

DBE Transporter Newsletter



October 1, 2015 : Issue 3, Quarter 3



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AMENDMENT

Greetings,

This amendment email was sent to correct a couple mistakes. "IN THIS ISSUE" on the top left has been changed to reflect the articles in this newsletter.

Additionally, mark your calendars for October 6, 2015 for a DBE Workshop & Dialogue Session with Robert Campbell, PE Central Region (Regional Director) & Procurement Division.

We ask that you RSVP with Matt deLaBruere via [email](#) or phone @ 907-269-0850.

See flyer attached [here](#).

How to Become a DBE

The Transporter now has a new section located on the left-hand side of the newsletter that allows businesses to look into becoming a DBE in Alaska.

If you are a minority owned business and want to become a DBE in Alaska, please visit <http://www.dot.state.ak.us/cvlrts/dbcert.shtml> for more details.

The link above lists all the forms that need to be completed in order to apply for Alaska's DBE program.

If you have any questions, please contact Corlotta Robinson at Corlotta.robinson@alaska.gov or dial (907) 269-4812.

Race-Neutral FAQs

The Civil Rights Office has put together a series of frequently asked questions regarding the newly implemented race-neutral program. If you have any questions that have not been addressed below, please contact adam.marks@alaska.gov.

1. What is the difference between a race-neutral DBE program and a race-conscious DBE program?
A race-conscious DBE program is one where there is an overall DBE goal reflective of DBE utilization across all projects, which DOT&PF and its contractors must meet, and where DOT&PF will use DBE contract goals on individual projects as a means to meet it. A race-neutral DBE program is one where there is an overall DBE goal that DOT&PF and its contractors must meet, however contract goals are not used as a means to meet it. What this means for contractors is that while you will not have to meet a DBE contract goal as a condition of award, it is yours and DOT&PF's responsibility to meet the annual overall DBE goal of 8.46% DBE participation.

2. Does the change from a race-conscious DBE Program to a race-neutral DBE Program affect existing contracts?
No. Only contracts advertised after July 1, 2015 are affected by the change to a race-neutral DBE program.

3. Do we still need to report DBE Commitments and DBE Utilization under the new race-neutral DBE program?
Yes, DBE commitments and DBE utilization are still required under a race-neutral program. Collecting data on DBE participation is federal requirement, and will allow DOT&PF to continue improving the DBE program.

IMPORTANT DATES

DBE Workshop & Dialogue
10/6 (ADOT&PF Annex)

Alaska Construction Career Day
10/16 (Ketchikan)

Bonding Workshop with OSDBU
11/9 - 11/10 (Anchorage)

AGC Conference
11/11 - 11/14 (Anchorage)

WEBSITE QUICK LINKS

[DOT Home Page](#)
[CRO Home Page](#)
[CRO Staff](#)
[DBE](#)

[CRO](#)
[Title VI](#)
[CRO Forms](#)
[State of Alaska](#)

4. What does the overall FHWA DBE Utilization Goal of 8.46% really mean?

The overall DBE goal of 8.46% represents the total DBE participation rate relative to non-DBE participation, across all FHWA-assisted contracts awarded during the federal fiscal that DOT&PF in collaboration with its contractors must meet.

5. Why is the Northern Region setting goals on FAA-funded contracts, when the Central and Southcoast Regions are race-neutral on FAA contracts?

Because DBEs have historically been underutilized on FAA-funded contracts at airports in the Northern Region, race-conscious contract goals will be used as a means of increasing DBE utilization on these contracts.

6. Since all FHWA-funded contracts and contracts funded by FAA in two regions are currently operating under a race-neutral DBE program, what happens if the overall race-neutral DBE goals are not met?

If the overall DBE goals are not met or sufficient good faith efforts to meet those goals have not been made, DOT&PF will implement race-conscious contract goals.

7. How does the Central Region Waiver affect race-neutral DBE Utilization?

Under a race-neutral program all DBE participation, including non-minority women-owned DBEs in the Central Region, will be counted equally toward the overall DBE goal.

8. What about the Planholders Self-Registration List (PHSRL)?

The PHSRL will continue to serve as a portal for prime contractors to connect with DBEs and small businesses interested in working on projects.

