

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM POLICY

March 2020

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Adopted by the COG Board of Directors on March 11, 2020

ABOUT COG

The Metropolitan Washington Council of Governments (COG) is an independent, nonprofit association that brings area leaders together to address major regional issues in the District of Columbia, suburban Maryland, and Northern Virginia. COG's membership is comprised of 300 elected officials from 24 local governments, the Maryland and Virginia state legislatures, and U.S. Congress.

CREDITS

Editor: Rick D Konrad, Zach Packard, Steve Kania.

ACCOMMODATIONS POLICY

Alternative formats of this document are available upon request. Visit www.mwcog.org/accommodations or call (202) 962-3300 or (202) 962-3213 (TDD).

TITLE VI NONDISCRIMINATION POLICY

The Metropolitan Washington Council of Governments (COG) fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations prohibiting discrimination in all programs and activities. For more information, to file a Title VI related complaint, or to obtain information in another language, visit www.mwcog.org/nondiscrimination or call (202) 962-3300.

El Consejo de Gobiernos del Área Metropolitana de Washington (COG) cumple con el Título VI de la Ley sobre los Derechos Civiles de 1964 y otras leyes y reglamentos en todos sus programas y actividades. Para obtener más información, someter un pleito relacionado al Título VI, u obtener información en otro idioma, visite www.mwcog.org/nondiscrimination o llame al (202) 962-3300.

DBE PROGRAM POLICY STATEMENT

Section 26.1, 26.23 Objectives/Policy Statement

The Metropolitan Washington Council of Governments (COG) has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. COG has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, COG has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of COG to ensure that DBEs defined in part 26 have an equal opportunity to receive and participate in DOT-assisted contracts. It is also our policy:

1. To ensure nondiscrimination in the award and administration of DOT-assisted contracts;
2. To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
3. To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs in DOT assisted contracts;
6. To assist the development of firms that can compete successfully in the marketplace outside the DBE Program.

The Facilities and Purchasing Manager has been delegated as the DBE Liaison Officer. In that capacity, the Facilities and Purchasing Manager is responsible for implementing all aspects of the DBE program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by COG in its financial assistance agreements with the Department of Transportation.

COG has disseminated this policy statement to its Board of Directors and all of the components of our organization. We have distributed this statement to DBE and non-DBE business communities that perform work for us on DOT-assisted contracts. The DBE Program is posted on COG's website and was advertised in 2 local newspapers, one of which is a Spanish newspaper.



Chuck Bean (May 29, 2020 14:21 EDT)

Executive Director

May 29, 2020

Date

SUBPART A - GENERAL REQUIREMENTS

Section 26.1, 26.23 Objectives

The objectives are found in the policy statement on the first page of this program. Contractors must comply with the Policy and any applicable requirements in 49 CFR 26.

Section 26.3 Applicability

COG is the recipient of federal airport funds authorized by 49 U.S.C. 47101, *et seq.*

COG is the recipient of federal-aid highway funds authorized under Titles I and V of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), Pub. L. 102-240, 105 Stat. 1914, Titles I, III, and V of the Transportation Equity Act for the 21st Century (TEA-21, Pub. L. 105-178, 112 Stat. 107.

COG is the recipient of federal transit funds authorized by Titles I, III, V, and VI of ISTEA, Pub.

L. 102-240 or by Federal transit laws in Title 49, U.S. Code, or Titles I, II, and V of the Teas-21, Pub. L. 105-178.

Section 26.5 Definitions

COG will adopt the definitions contained in Section 26.5 of Part 26 for this program.

Section 26.7 Non-discrimination Requirements

COG will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR Part 26 on the basis of race, color, sex, or national origin.

In administering its DBE program, COG will not, directly or through contractual or other arrangements use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives of the DBE program with respect to individuals of a particular race, color, sex, or national origin.

Section 26.11 Record Keeping Requirements

Uniform Report of DBE Awards or Commitments and Payments: 26.11 (a)

COG will report DBE participation to the relevant operating administration, FTA, using the Uniform Report of DBE Awards or Commitments and Payments, found in Appendix B to the DBE regulation.

Bidders List: 26.11 (c)

COG will create a bidders list, consisting of information about all DBE and non-DBE firms that bid or quote on DOT-assisted contracts. The purpose of this requirement is to allow use of the bidders list approach to calculating overall goals. The bidder list will include the name, address, DBE non-DBE status, age, and annual gross receipts of firms. We will collect this information in the following ways:

- Mandatory Solicitation language stating COG's DBE goals.
- Bidder inclusion of a DBE plan with bids and proposals.

