<input type="checkbox"/> Timesheets are used, but not accurate. <input type="checkbox"/> Timesheets are not utilized for billing/payroll.	<input type="checkbox"/> Timesheets are utilized for payroll, but are not accurate enough for billing. <input type="checkbox"/> There may be missing timesheets.	<input type="checkbox"/> Timesheets are utilized consistently for payroll and billing. <input type="checkbox"/> There are no missing timesheets, but some timesheets are not accurate.	<input type="checkbox"/> Timesheets are all accurate.	
<b>Comments:</b>							

Financial Skills

Measure - FS 4	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Bank reconciliations</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Does monthly bank statements	<input type="checkbox"/> Does not know how to do a bank statement. <input type="checkbox"/> Bank statements have never been done.	<input type="checkbox"/> Knows how to do a bank statement. <input type="checkbox"/> Bank statements have never been done.	<input type="checkbox"/> Bank statements are done once a year by an accountant that prepares taxes.	<input type="checkbox"/> Bank statements are done every 2-3 months with assistance.	<input type="checkbox"/> Bank statements are done monthly.
<b>Comments:</b>						

Measure - FS 5	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Inventory</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Tracks inventory and values inventory	<input type="checkbox"/> Has no idea how much inventory is on hand or how much it is worth.	<input type="checkbox"/> Has rough idea how much inventory is on hand or how much it is worth. <input type="checkbox"/> Inventory documentation has never been done.	<input type="checkbox"/> Inventory documentation is done inconsistently.	<input type="checkbox"/> Inventory documentation is done consistently, but some records are missing. <input type="checkbox"/> Inventory is inaccurate and cannot be substantiated.	<input type="checkbox"/> Knows how much inventory is on hand and the value of the inventory. <input type="checkbox"/> Inventory documentation is done consistently and no records are missing. <input type="checkbox"/> Inventory is accurate and can be substantiated.
<b>Comments:</b>						

Measure - FS 6	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Accounts Receivable</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Able to determine how much clients owe company	<input type="checkbox"/> Has no idea how much money is owed by clients. <input type="checkbox"/> Has never tracked receivables.	<input type="checkbox"/> Has a rough idea of what is owed to company. <input type="checkbox"/> Does not track receivables.	<input type="checkbox"/> Has a rough idea of what is owed to company. <input type="checkbox"/> Tracks receivables inconsistently and some records are missing.	<input type="checkbox"/> Knows how much is owed company and records are accurate with assistance	<input type="checkbox"/> Knows how much each client owes the company. <input type="checkbox"/> Tracks receivables consistently. <input type="checkbox"/> Records are accurate.
<b>Comments:</b>						

Financial Skills

Measure - FS 7	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Accounts Payable</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Able to determine how much is owed vendors	<input type="checkbox"/> Has no idea how much is owed to vendors. <input type="checkbox"/> Has never tracked payables.	<input type="checkbox"/> Has a rough idea of what is owed to vendors. <input type="checkbox"/> Does not track payables.	<input type="checkbox"/> Tracks payables inconsistently.	<input type="checkbox"/> Tracks payables consistently, but some records are missing or inaccurate.	<input type="checkbox"/> Knows how much is owed to each vendor. <input type="checkbox"/> Tracks payables consistently and no records are missing. <input type="checkbox"/> Records are accurate.

Comments:

Measure - FS 8	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>P/L and Balance sheet</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Able to produce accurate balance sheet and P/L Statement	<input type="checkbox"/> No recordkeeping is being done.	<input type="checkbox"/> Recordkeeping is being done occasionally.	<input type="checkbox"/> Recordkeeping is done consistently. <input type="checkbox"/> Records are not accurate. <input type="checkbox"/> Statements can be produced with a lot of assistance.	<input type="checkbox"/> Records are accurate. <input type="checkbox"/> Statements can be produced with minimal assistance.	<input type="checkbox"/> Accurate Statements can be produced.

Comments:

Measure - FS 9	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Cash Flow</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Company can anticipate cash needs	<input type="checkbox"/> No idea of cash needs and/or uses line of credit inappropriately.	Realizes the importance of understanding cash flow of business, but has no idea how to anticipate cash needs.	Can anticipate cash needs of the company with a lot assistance	Can anticipate cash needs of the company with minimal assistance.	Can anticipate cash needs of the company.