9. Are Good Faith Efforts (GFE) requirements still applicable under a DBE Program?

Bidders must submit GFE documentation for Federal-aid projects; although evaluation of GFE for sufficiency is not a condition of award, documenting GFE is required and is necessary for the Department's and FHWA's determination of compliance with regulations. For GFE purposes, contact DBEs listed in the Department's Plan Holders Self-Registration List for the particular project being bid at least 7 calendar days prior to bid opening to solicit their interest. Log each contact with a DBE firm on a Contact Report Form (Form 25A-321A).

CRO PARTNERS

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How to become a
DBE?

[DBE Application](#)

[Personal Net Worth
Statement](#)

[DBE Brochure](#)

For questions
contact:

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New Self-Registration Link for PSA Projects

The Civil Rights Office has recently added a Plan Holders Self-Registration List (PHSRL) for RFP projects on the ADOT&PF Procurement and Contracting page.

This new PHSRL allows all firms including DBEs to register as interested in participating on an RFP.

To register, go to the ADOT&PF Competitive Sealed Proposals page: <http://dot.alaska.gov/rfpmgr/lq.cfm>.

[DOT&PF > Procurement > Professional Services > Competitive Sealed Proposals](#)

Next, click on the RFP Holders link at the top right of each proposal to register.

Once you have registered, your firm will appear on the list and this will indicate that you are interested to bid.

To sign up on the Plan Holders list, your email address must already be on file with DOT&PF. If you need to update your email address, please contact:

Southcoast Region: Phone (907) 465-4488 Fax (907) 465-4238

Northern Region: Phone (907) 451-2247 Fax (907) 451-5390

Central Region: Phone (907) 269-0408 Fax (907) 269-0402

We highly encourage your participation. If you have any questions regarding our new process, please contact: Dennis Good, Civil Rights Office Manager at 907-269-0848, dennis.good@alaska.gov.

NEW DBEs

Missal LLC

Powertech Controls
Company Inc.

Samco LLC

Ketchikan ACCD October 16, 2015

The Department of Transportation & Public Facilities (ADOT&PF) Civil Rights Office will be hosting its Ketchikan Alaska Construction Career Day (ACCD) on October 16, 2015 at Vigor Shipyard in Ketchikan; set-up for the event will take place on October 15. The Ketchikan ACCD is an opportunity for high school aged students who are preparing to graduate and may be interested in pursuing a career in the maritime trades. The Civil Rights Office is seeking volunteers and donations for this event. Please [click here](#) for the donation form.

If you have any questions about the Ketchikan Alaska Construction Career Day, please contact Matt deLaBruere at 907-269-0850 or matt.delabruere@alaska.gov or learn more about the program by visiting www.alaskaconstructioncareerdays.org.



Seward Maritime Awareness Day September 10, 2015

On September 10, the Alaska Department of Transportation (ADOT&PF) Civil Rights Office (CRO) held a maritime Alaska Construction Career Day in partnership with AVTEC and Vigor Marine in Seward, Alaska. The event was held at the AVTEC gym and Vigor's ship yard. This was the first time this event has been held in Seward.





Students from Seward High School and AVTEC attended the event and learned about the trades in the maritime industry. The event was comprised of three major stations; an expo station, a hands-on station and a heavy equipment station. The students worked with skilled professionals and learned how to paint/coat different objects, weld, drive heavy equipment, work large-scaled machines in the machine shop and learned about workplace safety. The CRO would like to thank everyone who participated and made this event come together so successfully. The CRO will look at expanding this event next year.

Listed below are all supporters for this event:

Marine Seward, William Fraser and FHWA, Alaska Joint Electrical Apprenticeship and Training Trust, Alaska Marine Highway, Alaska Operating Engineers/Employers Training Trust, Alaska Regional Council of Carpenters Apprenticeship, Alaska Sea Life Center, Alaska Works, AVTEC, Department of Labor Employment & Training Services, Department of Transportation & Public Facilities Civil Rights Office, International Union of Painters and Allied Trades, Local 367 Plumbers and Steamfitters, Sheet Metal Workers Apprenticeship Program, Subway, United States Coast Guard Auxiliary, Vigor Marine, William Fraser Advertising and FHWA.



