PAVED
Projects Adding Value by Expanding Diversity
Civil Rights Division
Agenda

Texas Department of Transportation
PAVED
Transportation Summit
Dallas County Schools Technology & Training Center
5151 Samuell Blvd., Dallas, TX 75228
Friday, April 21, 2017 - 7:00 AM - 4:00 PM

7:00 AM – 8:00 AM  Registration | Check-in | Continental Breakfast
8:00 AM – 8:15 AM  Welcome and Introductions | Project Overview and Timeline
8:15 AM – 8:25 AM  DBE Certification
8:25 AM – 9:10 AM  TxDOT Contracting
9:10 AM – 9:55 AM  Professional Services (Architectural/Engineering) Opportunities
9:55 AM – 10:40 AM  Construction Services Opportunities
10:40 AM – 11:10 AM  DBE Compliance
11:10 AM – 12:00 PM  Financial and Access to Capital

Presenters:
J.C. Garza, Vice President, Wells Fargo
Mike Moss, Project Director, Minority Business Development Agency (MBDA)
Mark DeMott, Vice President, Holmes Murphy
Toshi Ohinata, MBA, CPA, CFE, CGMA, Ohinata, LLC - CPA and Consultants

12:00 PM – 2:00 PM  Luncheon

Nayocyte Speaker: Jeff Austin III, Commissioner, Texas Transportation Commission
Case Study Presenter: Shammi Lodha, President, QMF Steel

2:00 PM – 4:00 PM  Prime and Subcontractor Round Table
Host Partners

Thank you to the following host partners:

**Regional Hispanic Contractors Association (RHCA)**
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**Regional Black Contractors Association (RBCA)**
John Proctor
President
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**Conference of Minority Transportation Officials (COMTO) North Texas**
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President
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**WSP | Parsons Brinckerhoff**
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Industry Partners

Thank you to the following industry partners:

- AGC of Texas
- Alliance Geotechnical Group
- Austin Bridge & Road
- Equify
- Ferrovial Agroman US Corp
- Fluor Corporation
- Granite Construction
- Holmes Murphy
- Iconic Consulting Group
- Kiewit Infrastructure Group
- McCarthy Building Companies
- United Rentals
- Webber
- Zachry Construction Corporation
Agency Partners

Thank you to the following agency partners:

- City of Dallas
- Dallas Area Rapid Transit (DART)
- North Texas Tollway Authority (NTTA)
Thank you to the following speakers and panelists:

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**Omotayo, LLC - CPA and Consultants**
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CPA & Owner
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DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM
OVERVIEW
Civil Rights Division
Regulatory Authority

Code of Federal Regulations (CFR)

Title 49 - Transportation

Subtitle A – Office of the Secretary of Transportation

Part 26—Participation By Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs

49 CFR Part 26
Disadvantaged Business Enterprise (DBE)

- A for profit small business certified through the Texas Unified Certification Program, that is at least 51% owned by one or more individuals who are both socially and economically disadvantaged; and

- Whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.
Texas Unified Certification Program (TUCP)

Six certifying entities:

- City of Austin
- City of Houston
- Corpus Christi Regional Transportation Authority (CCRTA)
- North Central Texas Regional Certification Authority (NCTRCA)
- South Central Texas Regional Certification Authority (SCTRCA)
- Texas Department of Transportation (TxDOT)
Goal Attainment & Utilization Plans (UP)

The prime contractor shall utilize the DBEs listed in the prime’s UP:

- Race-conscious DBE participation
- The DBE must be certified at the time of the commitment
- The DBE must be certified in the NAICS code applicable to the kind of work the firm would perform on the contract

Prime enters into a contractual arrangement with the DBEs listed in the UP specifying the work to be performed and the compensation for the work:

- Subcontract Agreement or Purchase Order (P.O.)
- The DBE must be certified at the time the subcontract or P.O. is executed
Goal Credit & Counting: Types of DBE Participation

Subcontractors – 100% credit

- Must perform 30% of work with its own forces
- Any work subcontracted to a non-DBE will not count

Material Suppliers

- Manufacturers – 100% credit (alter or fabricate product)
- Regular Dealers – 60% credit
  - Selling from inventory
  - Own and operate distribution equipment

Packagers, Brokers, Manufacturer’s Representatives, Transaction Expediters

- Fees or Commissions only
- Fees or Transportation Charges for the Delivery
- Do not count the cost of the materials or supplies
Goal Credit & Counting: Types of DBE Participation

DBE Trucking Firms – 100% credit

- May lease trucks from both DBEs and non-DBEs
- Limited credit allowed for the use of leased non-DBE trucks
- Manage and supervise the entire trucking operation
- Own and operate at least one (1) fully licensed, insured, and operational truck used on the contract
- Receives credit for using trucks it owns, insures, and operates using drivers it employs
- If the DBE leases trucks from a non-DBE truck leasing company and uses its own employees as drivers – 100% credit
A DBE performs a CUF when it is responsible for the execution of the work of the contract and is carrying out its responsibilities by actually:

- Performing
- Managing
- Supervising the work involved
To perform a CUF, the DBE must be responsible, with respect to materials and supplies used on the contract for:

- Negotiating price;
- Determining quality and quantity;
- Ordering the material;
- Installing (where applicable) and
- Paying for the material itself.