Comments:

Measure - FS 10	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Overhead Costs</b> <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Company understands ongoing overhead/indirect, and direct cost necessary to running a business.	<input type="checkbox"/> Not familiar with overhead/indirect and direct cost. <input type="checkbox"/> Does not track these costs.	<input type="checkbox"/> Grasps the importance of knowing Direct and indirect cost. <input type="checkbox"/> Does not track these costs properly.	<input type="checkbox"/> Good understanding of direct vs. indirect expenses. <input type="checkbox"/> Sporadically tracks or reviews these costs. <input type="checkbox"/> Unfamiliar with Fed. Acquisition Regulations (FAR).	<input type="checkbox"/> Full understanding of overhead/indirect and direct costs. <input type="checkbox"/> Considers indirect costs when planning pricing strategies. <input type="checkbox"/> Consistently tracks these costs. <input type="checkbox"/> Familiar with FAR.	<input type="checkbox"/> Excellent understanding, tracking and managements of overhead costs <input type="checkbox"/> Excellent understanding of FAR. <input type="checkbox"/> Has approved overhead rates.
<b>Comments:</b>						

Measure - FS 11	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Job Cost Accounting</b> <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Refers to assigning costs to specific construction projects for the purpose of reporting profitability per project and/or to reduce and eliminate costs in a business.	<input type="checkbox"/> Not familiar with Job Cost ACCT.	<input type="checkbox"/> Grasps the concept of Job Cost ACCT. <input type="checkbox"/> Does not implement Job Cost ACCT.	<input type="checkbox"/> Good understanding Job Cost ACCT. <input type="checkbox"/> Limited use of Job Cost ACCT.	<input type="checkbox"/> Full understanding Job Cost ACCT. <input type="checkbox"/> Considers Job Cost ACCT. regularly. <input type="checkbox"/> Able to report cost per job manually.	<input type="checkbox"/> Excellent understanding and consistent use of Job Cost ACCT. <input type="checkbox"/> Able to report cost per job with the use of software
<b>Comments:</b>						

<b>CREDIT/DEBIT</b>						
Measure - FS 12	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Application</b> <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Able to complete an application for credit	<input type="checkbox"/> Has never seen a credit application before. <input type="checkbox"/> Does not understand what is needed to complete an application.	<input type="checkbox"/> Has seen a credit application before. <input type="checkbox"/> Does not understand what is needed to complete an application.	<input type="checkbox"/> Can fill out parts of the application, but needs a lot of assistance.	<input type="checkbox"/> Can fill out most of application with minimal assistance.	<input type="checkbox"/> Can complete an application from start to finish without assistance.
<b>Comments:</b>						

Financial Health

Measure - FH 1	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Credit worthy</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Able to obtain credit	<input type="checkbox"/> Has low credit score/ unable to obtain credit.	<input type="checkbox"/> Has low credit score. May be able to obtain credit at a high interest rate.	<input type="checkbox"/> Has low to average credit score. <input type="checkbox"/> May be able to obtain credit at a reasonable rate.	<input type="checkbox"/> Has average credit score. <input type="checkbox"/> Can obtain credit.	<input type="checkbox"/> Has excellent credit.
<b>Comments:</b>						

Measure - FH 2	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Debt</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Able to manage current debt and determine needs for the future. Last six months	<input type="checkbox"/> Unable to pay current obligations. <input type="checkbox"/> Has too much debt.	<input type="checkbox"/> More than two months behind in payments. <input type="checkbox"/> Debt is not managed properly.	<input type="checkbox"/> Two or less months behind in payments. <input type="checkbox"/> Debt is not managed properly.	<input type="checkbox"/> Debt is being paid on time. <input type="checkbox"/> Debt is not managed properly.	<input type="checkbox"/> Has appropriate/no debt. <input type="checkbox"/> Able to make all scheduled payments.
<b>Comments:</b>						

Measure - FH 3	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Profitability</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Is company profitable	<input type="checkbox"/> Company is not profitable and unable to determine why.	<input type="checkbox"/> Company is not profitable. <input type="checkbox"/> Action items have been identified.	<input type="checkbox"/> Company is breaking even or small loss. <input type="checkbox"/> Company is not expected to turn a profit in near future.	<input type="checkbox"/> Company is breaking even or small loss. <input type="checkbox"/> Company is expected to turn a profit shortly.	<input type="checkbox"/> Company is profitable.
<b>Comments:</b> Based on quarterly financials and Tax Returns						

Measure - FH 4	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Insurance</b>  <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Company has sufficient insurance	<input type="checkbox"/> Company has no insurance. <input type="checkbox"/> Company is currently not looking into getting insurance.	<input type="checkbox"/> Company has no insurance. <input type="checkbox"/> Company is currently looking into getting insurance.	<input type="checkbox"/> Company has the minimal insurance mandated by law. <input type="checkbox"/> Company is currently not looking into getting more than the minimum requirements.	<input type="checkbox"/> Company has the minimal insurance mandated by law. <input type="checkbox"/> Company is currently looking into getting more than the minimum requirements and other insurance options.	<input type="checkbox"/> Company has appropriate insurance.
<b>Comments:</b>						