OFCCP Final Rule Prohibits Discrimination Based on Sexual Orientation and Gender Identity

The DOL's Office of Federal Contract Compliance Programs (OFCCP) issued a [final rule](#) Dec. 9 implementing Executive Order 11246, which prohibits federal contractors from discriminating against lesbian, gay, bisexual, and transgender employees and prohibits discrimination based on sexual orientation and gender identity in federal workforce.

On July 21, 2014, President Obama signed Executive Order 13672 extending workplace protections to employees in the federal contracting workplace on the bases of sexual orientation and gender identity. This Executive Order amended Executive Order 11246 and directed the Secretary of Labor to prepare regulations implementing the new protections. As a result, on December 3, 2014, the Department of Labor announced a Final Rule changing Office of Federal Contract Compliance Programs (OFCCP) regulations so that they prohibit discrimination based on, and require treatment of applicants and employees without regard to, sexual orientation or gender identity.

Under the final rule contractors must have included an updated equal opportunity clause in new or modified contracts. The regulations went into effect on April 8, 2015, applying to Federal contractors who hold contracts entered into or modified on or after April 8, 2015.

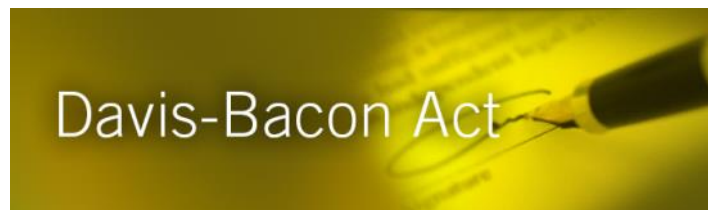
For more information on the final rule, visit [DOL's website](#).

Resources:

Final Rule: <http://www.gpo.gov/fdsys/pkg/FR-2014-12-09/pdf/2014-28902.pdf>.

DOL's Website: http://www.dol.gov/ofccp/regs/compliance/directives/dir2014_02.html.

Davis Bacon Act



Some of you may have never encountered the Davis-Bacon Act (DBA), and need a few words of explanation. The DBA was enacted by Congress in 1931 to ensure local workers received a fair wage on (and to provide local contractors a fair opportunity to compete for) local federal contracts. In general, the DBA requires that each federal-aid contract over \$2,000 for the construction, alteration, and/or repair

(including painting and decorating) of public buildings or public works shall contain a clause setting forth the minimum wages to be paid to various classifications of laborers and mechanics employed under the contract. Contractors and subcontractors are required to pay their laborers and mechanics employed directly upon the "site of the work" no less than the locally prevailing wage and fringe benefit rates for corresponding work on similar projects in the area "regardless of any contractual relationship which may be alleged to exist." The Department of Labor determines and sets the prevailing wage rates through surveys.

If you're new to bidding Davis-Bacon jobs, make sure that you double-check the prevailing wage decisions attached to the bid package or look them up online before submitting your quote. These might not be the rates you usually pay your crew, but for the duration of the federal-aid job, that's what they'll be getting, plus fringe benefits.

Once you start on the project, you'll be reporting the wages you're paying your crew on your weekly certified payroll statements to the contracting agency. Remember - these are not only checked, but sometimes audited!

For additional information, visit our Wage and Hour Division Website: <http://www.wagehour.dol.gov> and/or call toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4USWAGE (1-866-487-9243).

OFCCP Announcement



OFCCP ANNOUNCES AN OUTREACH AND EDUCATION POSTER

OFCCP, based on feedback received during stakeholder listening sessions, recently developed an outreach and education poster. The poster is available to download from OFCCP's Web site at http://www.dol.gov/ofccp/regs/compliance/AgencyPoster_JRF_QA_508c.pdf/. Copies may also be requested by contacting OFCCP's Help Desk at 1-800-397-6251.

Developed to increase public awareness of OFCCP and its mission, the poster highlights the obligation of employers to treat workers fairly and without discrimination, including paying workers fairly.

The ADOT&PF operates Federal Programs without regard to race, color, national origin, sex, age, or disability. Full Title VI Nondiscrimination Policy: dot.alaska.gov/tvi_statement.shtml. To file a complaint go to: dot.alaska.gov/cvlrts/titlevi.shtml

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