Only when a DBE meets all of the requirements should DBE credit be counted for the procurement of the items by the DBE.
Goal Credit & Counting: Commercially Useful Function

- The DBE must be performing a CUF

- Credit is only counted if the prime has paid the DBE for the work performed

- No credit will be given for any materials, supplies, or equipment the DBE obtains from the prime or the prime’s affiliates

- If a CUF is not performed, goal credit will be denied
Termination & Substitution

Any terminating or substituting of a DBE listed in the approved UP requires the following:

- Prior Departmental approval;

- Letter or notice of intent sent to the DBE;

- Documentation that the DBE was not willing or able to perform (e.g., Good Cause); and

- That the prime make a good faith effort to find another DBE to the extent needed to meet the goal.
Termination & Substitution

Good Cause:

- Failure or refusal to execute a written subcontract;
- Failure or refusal to perform the subcontract that is consistent with normal industry standards;
- The DBE firm goes out of business or exhibits credit unworthiness;
- The DBE voluntary withdraws;
- The DBE is ineligible to receive DBE credit for the type of work performed;
- Other

The prime must provide the DBE with written notice of its
Good Faith Efforts (GFE)

- A Contractor who cannot meet the contract goal, in whole or in part, must make adequate GFEs to obtain DBE participation as stated and defined in 49 CFR Part 26, Appendix A

- A GFE evaluation begins with the amount of work made available

- Quality of Efforts – not necessarily the quantity
  - Actively and aggressively trying to meet the goal

- Form 2603 - Contractors Certification of Good Faith Efforts
Good Faith Efforts (GFE): Considerations

- Soliciting the participation of DBEs (*time considerations*)
- Providing interested DBEs with the plans, specifications, and contract requirements
- Assisting interested DBEs in obtaining:
  - bonding
  - lines of credit
  - insurance as required by the contract
  - necessary equipment
  - supplies
  - materials
  - related assistance or services
- Effectively using the services of available minority/women community organizations; minority/women contractors’ groups
References

- **DBE Forms**
  
  http://txdot.gov/business/partnerships/dbe-forms.html

- **TUCP Directory – Diversity Management System (DMS)**
  
  https://txdot.txdotcms.com/
Texas Department of Transportation
Civil Rights Division
125 East 11th St.
Austin, TX 78701

(512) 416-4700
CivilRights@txdot.gov

www.txdot.gov
Questions?
DISADVANTAGED BUSINESS ENTERPRISE PROGRAM (DBE) CERTIFICATION OVERVIEW

CIVIL RIGHTS DIVISION
The Texas Unified Certification Program (TUCP) is a certification program for the federal DBE Programs in Texas. DBE certification received from any of the TUCP members is valid and can be accepted by any Texas entity that receives U.S. Department of Transportation (DOT) funds.

Members of the TUCP:
- Texas Department of Transportation (TxDOT)
- City of Houston
- City of Austin
- Corpus Christi Regional Transportation Authority (CCRTA)
- North Central Texas Regional Certification Agency (NCTRCA)
- South Central Texas Regional Certification Agency (SCTRCA)
Texas Unified Certification Program (TUCP), cont.

Texas Unified Certification Program Certifying Agency Region Map

City of Austin
City of Houston
Corpus Christi Regional Transportation Authority
North Central Texas Certification Agency
South Central Texas Certification Agency
Texas Department of Transportation
Disadvantaged Business Enterprise Program

The Disadvantaged Business Enterprise (DBE) Program was created to provide a level playing field for small, minority- and women-owned companies wanting to do business with TxDOT and other agencies receiving federal funds from the U.S. Department of Transportation. Refer to the Disadvantaged Business Enterprise Forms page for additional documents relating to the DBE Program.

You may apply for DBE certification using TxDOT's Diversity Management System.

Certification Overview

TxDOT is a member of the Texas Unified Certification Program (TUCP). The TUCP certifies DBEs for participation in Department of Transportation federal contracting projects across the State of Texas in compliance with Code of Federal Regulations (49 CFR Parts 26 and 23).

Businesses interested in becoming certified as a DBE must complete and submit an application through the TUCP. Upon approval, these companies can be used to meet the DBE goals established for federally-funded contracts. DBE is a federal program required by law.

You may search the TUCP Directory using TxDOT's Diversity Management System.
DBE On-Line Application cont.

Apply for Certification

You are about to complete the online DBE, SBE, and HUB certification application for TxDOT. If your firm is certified as a DBE, it is automatically eligible for SBE certification and may be eligible for HUB certification if it qualifies under the rules promulgated by the Texas Comptroller of Public Accounts.

TUCP DBE Certifying Agencies

- City of Houston
- City of Austin
- Corpus Christi Regional Transportation Authority
- North Central Texas Regional Certification Agency
- South Central Texas Regional Certification Agency
- Texas Department of Transportation

- TUCP Certifying Entities Region Map
- TUCP Participating Entities

If you have any questions or need help while completing the application please contact TxDOT's Office of Civil Rights at (866) 480-2518, Option 1 or send an email. Technical support is also available here.

Renew Your Certification

- I Know My Username & Password
  - Login
- I Forgot My Username & Password
  - Lookup Account

New Certification

- Your firm is not currently certified with TxDOT.
  - Create Account

After logging into your account, you will be directed to the application form. You can also click the Apply for Certification link on the right side of the "Dashboard." If you require technical assistance while completing the application, please use our online support form.
DBE On-Line Application cont.