Section 26.13 Assurances

COG has signed the following assurances, applicable to all DOT-assisted contracts and their administration

Federal Financial Assistance Agreement Assurance: 26.13(a)

The recipient shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements 49 CFR part 26. The recipient shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. The recipient's DBE program, as required by 49 CFR part 26 and as approved by DOT, is incorporated by

reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the Department may impose sanctions as provided for under 49 CFR part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

This language will appear in financial assistance agreements with sub-recipients.

Contract Assurance: 26.13(b)

We will ensure that the following clause is placed in every DOT-assisted contract and subcontract:

The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate, which may include, but is not limited to:

- (1) Withholding monthly progress payments;
- (2) Assessing sanctions;
- (3) Liquidated damages; and/or
- (4) Disqualifying the contractor from future bidding as non-responsible.

SUBPART B -ADMINISTRATIVE REQUIREMENTS

Section 26.21 DBE Program Updates

Since COG has received a grant of \$250,000 or more in FTA planning capital, and or operating assistance in a federal fiscal year we will continue to carry out this program until all funds from DOT financial assistance have been expended. We will provide to DOT updates representing significant changes in the program.

Section 26.25 DBE Liaison Officer (DBELO)

We have designated the following individual as our DBE Liaison Officer:

Rick D. Konrad

777 North Capitol Street NE, Suite 300

Washington, DC 20002

Phone: 202-962-3322

Email: rkonrad@mwcog.org

In that capacity, the DBELO is responsible for implementing all aspects of the DBE program and ensuring that COG complies with all provisions of 49 CFR Part 26. The DBELO has direct, independent access to the Executive Director concerning DBE program matters. An organization chart displaying the DBELO's position in the organization is found in Attachment A to this program.

The DBELO is responsible for developing, implementing and monitoring the DBE program, in coordination with other appropriate officials. The DBELO has a staff of zero (0) to assist in the administration of the program. The duties and responsibilities include the following:

1. Gathers and reports statistical data and other information as required by DOT.
2. Reviews third party contracts and purchase requisitions for compliance with this program.
3. Works with all departments to set overall annual goals.
4. Ensures that bid notices and requests for proposals are available to DBEs in a timely manner.
5. Identifies contracts and procurements so that DBE goals are included in solicitations (both race-neutral methods and contract specific goals attainment and identifies ways to improve progress.)
6. Analyzes COG's progress toward attainment and identifies ways to improve progress.
7. Participates in pre-bid meetings.
8. Advises the Executive Director on DBE matters and achievement.
9. Chairs the DBE Advisory Committee.

10. Provides DBEs with information and assistance in preparing bids, obtaining bonding and insurance.
11. Plans and participates in DBE training seminars.
12. Provides outreach to DBEs and community organizations to advise them of opportunities.
13. Maintains COG's updated directory on certified DBEs.

Section 26.27 DBE Financial Institutions

It is the policy of COG to investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community, to make reasonable efforts to use these institutions, and to encourage prime contractors on DOT-assisted contracts to make use of these institutions.

Section 26.29 Prompt Payment Mechanisms

Prompt Payment: 26.29(a) and Retainage: 26.29(b)

COG will include the following clauses in each DOT -assisted prime contract:

The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than thirty (30) days from the receipt of each payment the prime contractor receives from COG. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of COG. This clause applies to both DBE and non-DBE subcontracts.

The prime contractor agrees to return retainage payments to each subcontractor within thirty (30) days after the subcontractors 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 COG. This clause applies to both DBE and non-DBE subcontracts.

Monitoring and Enforcement: 26.29(d)

COG has established a monthly report filled out by the contractor and subcontractor to monitor and enforce that prompt payment and return of retainage is in fact occurring.

Section 26.31 Directory

COG maintains a directory identifying all firms eligible to participate as DBEs. The directory lists the firm's name, address, phone number, date of the most recent certification, and the type of work the firm has been certified to perform as a DBE using the most specific NAICS code available to describe each type of work. We revise the Directory annually. We make the Directory available as requested in the form of an Excel Spreadsheet which may be found in Attachment B to this program document.