Financial Health

Measure - FH 5	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Cash Flow</b> <input type="checkbox"/> <b>N/A</b> <input type="checkbox"/> <b>Unknown</b>	Company has the capacity so sustain itself	<input type="checkbox"/> Work in progress(WIP), Accounts Receivable(AR), and Cash is not adequate to cover debt <input type="checkbox"/> No work in the pipeline (lined up)	<input type="checkbox"/> WIP, AR, and Cash are not sufficient to cover debt. <input type="checkbox"/> Some work in the pipeline (lined up)	<input type="checkbox"/> WIP, AR, and Cash enough to cover most debt <input type="checkbox"/> Work in the pipeline (lined up)	<input type="checkbox"/> WIP, AR, and Cash enough to cover debt <input type="checkbox"/> Work in the pipeline (lined up)	<input type="checkbox"/> Sufficient WIP, AR, and Cash <input type="checkbox"/> Work in the pipeline (lined up) <input type="checkbox"/> No debt
<b>Comments:</b>						

Entrepreneurial Skills

Measure - ES 1	Definition	0	1	2	3	4
<b>Vision</b> <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Company has outline of what the organization wants to be in the future.	<input type="checkbox"/> Has no idea as to the direction of the company.	<input type="checkbox"/> Has a vague idea of the company's direction.	<input type="checkbox"/> Has clear vision of the company's direction. <input type="checkbox"/> Currently has no strategy to make the vision a reality.	<input type="checkbox"/> Can provide strategy to make the vision a reality with assistance.	<input type="checkbox"/> Has strategy to make the vision a reality. <input type="checkbox"/> Does not require assistance.

Comments:

Measure - ES 2	Definition	0	1	2	3	4
<b>Innovation</b> <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Ability to come up with new ways of doing something, or different manner of handling situations	<input type="checkbox"/> Thinks there's only one way to solve a problem. <input type="checkbox"/> Cannot provide more than one solution to a problem.	<input type="checkbox"/> Cannot provide more than one solution to a problem. <input type="checkbox"/> Open to new ideas.	<input type="checkbox"/> Provides more than one solution to a problem. <input type="checkbox"/> Solutions are unrealistic and cannot be executed.	<input type="checkbox"/> Provides multiple realistic and executable solutions to a problem. <input type="checkbox"/> Does not know how to execute these ideas.	<input type="checkbox"/> Effectively executes solutions to problems with minimal to no assistance form. <input type="checkbox"/> Solutions/ideas are distinctive and sustainable.

Comments:

Measure - ES 3	Definition	0	1	2	3	4
<b>Decision Making</b> <input type="checkbox"/> N/A <input type="checkbox"/> Unknown		<input type="checkbox"/> Afraid to make decisions. <input type="checkbox"/> No decisions are made.	<input type="checkbox"/> Not afraid to make decisions. <input type="checkbox"/> Decisions are not well reasoned <input type="checkbox"/> Makes decisions based on gut feeling	<input type="checkbox"/> Decisions are based on information at hand. <input type="checkbox"/> Does not actively seek out the necessary facts to make a well-informed decision.	<input type="checkbox"/> Actively seek out the necessary facts to make a well-informed decision. <input type="checkbox"/> Decisions are not made on a timely basis.	<input type="checkbox"/> Makes well-informed and timely decisions.

Comments:

Entrepreneurial Skills

Measure - ES 4	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Initiative</b> <input type="checkbox"/> N/A <input type="checkbox"/> Unknown	Readiness and willingness to embark on new ventures	<input type="checkbox"/> Does not keep in contact with key clients. <input type="checkbox"/> Does not follow through on jobs. <input type="checkbox"/> Does not have initiative	<input type="checkbox"/> Occasionally keeps in contact with current clients. <input type="checkbox"/> Occasionally follows through on jobs and pending company bids.	<input type="checkbox"/> Consistently keeps in contact with current clients. <input type="checkbox"/> Consistently follows through on jobs and pending company bids. <input type="checkbox"/> Does not know how to seek out new revenue stream.	<input type="checkbox"/> Consistently keeps in contact with clients and follows through on jobs. <input type="checkbox"/> Knows how to seek out new revenue stream but does not actively do it.	<input type="checkbox"/> Actively seeks out and follow through on any new revenue stream while keeping current clients satisfied.
<b>Comments:</b>						

Measure - ES 5	Definition	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
<b>Communication &amp; Leadership</b> <input type="checkbox"/> N/A <input type="checkbox"/> Unknown		<input type="checkbox"/> Unable to effectively communicate	<input type="checkbox"/> Able to communicate verbally	<input type="checkbox"/> Able to communicate in both verbal and written form. <input type="checkbox"/> Not able to lead or persuade others	<input type="checkbox"/> Able to lead and persuade others in a limited capacity. i.e. can lead a shift as opposed to lead a company	<input type="checkbox"/> Posses proven leadership skill and is able to lead and persuade others
<b>Comments:</b>						