Diversity Management System

System Access Login

Username: 
Password: 
Remember username
Login

- About the Diversity Management System
- Help/First Time Visitors
- Account Lookup
- Reset Password
- Contact Us and Support

- Apply for Certification
- Texas Unified Certification Program (TUCP) and TxDOT SBE Directory
- Information for Staff
- Training and Events

Diversity Management System

TxDOT is pleased to provide its Diversity Management System. The following key features are available, depending upon levels of access:

- Enhanced online DBE and SBE Directory with keyword search capabilities
- Enhanced online certification applications
- Flexible reporting capabilities

Customer Support

The Diversity Management System is powered by 82Gnov Software.
### Create Account

Please fill in the information below. The registration process takes only a couple of minutes, and all information can be updated at any time after registration.

**Important Note:** If you received any form of notice from a government regarding this system, an account may have been pre-configured for you. Please look up your business to see if an account already exists. You can also check with Customer Service before registering a duplicate account.

If you have questions about this registration process or need more information, please contact Customer Service.

- * required entry

#### Section 1: Business Lookup

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<td>Enter your firm's Tax ID Number and click <strong>Lookup</strong> to check if an account already exists. <strong>Click to Lookup</strong> <em>(Federal Tax ID: 9 numbers; do not enter dashes or spaces)</em></td>
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#### Section 2: Business Information

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#### Section 3: Business Contact Information

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</table>
Texas Department of Transportation
Civil Rights Division
125 East 11th St.
Austin, TX 78701

(512) 416-4700
CivilRights@txdot.gov

www.txdot.gov

DBE Program
http://www.txdot.gov/business/partnerships/dbe.html

DBE Application
https://txdot.txdotcms.com/
CONTRACTING WITH TXDOT 101

Instructions for New Contractors
Construction Division
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DOING BUSINESS WITH THE TEXAS DEPARTMENT OF TRANSPORTATION
Through collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods.

TxDOT maintains 80,423 centerline miles, 53,875 bridges, and 6,101 traffic signals. TxDOT also oversees a state owned aircraft fleet and assists with marine traffic.
Information on opportunities to do business with TxDOT can be found on our website:  
http://www.txdot.gov/business.html

Additional information is included: http://www.txdot.gov/business/resources.html  
including the 2014 Standard Specifications for Construction and Maintenance of  
Highways, Streets, and Bridges

Information regarding the State Construction and Maintenance Letting Schedule, along  
with Local Let projects are also found here: http://www.txdot.gov/business/letting-  
bids.html
PREQUALIFICATION
Prequalification

- All prime contractors must be prequalified by TxDOT before they are able to bid on Construction Division projects. Contractors only doing subcontracting work do not need to be prequalified.

- Prequalification instructions can be found at http://www.txdot.gov/business/contractors/contractor-prequalification.html.
Prequalification

- TxDOT determines contractor bidding capacity—the maximum dollar value a contractor may have under contract with TxDOT at any given time—depending on the amount and type of financial information disclosed. There are two types of prequalification.

- **Bidders Questionnaire (BQ)**
  - BQ prequalification allows bidding only for “waived” or emergency projects with an engineer’s estimate lower than the contractor’s available bidding capacity. These include some maintenance projects under $300k and specialty work.
  - Contractors may disclose financial information and experience.
  - Minimum initial bid capacity is $300K.

- **Confidential Questionnaire (CQ)**
  - CQ prequalification allows bidding for any project with an engineer’s estimate lower than the contractor’s available bidding capacity.
  - Contractors must submit a complete set of audited financial statements to qualify.
  - Bidding Capacity = Working Capital (current assets – current liabilities) multiplied by a factor determined by the department.
Prequalification

- For all pre-qualified contractors, Available Bid Capacity is dynamic.

- Available Bid Capacity = Initial Bid Capacity - Bid Amount of Awarded contracts + Progress Payments on awarded contracts. (Progress Payments are monthly payments made on awarded work completed that month.)

- The prequalification process is a financial qualification, and takes some time to complete. Time constraints are detailed in the instructions.
Prequalification Bidding Capacity Calculation

- Builder's Questionnaire
  - Realized or audited financial statements
    - As long as firm has 0 completed projects and at least 3 years of experience, they will receive a bidding capacity of 20 times their working capital.
    - To get $500,000, firm will need to provide at least 1 year of experience with 2 completed projects.
    - To get $1,000,000, firm will need to provide at least 2 years of experience with 4 completed projects.
    - To receive a capacity over $1,000,000, same as above, however, bidding capacity is increased by $250,000 for each year of experience beyond two years. The maximum bidding capacity available is $3,000,000.

- Confidential Questionnaire
  - No financial statements submitted.
    - Firm will receive a bidding capacity of $500,000 to bid on projects.
    - To get $500,000, firm will need to provide at least 1 year of experience with 2 completed projects.
    - To get $1,000,000, firm will need to provide at least 2 years of experience with 4 completed projects.
    - To receive a capacity over $1,000,000, same as above, however, bidding capacity is increased by $250,000 for each year of experience beyond two years. The maximum bidding capacity available is $3,000,000.

All financial statements provided must be prepared by an independent Certified Public Accounting firm.
NOTICE TO CONTRACTORS
Notice to Contractors

What projects is TxDOT scheduled to let?

- TxDOT publishes the Notice to Contractors 21 days before the scheduled letting date for that project.