Section 26.33 Overconcentration

COG has not identified that overconcentration exists in the types of work that DBEs perform.

We will re-evaluate for overconcentration annually.

Section 26.35 Business Development Programs

COG has not established a business development program. We will re-evaluate the need for such a program every eighteen (18) months.

Section 26.37 Monitoring and Enforcement Mechanisms

COG will take the following monitoring and enforcement mechanisms to ensure compliance with 49 CFR Part 26.

1. We will bring to the attention of the Department of Transportation any false, fraudulent, or dishonest conduct in connection with the program, so that DOT can take the steps (e.g., referral to the Department of Justice for criminal prosecution, referral to the DOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided in Section 26.107.

2. We will also provide a monitoring and enforcement mechanism to verify that work committed to DBEs at contract award is actually performed by the DBEs. This will be accomplished by site visits performed by the project manager and verify in writing to the Contracts and Purchasing Manager *and* will occur for each contract/project on which DBEs are participating.
3. We will keep a running tally of actual payments to DBE firms for work committed to them at the time of contract award. In the reports of DBE participation provided to DOT, commitments and attainments will be displayed.

Section 26.39 Small Business Participation

COG has incorporated the following non-discriminatory element to its DBE program, in order to facilitate competition on DOT-assisted public works projects by small business concerns. COG's practice is to unbundle the total FTA grants that we receive and issue smaller competed contracts to businesses that are mostly small and non-profits.

COG primarily conducts procurements for technical assistance and planning in support of the annual Unified Planning Work Program, funded through Federal formula-distributed programs. To encourage Small Business Enterprise (SBE) participation, COG has a strategy of conducting independent procurements of technical assistance and planning work for contracts not to exceed \$250,000. This strategy of small, independent procurements has been found effective in enabling competitive participation by SBE firms. The goal of \$250,000 has been determined to be a practicable objective in meeting both COG's needs and the ability of SBE firms to reasonably meet. Between 2012 and 2018, 80% of COG's contracts were for amounts less than this price level.

To ensure SBE firms are aware of COG's contracting opportunities, COG maintains a list of vendors in its Vendor Registration System (VRS) for each major category of industry (e.g., Transportation Master Contract List), to which Request for Proposals are distributed. In addition, every procurement is advertised on the COG and Mid-Atlantic Purchasing Team webpages and in appropriate publications.

Historically, COG has issued very few procurements of greater than \$250,000 for other than material acquisition. In the event a large procurement requirement is identified, COG promotes the use of SBE firms through requirements for prime contractors to identify small business subcontracting opportunities when submitting proposals. In the event of a contracting opportunity outside COG's primary federally funded contract field of technical assistance and planning, COG has access to the Unified Certification Programs of Maryland, the District of Columbia, and Virginia, and would utilize for NAICS codes to identify and contact prospective SBE bidders.

SUBPART C -GOALS. GOOD FAITH EFFORTS AND COUNTING

Section 26.43 Set-asides or Quotas

COG will not set-aside contracts for DBEs on DOT-assisted contracts subject to this part, except that, in limited and extreme circumstances, COG may use set-asides when no other method could be reasonably expected to redress egregious instances of discrimination.

COG does not use quotas in any way in the administration of this DBE program.

Section 26.45 Overall Goals

In accordance with Section 26.45, COG will submit its triennial overall DBE goal to FTA on August 1 of the year specified by FTA.

COG will also request use of project-specific DBE goals as appropriate, and/or will establish project specific DBE goals as directed by FTA.

The process used by COG to establish overall DBE goals is:

COG's Contracts Manager determines the number of FTA-assisted contracts that will be awarded. Then COG determines the market area by looking at where the majority of bidders/proposers on COG contracts are located, then compares this list to the UCP directories in Virginia and Maryland to determine the number of certified DBEs. COG then determines the relevant NAICS codes that correspond to the projects for which contracts will be awarded and compares these numbers to determine the relative availability of DBEs for the project types for which COG will award contracts. COG determines the DBE base figure then adjusts the base figure based on adjustment factors such as the current capacity of DBEs to perform the work. COG then consults with minority, women's and general contractor groups as well as community organizations. COG adjusts the base figure with the median attainment from prior years to arrive at its adjusted DBE goal.

