

ATTACHMENT I
DBE PARTICIPATION FORMS
SCHEDULES A – C

INSTRUCTIONS:

1. Do not submit the instruction page.
2. Identify DBE subcontractors and/or any lower-tier DBE or non-DBE firms
3. Submit completed DBE participation forms:
 - a) Schedule A: Contractor- Summary of DBE Participation as Subcontractor, Supplier, and/or Consultant – *to be signed by the Contractor*
 - b) Schedule B: Confirmation of Proposed DBE Participation (for each DBE firm identified on this form) – *to be signed by the DBE owner/representative*
 - c) Schedule C: If proposing to perform as a DBE/non-DBE Joint Venture

NOTES:

- Responsible Bidders that indicate they have met the DBE goal must submit completed and signed forms with their bid proposal.
- Services provided by the DBE firm – must coincide with the NAICS Code the DBE is certified in.
- To search for DBE-certified firms - Texas Unified Certification Program (TUCP) DBE Directory link: <https://txdot.txdotcms.com/>
- For net DBE Credit:

If the materials or supplies are obtained from a DBE manufacturer, count 100% of the cost of the materials or supplies toward the DBE goal.

A manufacturer is a firm that owns (or leases) and operates a factory or establishment that produces, on the premises, the materials, supplies, articles, or equipment required under the contract and of the general character described by the specifications. Manufacturing includes blending or modifying raw materials or assembling components to create the product to meet contract specifications. When a DBE makes minor modifications to the materials, supplies, articles, or equipment, the DBE is not a manufacturer. Minor modifications are additional changes to a manufactured product that are small in scope and add minimal value to the final product.

If the materials or supplies are purchased from a DBE regular dealer, count 60% of the cost of materials or supplies toward the DBE goal.

To be a regular dealer, the firm must be an established business that engages, as its principal business and under its own name, in the purchase and sale or lease of the products in question. A DBE supplier performs a CUF as a regular dealer and receives credit for 60 percent of the cost of materials or supplies (including transportation cost) when all, or at least 51 percent of, the items under a purchase order or subcontract are provided from the DBE's inventory, and when necessary, any minor quantities delivered from and by other sources are of the general character as those provided from the DBE's inventory.

SCHEDULE A

CONTRACTOR - SUMMARY OF DBE PARTICIPATION AS SUBCONTRACTOR, SUPPLIER, AND/OR CONSULTANT

(Must be completed, signed by the Contractor, and submitted with the bid proposal)

Commitments listed on this form shall be subject to the award and receipt of a signed contract from the Corpus Christi Regional Transportation Authority (CCRTA) for the subject project. Certified DBEs MUST be listed in the Texas Unified Certification Program (TUCP) Directory at the time of submittal.

Contractor		IFB/RFP Number	
Contact Person		Project Name	
Phone Number		Total Bid Amount	
Email		DBE Contract Goal	
		DBE Commitment Amount	
DBE Commitments			
DBE Firm Name	Work to be Performed	NAICS Code	Agreed Subcontract Price
Total Subcontract Amount			
Total Bid Amount			
Total DBE Percentage			
<p>Note: Prices represented on this page should accurately reflect the agreement between the Contractor and DBE Subcontractor.</p> <p>The Contractor is responsible for ensuring that the selected DBEs are certified for the work to be performed and that their eligible participation has been properly counted.</p> <p>*If the materials or supplies are obtained from a DBE manufacturer count 100% of the cost of the materials or supplies.</p> <p>If the materials or supplies are purchased from a DBE regular dealer, count 60% of the cost of the materials or supplies (including transportation costs). For the complete definition of DBE manufacturer and DBE regular dealer, please refer to the attached Special Provisions concerning the Disadvantaged Business Enterprise – under DBE Calculations.</p>			
Prime Contractor Signature			
<p>Affidavit of Contractor: Failure to submit this form without a signature will result in the bid being rejected in its entirety.</p> <p>The Contractor will enter into written agreements with all listed DBE firms for work as indicated by this Schedule A and accompanying Schedules and will enter into such agreements within 30 calendar days after receipt of the contract executed by CCRTA. In the event, the Prime Contractor cannot meet said 30-day schedule it must provide a written explanation for the delay and an estimated date by which the written agreements will be completed.</p> <p>The Contractor understands that if it knowingly provides incorrect information or false statements or fails to comply with the contract DBE requirements, CCRTA has an obligation (49 CFR 29.17(B)) to inform the U.S. Department of Transportation which may then initiate actions that would prohibit the Contractor from participation in future government contracts and may result in a conviction for a third-degree felony, including a penalty of one and a half times the value of the contract. Any substitutions of the above-named subcontractors require prior written approval from CCRTA. By signing this form, all parties agree to comply with the DBE Special Provisions and 49 CFR Part 26.</p> <p>I do solemnly declare and affirm under penalty of perjury that the contents of the foregoing document are true and correct, and no material facts have been omitted, and that I am authorized on behalf of the Contractor to make this Affidavit.</p>			
Name of Contractor's Affiant	Title	Signature	Date

SCHEDULE B

CONFIRMATION OF PROPOSED DBE PARTICIPATION

(Must be completed, and signed by the DBE Subcontractor, Supplier, and/or Consultant)

The DBE status of the undersigned is confirmed by the attached Letter of Certification from the TUCP or an electronic image of the TUCP Directory that shows the DBE certification. If proposing to perform as a DBE/non-DBE Joint Venture, the Letter of Certification from the DBE venturer is attached along with a completed Schedule B and Joint Venture Agreement.