This page includes the Notice, which lists announcements regarding new information or requirements and other relevant information for contractors, along with lists of the projects scheduled to be let in upcoming months.

- Projects are divided by type into three lists:
  - State Let Construction,
  - State Let Maintenance, and
  - Local Let Maintenance.

- The lists include links to specific details about the project, including locations, roadways, and bid items. “Waived” projects that can be bid by contractors that qualified under the BQ guidelines are also noted on these lists.

- TxDOT also posts all contracts for bid on the Electronic State Business Daily through the Texas Comptroller of Public Accounts website: [http://esbd.cpa.state.tx.us/](http://esbd.cpa.state.tx.us/).
BID PROPOSALS
**What am I bidding?**

- Once contractors are pre-qualified, they can bid on projects. To do this they must receive:
  - a paper bid proposal (to bid manually with paper [discouraged]) or
  - an authorization to bid a project in the electronic bidding system (encouraged).

- All bid proposal requests must come through the TxDOT Bid Proposal Request System (BPRS). Contractors must sign up for access to this system and receive a user ID and password. Instructions to sign up can be found at [http://www.txdot.gov/business/letting-bids/bps.html](http://www.txdot.gov/business/letting-bids/bps.html).

Entrance into BPRS can be found at [http://www.txdot.gov/business-cq/pr.htm](http://www.txdot.gov/business-cq/pr.htm).
Bid Proposals

- When a contractor requests a bid proposal through BPRS, among other verifications, the system compares the contractor’s available bidding capacity against the engineer’s estimate for the requested project. If the available bidding capacity is less than the engineer’s estimate of the project in question, the system denies the request. If the available bidding capacity is greater than the engineer’s estimate for the project and the contractor has met all requirements to bid on the project, three things happen:
  - TxDOT sends a paper bid proposal to the contractor (likely to change in the near future, so a contractor wanting a paper proposal will have to opt in to receive it),
  - the contractor is authorized to bid in the electronic bidding system, and
  - the contractor is placed on the bidder’s list, which shows all contractors that have received a proposal for the project.

- It should be noted that this is not an immediate process. When a contractor requests a proposal it will not automatically verify and release to the contractor. This process can take up to a couple hours.

- BPRS allows a contractor to obtain an informational bid proposal directly from the website. Informational proposals are not accepted for bidding purposes, as there is no bidding capacity check needed to receive them, but they can be used to review the type and extent of the work as well as other requirements.
The bid proposal—official proposal or informational—is a good resource to determine the scope of the work and to help a contractor determine what to bid for each bid item, when used together with Plans Online and TxDOT’s specifications.

TxDOT’s Plans Online system allows contractors to download the complete set of plans for the project, along with informational proposals, addenda, and revisions. TxDOT’s Plans Online system can be accessed at http://www.txdot.gov/business/letting-bids/plans-online.html.

Additionally, the specifications describe most items of work, which are incorporated into the plans by reference. Modifications to the specifications are contained in the plans. TxDOT’s standard specifications are published in the Department’s Standard Specifications for Construction and Maintenance of Highways, Streets, and Bridges. This book is available free online or may be purchased in hard copy.

- Instructions for purchase can be found at http://www.txdot.gov/business/resources/construction-sales.html.
BIDDING TXDOT CONTRACTS
Bidding TxDOT Projects

Bids

Contractors can bid manually (by paper) or electronically using iCX (TxDOT’s electronic bidding system).

- Manual Bids

For manual (paper) bids, the contractor must complete the official bid proposal mailed by TxDOT. Bid documents are due at the TxDOT office conducting the letting by the date and time of the published letting. No late bids are accepted.

Paper bids must be complete, with all required documents and signatures. TxDOT will not accept incomplete or nonresponsive bids. A list of examples of both can be found in our Specification Book under Item 2 Instructions to Bidders.
Bidding TxDOT Projects

- Electronic Bids

A contractor can bid electronically using iCX after requesting and receiving an account. The online system enables a contractor to submit or change a bid from anywhere and at any time up to the close of bids. A successful bid proposal request (using BPRS) authorizes the contractor to bid the project electronically through iCX. Information on TxDOT’s electronic bidding system can be found at [http://www.txdot.gov/business/letting-bids/ebs.html](http://www.txdot.gov/business/letting-bids/ebs.html).

Using iCX eliminates many of the errors that cause paper bids to be deemed nonresponsive. The system will not allow a contractor to submit a bid without completing all required items.

For contracts that a contractor has been authorized to bid on, iCX sends courtesy emails about changes to the project, known as addenda (see below).

When a contractor requests a proposal it will not immediately appear in their iCX account. We recommend requesting in advance since this process may take up to a couple hours.
Bidding TxDOT Projects

- **Addenda**

Addenda are changes to the plans after the proposals have been advertised. Sometimes addenda do not change the bid a contractor wants to make, but in other cases, they make changes to the work, add work, or add quantities of existing work. Contractors must acknowledge all addenda, even if they do not change the contractor’s bid. Failure to acknowledge an addendum will cause the Department to deem a bid nonresponsive and reject it.


It is the contractor’s responsibility to verify the existence of all addenda and respond to them.

For electronic bids, addenda are posted to iCX. Contractors that have successfully requested a proposal on a project and can bid that project in iCX will receive a courtesy email from the system informing them of the addendum. They are required to access their bid, acknowledge the addendum, make any resulting changes to their bid, and resubmit the bid.
Proposal Guaranty

Bidding requires a proposal guaranty to discourage frivolous bids.