Before establishing the overall goal each goal setting period, COG will consult with COG's current list of DBE firms with whom consultation normally occurs, but without limiting consultation to these persons or groups to obtain information concerning the availability of disadvantaged and non-

disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and COG's efforts to establish a level playing field for the participation of DBEs.

Following this consultation, we will publish a notice of the proposed overall goals in the Washington Post newspaper and El Tiempo Latino newspapers informing the public that the proposed goal and its rationale are available for inspection during normal business hours at our principal office for 30 days following the date of the notice, and informing the public that COG and DOT will accept comments on the goals for 30 days from the date of the notice. Normally, we will issue this notice by June 1 of each year. The notice must include addresses to which comments may be sent and addresses (including offices and websites) where the proposal may be reviewed.

Our overall goal submission to DOT will include: the goal (including the breakout of estimated race-neutral and race-conscious participation, as appropriate); a copy of the methodology, worksheets, etc., used to develop the goal; a summary of information and comments received during this public participation process and our responses; and proof of publication of the goal in media outlets listed above.

We will begin using our overall goal on October 1 of the specified year, unless we have received other instructions from DOT. If we establish a goal on a project basis, we will begin using our goal by the time of the first solicitation for a DOT-assisted contract for the project. Our goal will remain effective for the duration of the three-year period established and approved by FTA.

Section 26.47 Goal Setting and Accountability

If the awards and commitments shown on COG's Uniform Report of Awards or Commitments and Payments at the end of any fiscal year are less than the overall applicable to that fiscal year, we will:

- 1 Analyze in detail the reasons for the difference between the overall goal and your awards and commitments in that fiscal year;
- 2 Establish specific steps and milestones to correct the problems you have identified in your analysis and to enable you to meet fully your goal for the new fiscal year
3. Submit the plan to FTA within 90 days of the end of the affected fiscal year.

Section 26.49 Transit Vehicle Manufacturers (TVM) Goals

COG will require each transit vehicle manufacturer, as a condition of being authorized to bid or propose on FTA-assisted transit vehicle procurements, to certify that it has complied with the requirements of this section. Alternatively, COG may, at its discretion and with FTA approval, establish project-specific goals for DBE participation in the procurement of transit vehicles in lieu of the TVM complying with this element of the program.

Section 26.51 Meeting Overall Goals/Contract Goals

COG will meet the maximum feasible portion of its overall goal using race-neutral means of facilitating DBE participation. In order to do so, COG will look to DBE business to be prime contractors.

COG will use contract goals to meet any portion of the overall goal COG does not project being able to meet using race-neutral means. Contract goals are established so that, over the period to which the overall goal applies, they will cumulatively result in meeting any portion of our overall goal that is not projected to be met through the use of race-neutral means.

We will establish contract goals only on those DOT-assisted contracts that have subcontracting possibilities. We need not establish a contract goal on every such contract, and the size of contract goals will be adapted to the circumstances of each such contract (e.g., type and location of work, availability of DBEs to perform the particular type of work.)

We will express our contract goals as a percentage of total amount of a DOT-assisted contract.

Section 26.53 Good Faith Efforts Procedures

Award of Contracts with a DBE Contract Goal: 26.53(a)

In those instances where a contract-specific DBE goal is included in a procurement/solicitation, COG will not award the contract to a bidder who does not either: (1) meet the contract goal with verified, countable DBE participation; or (2) documents it has made adequate good faith efforts to meet the DBE contract goal, even though it was unable to do so. It is the obligation of the bidder to demonstrate it has made sufficient good faith efforts prior to submission of its bid.

Evaluation of Good Faith Efforts: 26.53(a) & (c)

The Contracts and Purchasing Office staff are responsible for determining whether a bidder/offeror who has not met the contract goal has documented sufficient good faith efforts to be regarded as responsive.

The process used to determine whether good faith efforts have been made by a bidder is if the bidder has met the minimum DBE percentage stated in the solicitation. **COG will use Appendix A of 49 CFR Part 26 for guidance in determining the adequacy of a bidder/offeror's good faith efforts."**

We will ensure that all information is complete and accurate and adequately documents the bidder/offeror's good faith efforts before we commit to the performance of the contract by the bidder/offeror.

Information to be Submitted: 26.53(b)

COG treats the bidder/offeror's compliance with good faith efforts' requirements as a matter of responsiveness.