Name of DBE Firm		IFB/RFP Number	
Address of DBE Firm		Project Name	
Name of DBE Owner		Name of Contractor	
Phone Number		DBE Contract Amount	
Email			
Description/Scope of Work			
Description of Work in Detail (Quantity if applicable)	NAICS Codes	Dollar Amount of Subcontracted Work	
Total Subcontract Amount			
<p>Multi-Phase Project(s). For those projects that are multi-phase, please indicate the phase in which the DBE will be performing work:</p>			
Affidavit of DBE Subcontractor			
<p>Subcontracting Levels: If any dollar amount of the DBE's scope of work will be sublet, a brief explanation and description of the work to be sublet must be listed below:</p>			
<p>Note: If the DBE will not be subcontracting any of the work described above this Schedule, a Zero (0) must be indicated in each blank below:</p> <p>% _____ of the dollar amount of the DBE's subcontract will be sublet to DBE Subcontractor(s)</p> <p>% _____ of the dollar amount of the DBE's subcontract will be sublet to Non-DBE Subcontractor(s)</p> <p>Name of DBE or non-DBE subcontractor(s) to be sublet:</p>			
<p>Notice: Any misrepresentation regarding the status of a person or an entity to qualify for DBE status may result in conviction of a third-degree felony, and a penalty of one and a half times the value of the contract. Material misrepresentation on any matter will also be grounds for terminating any contract that may be awarded and for initiating action under federal or state laws concerning false statements. Any willful falsification of fraudulent statements also may result in debarment from participation in any future federally assisted contracts. By signing this form, all parties agree to comply with the DBE Special Provisions and 49 CFR Part 26.</p> <p>The undersigned will enter into a written agreement for the above work with the Contractor conditioned upon the execution of a contract with CCRTA and will do so within 30 calendar days of receipt of a signed contract from CCRTA.</p>			
Printed Name of DBE Owner	Title	Signature	Date

Under 49 CFR Part 26.13(b), each subcontract the Contractor signs with a Subcontractor must include the following assurance: *The Contractor 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 CCRTA deems appropriate.*

**SCHEDULE C
AFFIDAVIT OF DBE/NON-DBE JOINT VENTURE**

Schedule C need not be submitted if all joint ventures are DBEs. In such a case, however, the written joint venture agreement and a copy of the current TUCP Letter of Certification from the TUCP or an electronic image of the TUCP Directory that shows DBE certification for each DBE must be submitted.

All information requested on Schedule C must be answered in the spaces provided by Joint Venturers at any tier. Additional sheets may be attached.

I. JOINT VENTURE	
Name of Joint Venture	
Address of Joint Venture	
Phone Number of Joint Venture	
II. IDENTIFY EACH NON-DBE VENTURE	
Name of Firm	
Business Address	
Phone Number	
Non-DBE Contact Person	
III. IDENTIFY EACH DBE VENTURE	
Name of Firm	
Business Address	
Phone Number	
DBE Contact Person	
IV. DESCRIBE THE ROLE(S) OF THE DBE VENTURE(S) IN THE JOINT VENTURE:	
V. ATTACH A COPY OF THE JOINT VENTURE AGREEMENT. To demonstrate the DBE venturer's share in the ownership, control management responsibilities, risks, and profits of the joint venture, the proposed joint venture agreement must include specific details related to (1) the contributions of capital and equipment; (2) work items to be performed by the DBE's own forces; (3) work items to be performed under the supervision of the DBE venture; and (4) the commitment of management, supervisory and operative personnel employed by the DBE to be dedicated to the performance of the project.	
VI. ATTACH A COPY of the Current TUCP Letter of Certification for each DBE Joint Venture OR an electronic image of the TUCP Directory showing DBE certification for each DBE.	
VII. OWNERSHIP OF THE JOINT VENTURE:	
A. What is the percentage of DBE ownership in the joint venture?	
1) DBE ownership percentage:	
2) Non-DBE ownership percentage:	
B. Specify DBE/non-DBE percentages for each of the following (Provide Narrative Descriptions & Other Detail as applicable)	
1) Sharing of Profit and Loss	
2) Capital Contributions: a) Dollar amount of Initial contribution	
b) Dollar amount of anticipated on-going contributions	
3) Contributions of equipment (specify types, quality, and quantities of equipment to be provided by each venture)	

4) Other applicable ownership interest, including ownership options or other agreements, which restrict or limit ownership and/or control

C. Provide copies of ALL written agreements between venturers concerning this project.

D. Identify each current CCRTA contract and either of the joint venture partners participating in the Joint Venture:

VIII. CONTROL OF AND PARTICIPATION IN THE JOINT VENTURE: Identify by name and firm those individuals who are or will be responsible for and have the authority to engage in the following management functions and policy decisions. Indicate any limitations to their authority such as dollar limits and co-signatory requirements.

A. Joint venture check signing	
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B. Authority to enter contracts on behalf of the Joint Venture	
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C. Signing, Co-signing, and/or collateralizing loans	
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D. Acquisition of Lines of Credit	
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