- **Paper Bids**

For paper bids, the proposal guaranty may be a cashier’s check, money order, or a bid bond in the amount shown on the proposal. Personal checks are not accepted.

- **Electronic Bids**

The electronic bidding system requires the use of electronic bid bonds. A surety agent can assist contractors with account setup with either of the two electronic bonding companies (Surety 2000 or Surepath).

Checklist – Did I do it right?


For electronic bids, the iCX system will detect most errors and not allow bid submission with problems or unaddressed issues.
BID TABULATIONS
**I bid on a project. Now what?**

On the bidding day, at the specified time, bids are closed. No bids are accepted after bid closing.

At bid closing, TxDOT reviews all bid documents and rejects any unresponsive bids. After tallying results and conducting multiple verifications, the Department publishes the bid tabulations to the internet. Bid tabs can be found at [http://www.dot.state.tx.us/business/bt.htm](http://www.dot.state.tx.us/business/bt.htm).

The low bid contractor is now called the “apparent low bidder.”
AWARD OF CONTRACTS
The Texas Transportation Commission conditionally awards state-let contracts at its regular monthly meetings, generally scheduled for the last Thursday of each month. The Commission may reject some projects due to price or other considerations.

The results of Commission action are shown at [http://www.txdot.gov/insdtdot/orgchart/cmd/cserve/results/awardeds.htm](http://www.txdot.gov/insdtdot/orgchart/cmd/cserve/results/awardeds.htm).

Local-let maintenance projects are awarded at the TxDOT District level. Results are shown at [http://www.txdot.gov/insdtdot/orgchart/cmd/cserve/results/awardedl.htm](http://www.txdot.gov/insdtdot/orgchart/cmd/cserve/results/awardedl.htm).

For Commission awarded contracts, contractors will receive an Award Letter advising them that they have been conditionally awarded a contract.
EXECUTION OF CONTRACTS
Execution of Contracts

Once the Commission awards a contract, the Department proceeds with execution by printing and mailing the contract to the awarded contractor.

Contractors must sign and return the contracts with any required payment and performance bonds. Payment bonds insure that subcontractors and materials suppliers get paid. Performance bonds insure that the contractor completes the work; were the contractor not able to complete the project for any reason, the surety that issued the bond would be required to complete the work in the contractor’s stead and for the same bid price.

Contracts less than $25,000 do not require payment or performance bonds.

Contracts between $25,000 and $100,000 require only payment bonds.

Contracts over $100,000 require payment and performance bonds.

At this time, contractors must also provide DBE information, proof of insurance, Texas Ethics Commission forms, and other required submittals.

When all required materials are received, the Construction Division or Maintenance Division signs the contract and returns it to the contractor. The contract is now executed.

The Construction Division or Maintenance Division also sends a copy or notification to the District in which the work is to take place. The District then takes over the contract for administration and completion of the work.
COMPLETING THE WORK
Completing the Work

The District and contractor will work together to begin prosecuting the work according to the terms of the contract. A preconstruction meeting will be held with the local TxDOT representatives for the project. For most projects, the District will require the contractor to provide a schedule. The contractor will begin the work according to the contract requirements and District approval.

The District will make Progress Payments to the contractor monthly according to the work performed, measured, and accepted for payment. At the end of the project, the District will accept the work and issue a final payment.
PEPS DIVISION
APRIL 2017
Mission

Work with our TxDOT customers and external partners to procure the most qualified consultants to deliver effective solutions for Texas

Goals

Deliver the right projects; Focus on the Customer; Foster Stewardship; Optimize System Performance; Preserve our Assets; Promote Safety, and Value our Employees

Values

People, Accountability, Trust, Honesty

Procuring the most qualified consultants to deliver effective transportation solutions for Texans

Professional Engineering Procurement Services represents the consolidated procurement organization supporting engineering, architectural and surveying contracts
Division Director: Martin L. Rodin, PE
FTE Allocation: 100
Actual FTEs: 99
Leadership

**Division Director** – Martin L. Rodin

**Deputy Division Director** – Lucio Vasquez

**Center of Excellence** – Dan Neal

**Business Operations Center** – Roy Gonzales

**Austin Service Center** – Charles Davidson

**Dallas Service Center** – Joseph Jancuska

**Fort Worth Service Center** – Norma Glasscock

**Houston Service Center** – Gail Morea

**San Antonio Service Center** – Larry Wenger

**El Paso Service Center** – Efrain Esparza

**District Central Service Center** – Jaime Vela Jr.

**Service Center for Divisions** – Kori Rodriguez
Division Director’s vision

Information Rich Environment

- **Disqualifications**
  - ZERO disqualifications
  - Improve contract screening
  - Automate processes
  - Earlier DQ notification
  - Future electronic submittals

- **Q&R Enhancement**
  - CST Boot Camps
  - Intensive Q&R review
  - Improved Q&R templates
  - Increased team focus

- **Information Sharing**
  - Post annual procurement plan online
  - Post CST member names in RFQ
  - Monitor contract and WA execution
  - Improve debrief process
  - Improve negotiations
FY16 Results

Procurement Status

- The original FY 16 procurement plan approved in AUG 2015 provided for 60 solicitations for a total of 279 contracts totaling $789 million.
- The final FY16 procurement plan provided for 71 solicitations for a total of 398 contracts totaling $1.37 Billion.
Prop 7 Will Significantly Increase Letting Volume