Each solicitation for which a contract goal has been established will require the bidders/offerors to submit the following information:

- 1 The names and addresses of DBE firms that will participate in the contract;
- 2 A description of the work that each DBE will perform. To count toward meeting a goal, each DBE firm must be certified in a NAICS code applicable to the kind of work the firm would perform on the contract;
- 3 The dollar amount of the participation of each DBE firm participating;
- 4 Written and signed documentation of commitment to use a DBE subcontractor whose participation it submits to meet a contract goal;
- 5 Written and signed confirmation from the DBE that it is participating in the contract as provided in the prime contractor's commitment; and
- 6 If the contract goal is not met, evidence of good faith efforts. The documentation of good faith efforts must include copies of each DBE and non-DBE subcontractor quote submitted to the bidder when a non-DBE subcontractor was selected over a DBE for work on the contract.

Administrative Reconsideration: 26.53(d)

Within fifteen (15) days of being informed by COG that it is not responsive because it has not documented sufficient good faith efforts, a bidder/offeror may request administrative reconsideration. Bidders/offerors should make this request in writing to the following reconsideration official: Sharon Pandak, 777 North Capital Street NE, Suite 300, Washington, DC, 20002, (202)962-3709, spandak@mwkog.org. The reconsideration official will not have played any role in the original determination that the bidder/offeror did not document sufficient good faith efforts.

As part of this reconsideration, the bidder/offeror will have the opportunity to provide written documentation or argument concerning the issue of whether it met the goal or made adequate good faith efforts to do so. The bidder/offeror will have the opportunity to meet in person with our reconsideration official to discuss the issue of whether it met the goal or made adequate good faith efforts to do so. We will send the bidder/offeror a written decision on reconsideration, explaining the basis for finding that the bidder did or did not meet the goal or make adequate good faith efforts to do so. The result of the reconsideration process is not administratively appealable to the Department of Transpiration.

Good Faith Efforts when a DBE is Terminated/Replaced on a Contract with Contract Goals: 26.53(f) and (g)

COG requires that prime contractors not terminate a DBE subcontractor listed on a bid/contract with a DBE contract goal without COG's prior written consent. Prior written consent will only be provided where there is "good cause" for termination of the DBE firm, as established by Section 26.53(f)(3) of the DBE regulation.

Before transmitting to COG its request to terminate and/or substitute a DBE subcontractor, the prime contractor must give notice in writing to the DBE subcontractor of its intent to do so and the reason for the request. A copy of this notice must be provided to COG prior to consideration of the request to terminate and/or substitute. The DBE will then have five (5) days to respond and advise COG of why it objects to the proposed termination and why COG should not approve the prime contractor's actions.

In those instances where "good cause" exists to terminate a DBE's contract, COG will require the prime contractor to make good faith efforts to replace a DBE that is terminated or has otherwise failed to complete its work on a contract with another certified DBE, to the extent needed to meet the contract goal. We will require the prime contractor to notify the DBE Liaison officer immediately of the DBE's inability or unwillingness to perform and provide reasonable documentation. The good faith efforts shall be documented by the contractor.

In this situation, we will require the prime contractor to obtain our prior approval of the substitute DBE and to provide copies of new or amended subcontracts, or documentation of good faith efforts.

If the contractor fails or refuses to comply in the time specified, our contracting office will issue an order stopping all or part of payment/work until satisfactory action has been taken. If the contractor still fails to comply, the contracting officer may issue a termination for default proceeding.

If the recipient requests documentation under this provision, the contractor shall submit the documentation within 7 days, which may be extended for an additional 7 days if necessary at the request of the contractor, and the recipient shall provide a written determination to the contractor stating whether or not good faith efforts have been demonstrated.

DBE Subcontracts § 26.53 (j)

The contractor awarded the contract must make available upon request a copy of all DBE subcontracts. The subcontractor shall ensure that all subcontracts or an agreement with DBEs to

supply labor or materials require that the subcontract and all lower tier subcontractors be performed in accordance with 49 CFR Part 26.

Sample Bid Specification:

The requirements of 49 CFR Part 26, Regulations of the U.S. Department of Transportation, apply to this contract. It is the policy of COG to practice nondiscrimination based on race, color, sex, or national origin in the award or performance of this contract. All firms qualifying under this solicitation are encouraged to submit bids/proposals. Award of this contract will be conditioned upon satisfying the requirements of this bid specification. These requirements apply to all bidders/offerors, including those who qualify as a DBE. A DBE contract goal of __ percent has been established for this contract. The bidder/offeror shall make good faith efforts, as defined in Appendix A, 49 CFR Part 26 (Attachment 1), to meet the contract goal for DBE participation in the performance of this contract.

The bidder/offeror will be required to submit the following information: (1) the names and addresses of DBE firms that will participate in the contract; (2) a description of the work that each DBE firm will perform; (3) the dollar amount of the participation of each DBE firm participating; (4) Written documentation of the bidder/offeror's commitment to use a DBE subcontractor whose participation it submits to meet the contract goal; (5) Written confirmation from the DBE that it is participating in the contract as provided in the commitment made under (4); and (6) if the contract goal is not met, evidence of good faith efforts.

Section 26.55 Counting DBE Participation

We will count DBE participation toward overall and contract goals as provided in 49 CFR 26.55.

SUBPART F -COMPLIANCE AND ENFORCEMENT

Section 26.109 Information, Confidentiality, Cooperation

We will safeguard from disclosure to third parties' information that may reasonably be regarded as confidential business information without the written consent of the submitter, consistent with Federal, state, and local law.

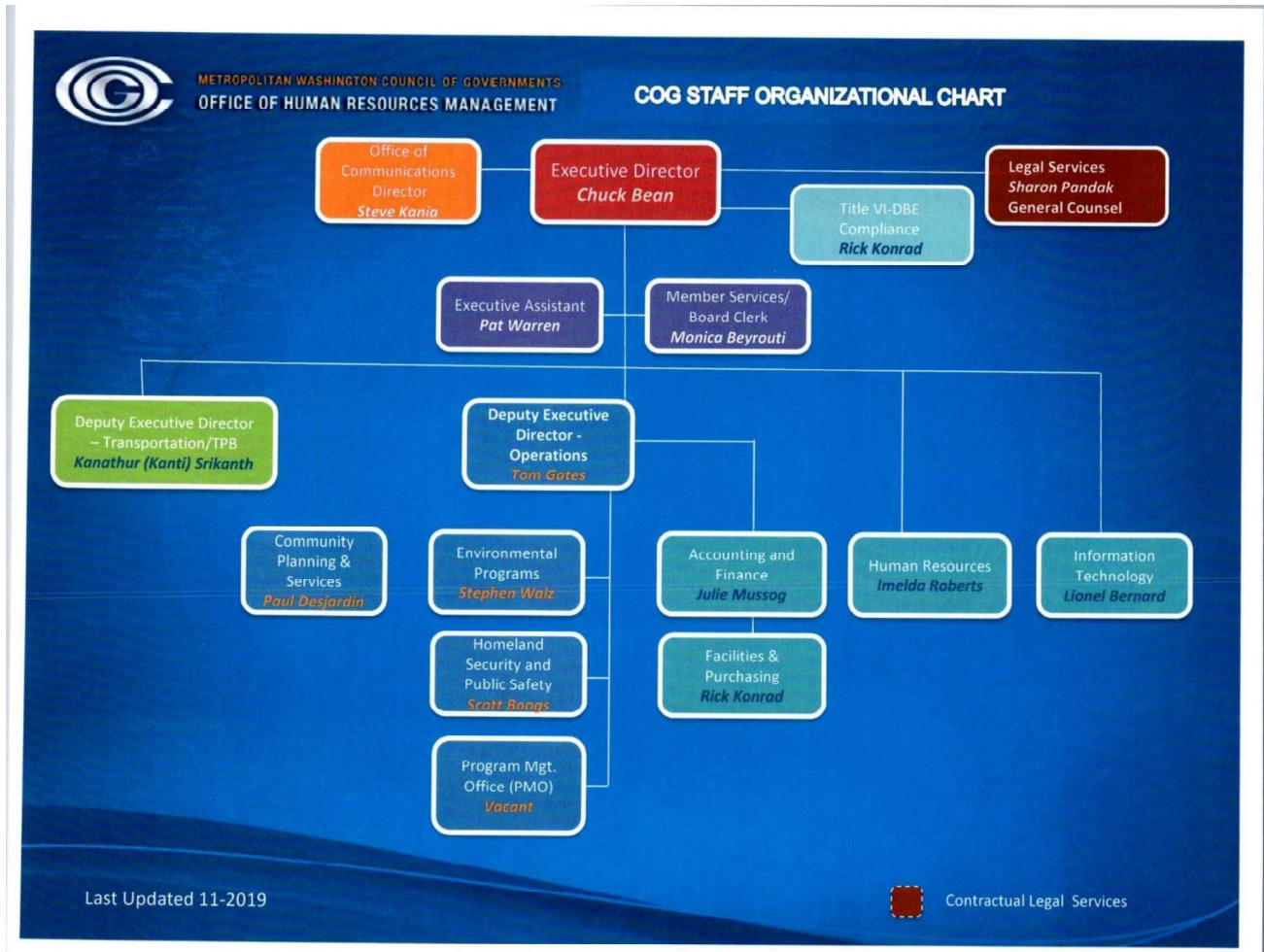
Notwithstanding any contrary provisions of state or local law, we will not release personal financial information submitted in response to the personal net worth requirement to a third party (other than DOT) without the written consent of the submitter.