- **Baseline**: $4.3 Billion Average Letting (FY 2012 – 2016)
- **Additional MAP-21**: $6.5 Billion Average Letting (FY 2017 – 2025)

Billions

Years: 2012 to 2025
<table>
<thead>
<tr>
<th>Service</th>
<th>Amount (USD)</th>
</tr>
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<tbody>
<tr>
<td>Architecture</td>
<td>$6,400,000</td>
</tr>
<tr>
<td>Bridge Inspection</td>
<td>$52,000,000</td>
</tr>
<tr>
<td>Bridge On/Off Replacement</td>
<td>$9,000,000</td>
</tr>
<tr>
<td>Construction, Engineering, Inspection (CEI)</td>
<td>$191,080,000</td>
</tr>
<tr>
<td>CPM</td>
<td>$6,000,000</td>
</tr>
<tr>
<td>Engineering</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>GEC/PMC</td>
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<tr>
<td>Geotechnical</td>
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</tr>
<tr>
<td>Hydraulic</td>
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</tr>
<tr>
<td>Other (describe in Comments)</td>
<td>$16,000,000</td>
</tr>
<tr>
<td>Planning</td>
<td>$17,000,000</td>
</tr>
<tr>
<td>Plans, Specifications and Estimates (PS&amp;E)</td>
<td>$412,568,500</td>
</tr>
<tr>
<td>Procurement Engineering</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>Schematic</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>Schematic / Environmental</td>
<td>$200,000,000</td>
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<tr>
<td>Schematic/Environmental/PS&amp;E</td>
<td>$44,860,000</td>
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<tr>
<td>Survey</td>
<td>$58,000,000</td>
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<tr>
<td>Traffic Engineering</td>
<td>$16,000,000</td>
</tr>
<tr>
<td>Traffic Signal Timing</td>
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</tr>
<tr>
<td>Utility Engineering</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Materials Engineering</td>
<td>$12,000,000</td>
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<tr>
<td>Facilities Engineering</td>
<td>$6,500,000</td>
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<tr>
<td>Independent Engineer</td>
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<tr>
<td>Traffic &amp; Revenue</td>
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</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td><strong>$1,212,408,500</strong></td>
</tr>
</tbody>
</table>
Getting Started

HOW DO I GET STARTED?
How do I get started?

- Be registered as a business with the State of Texas
  
  http://comptroller.texas.gov

- Be registered as engineering firm with the Texas PE Board
  
  http://engineers.texas.gov

- Obtain precertification with TxDOT
  

- Become administratively qualified with TxDOT
  

- Check the TxDOT webpage for listing of projected contracts and pre-RFQ meetings
  

- Submit your qualifications
Wave 3 Details

- Wave 3 internal kickoff on April 5 and April 11, 2017
- Total number of twenty-two procurement events scheduled consisting of sixty-two individual contracts.

<table>
<thead>
<tr>
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<th>Number</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
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<td>Engineering</td>
<td>2</td>
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<tr>
<td>Geotechnical</td>
<td>1</td>
<td>$6,000,000</td>
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<td>Hydraulic</td>
<td>1</td>
<td>$3,000,000</td>
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<tr>
<td>Planning</td>
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<tr>
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<tr>
<td>Surveying</td>
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<td>$52,000,000</td>
</tr>
</tbody>
</table>

**Total**

- 22 events
- $308,755,000
### FY 17 - Wave 4 Update

#### Wave 4 Details

- Wave 4 internal kickoff on July 6, 2017
- Total number of twenty one procurement events scheduled consisting of ninety one individual contracts

<table>
<thead>
<tr>
<th>Category</th>
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<tr>
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<td>GEC</td>
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<tr>
<td>Planning</td>
<td>1</td>
<td>$4,000,000</td>
</tr>
<tr>
<td>PS&amp;E</td>
<td>5</td>
<td>$204,500,000</td>
</tr>
<tr>
<td>Procurement Engineering</td>
<td>1</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>Schematic/Environmental/PS&amp;E</td>
<td>3</td>
<td>$58,000,000</td>
</tr>
<tr>
<td>Schematic/Environmental</td>
<td>1</td>
<td>$50,000,000</td>
</tr>
<tr>
<td>Surveying</td>
<td>2</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Traffic Engineering</td>
<td>1</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>Utility Engineering</td>
<td>1</td>
<td>$12,000,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>21</strong></td>
<td><strong>$435,000,000</strong></td>
</tr>
</tbody>
</table>
Procurement Tips

- Check that all mandatory forms are in your package
- Keep alert to amendments
- Ask questions
- Showcase your PM and task leaders by focusing on details, challenges and resolutions
- Present innovative ideas or alternatives
- Be clear, concise and technical
- Use space wisely, it is not for marketing
- QA/QC the SOQ by referring directly to the RFQ Cover Page to avoid disqualifications
- Use your best examples and give credit to the firm that performed the work
Future Project Mix (PEPS Steering Committee)

- 50% Indefinite Deliverable (ID)
- 50% Specific Deliverable (SD)
- Future CEI will be Specific Deliverable by project
- Future CEI will be work authorization on execution
- Future GEC will be Specific Deliverable by project
- Minimize preclusion between Design and Construction
- Improve CST participation
- Pilot electronic SOQ submittals in FY 2017
- PM will be required to be precertified
Disqualifications