Monitoring Payments to DBEs

We will require prime contractors to maintain records and documents of payments to DBEs for three years following the performance of the contract. These records will be made available for inspection upon request by any authorized representative of COG or DOT. This reporting requirement also extends to any certified DBE subcontractor.

We will perform interim audits of contract payments to DBEs. The audit will review payments to DBE subcontractors to ensure that the actual amount paid to DBE subcontractors equals or exceeds the dollar amounts stated in the schedule of DBE participation.

Attachment A
Organizational Chart



Attachment B
Current Vendor Database

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SBE List

COMPANY_NAME	ADDRESS	CITYSTATE	CONTACT	EMAIL	PHONE
American Blind & Shade LLC	4938 Hampden Ln, #408	Bethesda, MD, 20814-2914, US	Farris Curry	farrisc@amshades.com	(301) 244-0652
Archscan LLC	150 Penrod Ct, Ste L	Glen Burnie, MD, 21061, US	John Finley	john.finley@archscan.com	(410) 553-6383
Assured Consulting Solutions LLC	10660 Page Ave #264	Fairfax, VA, 22038-0264, US	Erin Briska	ebriska@assured-consulting.com	(703) 344-4048
Blen	641 S St NW, 3rd Fl	Washington, DC, 20001, US	Mike Endale	info@blencorp.com	(202) 269-2066
Constant And Associates Inc	3655 Torrance Blvd, Ste 430	Torrance, CA, 90503, US	Jim Sims	jim@constantassociates.com	(424) 320-2586
D2 LLC	1395 Piccard Dr, Ste 350	Rockville, MD, 20850, US	Kimberlee Driggs	bidding@d2sitework.com	(800) 788-3202
Datamanusa LLC	6890 S Tucson Way Ste 100	Centennial, CO, 80112-3919, US	Nidhi Saxena	contact@datamanusa.com	(720) 248-3110
Dbs Productions LLC	1808 Rugby Pl	Charlottesville, VA, 22903, US	Robert Koester	robert@dbs-sar.com	(434) 293-5502
Development Institute LLC	627 7th St NE	Washington, DC, 20002, US	Emir Nurkic Kacapor	admin@i4di.org	(202) 431-6458
District Safety Products	22900 Shaw Rd Ste 138	Sterling, VA, 20166, US	Joseph Williams	custserv@districtsafety.com	(703) 802-8226
Green Powered Technology	1220 N Powhatan St	Arlington, VA, 22205, US	Phillip Green	pgreen@greenpwr.com	(347) 835-3786
Infinitel LLC	25613 Twelve Cedars Ct	Chantilly, VA, 20152, US	Zawar Shah	zshah@infinitelcorp.com	(703) 731-4874
International Engineering Corporation	3609 Astoria Rd	Kensington, MD, 20895, US	Victor Bustamante	v.bustamante@int-eng-corp.com	(301) 946-4406
International Responder Systems LLC	110 Old Ferry Rd	Elkton, MD, 21921, US	James Mullikin	Mullikin110@gmail.com	(443) 907-3428
Keisler Social & Behavioral Research	230 V St NE	Washington, DC, 20002, US	Aysha Keisler	aysha@keislrsbr.com	(202) 856-1054
KLS Engineering, LLC	45155 Research Place, Suite 200	Ashburn, VA, 20147, US	Leverson S Boodlal	leverson.boodlal@kls-eng.com	
LCDesign Services	903 Fairway Dr NE	Vienna, VA, 22180, US	Lucy Carpenter	lucy@dcstrategicgroup.com	(703) 957-8117
Logistics Maint Training Inc	7521 Amesbury Ct	Alexandria, VA, 22315, US	Michael Watt	mwatt@logmt.com	(571) 408-3896
Nextgen Consulting Inc	1420 N Capitol St NW	Washington, DC, 20002, US	Saif Rehman	saif.rehman@ngciglobal.com	(202) 527-9595
Retrobue Agency Inc	PO Box 32554	Baltimore, MD, 21282, US	Elen Woods	ew@retrobueagency.com	(410) 277-8968
Rja Electrical Service LLC	PO Box 338	Huntingtown, MD, 20639, US	Ralph Almaraz	ralmaraz@a@rjaelectricalservice.com	(410) 414-7500
Rsc Electrical & Mechanical Contractors Inc	1920 Oregon Ave	Landover, MD, 20785, US	Johnathan L Bolden	johnathan_bolden@rsccompany.com	(301) 773-0414
Splashbox Studios	113 S Columbus St, Ste 100	Alexandria, VA, 22314, US	Kimberly Cayce	kimberly@vitaminemc.com	(310) 963-1095
Stratacomm LLC	1156 15th St NW	Washington, DC, 20005, US	Kristin Gregory	kgregory@stratacomm.net	(202) 289-2001
Sunset Survival & First Aid Inc	16835 Algonquin #142	Huntington Beach, CA, 92649, US	Debbie Depin	debbie@SunsetSurvival.com	(714) 369-8096
Tk Worldwide Group Inc	3325 M St NW, 3rd Fl	Washington, DC, 20007, US	Tina Bagapor-O'Harrow	tina@theadstoredc.com	(202) 342-0222
Wool Service Supply & Logistics LLC	5601 Va Bch Blvd Ste 101e	Beach, VA, 23462, US	Debbi Impervento-Wool	dimpervento@WS2L.com	(757) 277-1282
Zeneth Technology Partners	3033 Wilson Blvd, 7th Fl	Arlington, VA, 22201, US	Tessema Getachew	tessema@zenethtechpartners.com	(571) 384-7945

Attachment C

Disadvantaged Business Enterprise Utilization Form

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Attachment C

Disadvantaged Business Enterprise (DBE) Utilization

The undersigned bidder/offeror has satisfied the requirements of the bid specification in the following manner (please check the appropriate option):

_____ The bidder/offeror is committed to a minimum of ___% DBE utilization on this contract.

_____ The bidder/offeror (if unable to meet the DBE goal of ___%) is committed to a minimum of ___% DBE utilization on this contract and submits documentation demonstrating good faith efforts.

Name of bidder/offeror's firm: _____

State Registration No: _____

These columns to be completed by Bidder				These columns to be completed by Agency	
Firm Name	NAICS Code & Type of Work	Capacity (see below)	Contract Amount	Goal Participation %	DBE Amount (Contract Amt X Goal Part.)

Capacity
Contractor
Subcontractor
Supplier

NAICS Codes	
Management Consulting	541611
Urban Planning	541320
Engineering	541330

By: _____
(Signature)

_____ Title

Attachment D

Disadvantaged Business Enterprise Letter of Intent Form

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Attachment D

Letter of Intent

Name of bidder/offeror's firm: _____

Address: _____

City: _____ ST: _____ Zip: _____

Name of DBE firm: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Email: _____

NAICS Codes	
Management Consulting	541611
Urban Planning	541320
Engineering	541330

NAICS Code: _____

Description of work to be performed by DBE firm:

The bidder/offeror is committed to utilizing the above-named DBE firm for the work described above. The estimated dollar value of this work is \$_____.

NOTE: This form must be filled out for each DBE used on the proposal.

Affirmation

The above-named DBE firm affirms that it will perform the portion of the contract for the estimated dollar value as stated above.

By: _____
(Signature) (Title)

If the bidder/offeror does not receive award of the prime contract, any and all representations in this Letter of Intent and Affirmation shall be null and void.






DBE PROGRAM POLICY STATEMENT 2020 FINAL for signature

Final Audit Report

2020-05-29

Created:	2020-05-29
By:	Rick Konrad (rkonrad@mwcog.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAA_t_bFui6lOpSqY0ZfXumSApXuY_fH9wJu

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