Improvements

- Automation of AQ verification in PTC form
- Automaton of precertification check in PTC form
- Simplifying precertification categories and converting NLCs
- Earlier DQ notification
- Notifying precluded firms in advance of RFQs
- Earlier debrief opportunities
- Replacement of PM and TL during procurement
Automation

- Updating the PTC Form
- Populate information on the PTC form with push of a button
- Use Firm Sequence Numbers and Employee Precert numbers
- Verify AQ and Precert status before submittal

![Project Team Composition](image-url)
# CEI Preclusion

## Current Practice
- Preclusion is primary means to eliminate conflict and minimize risk for TxDOT
- Precluded firm names published in RFQ and notified by e-mail in advance
- Firms may file a challenge to overturn their preclusion
- Challenges must be filed with the Executive Director’s office
- Pre preclusion release requests may be made to PEPS Division Director

## Next Steps
- PEPS contracted with TTI to investigate and report on design and construction engineering inspection practices nationwide
- PEPS recently modified policy for sub consultants to allow non design related firms to pass from PS&E to CEI
- PEPS working with CSO, CST and OGC to examine risk of establishing a threshold for Prime firms to clear preclusion from PS&E to CEI
Minority Firms

**FY 2016:**
- **34%** of all prime firms selected in FY 2016 are HUB/DBE.
- **63%** of all firms selected in FY 2016 are HUB/DBE.
FHWA Updates

The PEPS Division updated the Contracting Rules in response to FHWA’s recent change to their procurement rules 23 CFR 172.

Significant changes:

- For the Federal Process add the requirement for a Request for Proposal (RFP)
- Add the requirement that ID contracts cannot exceed 5 years
- Add a new contract type for multi-phase contracts. Solicited services are divided into phases whereby the specific scope of work and associated costs may be negotiated and authorized as the project progresses
Points of Contact

**Project-Related Information**
- District Engineers
- District Director of Transportation Planning and Development (TP&D)
- District Design Engineers
- Division Directors
- Directors of Construction

**Procurement-Related Information**
- PEPS Service Center Managers (SCMs)
- Pre-RFQ meetings and workshops
- PEPS Center of Excellence
- PEPS Business Operations Center
- PEPS Procurement Engineers
# The Numbers

## ANNUAL PROCUREMENT
- Consultant contract amount FY 2015: $795 Million
- Consultant contract amount FY 2016: $1.37 Billion
- Consultant contract amount FY 2017: $1.41 Billion

## INVOICES
- Number of Invoices Processed FY 2016: Over 4,000
- Percent of Invoices Paid on Time FY 2015: 88%
- Number of Invoices Processed FY 2016: Over 6,000
- Percent of Invoices Paid on Time FY 2016: 95%
- Number of Invoices Projected FY 2017: Over 7,500
- Percent of Invoices Paid on Time FY 2017: 99%

## CONTRACTS
- Number of Contracts Managed FY 2015: Over 200
- Number of Contracts Managed FY 2016: Over 300
- Number of Contracts Managed FY 2017: Over 400

## WORK AUTHORIZATIONS
- Number of WA executed annually: Over 1,200
- Number of WA currently in Queue: 246
- Number of WA Over 90 Days: 54
Questions
FM 2181 PROJECT
FM 2181 Project Overview

- **Operational Improvements along FM 2181**
  - Project Limits: from Lillian Miller Pkwy. in Denton to west of FM 2499 (Barrel Strap Rd.)

- **Project Scope**
  - Widen 2-lane rural roadway to 6-lane divided urban highway
  - Add left-turn lanes at various intersections

- **Project Goals and Benefits**
  - Maximize operational improvements along FM 2181 by increasing capacity, reducing traffic congestion, and improving mobility
  - Increasing average speeds on select links during morning peak congestion

- **Project Schedule**
  - Anticipated Letting – August 2017
  - Anticipated Completion TBD

- **Design-Bid-Build**

- **Total Project Costs:**
  - $41.7 million
  - Includes Engineering, ROW and Construction
**FM 2181 Project Overview**

**Existing Typical Sections**

- From Lillian Miller Pkwy. for .25 miles south
- ... Then transitions to two-lanes

**Proposed Typical Sections**

- Six-lane divided urban curb & gutter highway with left-turn lanes at various ICs
FM 2181 Project Overview

Estimated Quantities

- 94,582 CY of Excavation
- 34,204 CY of Embankment
- 196,340 SY of LTS
- 39,605 Tons of HMAC
- 179,049 SY of Concrete Pavement
- 3,615 LF of Culvert
- 5,767 SF of Retaining Walls
- 1,106 LF of Drainage Pipe
- 40 EA of Drainage Inlets and Manholes
- 69,609 LF of Concrete Curb
Other items included in the project

- Removal of roadway items:
  - curb, paving, riprap, medians, sidewalks and driveways

- Removal of structure items:
  - inlets, headwalls, pipe, culverts and manholes

- Guard fence remove and install

- Illumination, signals, ITS, small road signs and pavement markings
Questions
IH 20 FRONTAGE ROADS
IH 20 Frontage Roads Project Overview
IH 20 Frontage Roads Project Overview

PROPOSED TYPICAL SECTION #1

Frontage Road  Exit Ramp  Mainlanes  Mainlanes  Direct Connector  FR Bypass  Frontage Road

↓ ↓  ↓  ↓  ↓  ↓  ↓

NOTE: Illustration depicts examples of lane design only. Not to scale.

PROPOSED TYPICAL SECTION #2

Frontage Road  Mainlanes  Mainlanes  Frontage Road

↓ ↓  ↓  ↓  ↓  ↓  ↓

TxDOT graphic
IH 20 Frontage Roads Project Overview

- **Project Limits:**
  - CSJ 2374-04-076 from SH 161 to E. of Carrier Parkway
  - CSJ 2374-04-049 from W. of Carrier Pkwy to FM 1382 (Belt Line Road)

- **Project Scope**
  - Construct 4-6 lane frontage roads
  - Ramp Modifications, Intersection improvements

- **Project Goals**
  - Improve accessibility along IH 20 by constructing frontage roads and promote accessibility to major intersections.
IH 20 Frontage Roads Project Overview

- Total Project - Estimated Quantities
  - 240,000 cy of excavation
  - 120,000 cy of embankment
  - 40,000 tons of HMAC
  - 150,000 sy of concrete paving
  - 145,000 sf of bridge
  - 70,000 sf of retaining walls
  - 20,000 lf of drainage pipe
  - 17,000 lf of concrete barrier
IH 20 Frontage Roads Project Overview

- Design-Bid-Build
- June 2017 letting – Begin Construction Fall 2017
- Anticipated construction timeline of three years, completion Fall 2020

- Current Construction Estimate
  - CSJ 2374-04-076 - $35,600,000
  - CSJ 2374-04-049 - $23,840,000
  - Total - $59,440,000
IH 20 Frontage Roads Project Overview

- Questions?
LOWEST STEMMONNS PROJECT
Lowest Stemmons Project Overview
Lowest Stemmons Project Overview

- **Operational Improvements along I-35E**
  - Project Limits: from I-30 to just north of Oak Lawn Avenue

- **Project Scope**
  - Construct 4 to 6 collector-distributor lanes
  - Rebuild southbound frontage road

- **Project Goals and Benefits**
  - Maximize operational improvements along I-35E by eliminating the high volume weaving movements in between Woodall Rodgers and the Dallas North Tollway
  - Increasing average speeds on select links during the morning peak congestion period from 13 mph to 50 mph

- **Project Schedule**
  - Anticipated Letting – Summer 2017
  - Anticipated Completion by End of 2019

- **Design-Bid-Build**

- **Total Project Costs:**
  - $121 million
    - Includes Engineering, ROW and Construction
**Lowest Stemmons Project**

- **Estimated Quantities**
  - 61,000 cy of excavation
  - 29,000 cy of embankment
  - 29,000 tons of HMAC
  - 57,000 sy of concrete paving
  - 302,000 sf of bridge
  - 96,000 sy of retaining walls
  - 10,000 lf of drainage pipe
  - 158 ea of drainage inlets, manholes, & junction boxes
  - 45,000 lf of concrete barrier
Lowest Stemmons Project

- **Other items included in the project:**
  - Removal of Concrete Items:
    - Curb, CTB, Retaining Walls, Flume, Paving, Riprap, Medians, Sidewalks, Driveways, Mow Strip
  - Removal of Structure Items:
    - Inlets, Headwalls, Pipe, Junction Boxes
  - Guardrail End Treatment: Install and remove
  - Crash Cushion Attenuator: Install, move, reset, and remove
  - Lighting, Signals, ITS, Small and Large Signs
  - Stone Columns
  - Erosion control items
  - Seeding & sodding
Questions?
US 67 WIDENING PROJECT
US 67 Widening Project Overview
US 67 Widening Project Overview

- Widening US 67
- Project Limits: from I-20 to Belt Line Road
- Project Scope
  - Widen existing mainlanes to 6 lanes
  - Ramp Reversals, Intersection Improvements, and Operational Improvements
- Project Goals
  - Managed congestion along US 67 by adding capacity
US 67 Widening Project Overview

Existing Typical Section

- Discontinuous Frontage Road
- 2 General Purpose Lanes
- Discontinuous Frontage Road

Proposed Typical Section

- Discontinuous Frontage Road
- 3 General Purpose Lanes
- 3 General Purpose Lanes
- Discontinuous Frontage Road
US 67 Project Overview

- Design-Bid-Build
- May 2017 letting – Begin Construction Summer 2017
- Anticipated construction timeline of two years, completion Summer 2019
- Current Construction Estimate = $60 million
US 67 Widening Project Overview

- Estimated Quantities
  - 118,000 cy of excavation
  - 92,000 cy of embankment
  - 55,000 tons of HMAC
  - 120,000 sy of concrete paving
  - 95,000 sf of bridge
  - 150,000 sf of retaining walls
  - 25,000 lf of drainage pipe
  - 300 ea of drainage inlets, manholes, junction boxes
  - 60,000 lf of concrete barrier
US 67 Widening Project Overview

- Other items included in the project:
  - Removal of Concrete Items:
    - Curb, CTB, Retaining Walls, Flume, Paving, Riprap, Medians, Sidewalks, Driveways
  - Removal of Structure Items:
    - Inlets, Headwalls, Pipe, Junction Box, Drill shaft, Drainage Flume
  - Guardrail End Treatment: Install and remove
  - Crash Cushion Attenuator: Install, move, reset and remove
  - Lighting, Signals, ITS, Small and Large Signs
Question?