

COOPERATIVE INCLUSION PLAN



2015

Resource Guide

Connecting Regional Highway Transportation
Providers and Contractor Associations

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Cooperative Inclusion Plan

RESOURCE GUIDE

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Cooperative Inclusion Plan

RESOURCE GUIDE

Currently, with the on-going highway projects under construction or in development in the Dallas-Fort Worth area, the ability to align contractors with regional highway transportation providers is critical. The Cooperative Inclusion Plan (CIP) was developed to provide a consolidated structure for area disadvantaged, minority, women, and small businesses and historically underutilized businesses (D/M/W/SBEs and HUBs) to take full advantage of the contracting opportunities in the highly competitive highway construction industry.

“Align contractors with regional highway transportation providers”

The Cooperative Inclusion Plan Resource Guide features information vital to helping D/M/W/SBEs and HUBs successfully navigate through this complex business environment and take part in potential contracting opportunities that lead to greater diversification of highway construction. This Resource Guide highlights partnering organizations, diversity initiatives, requirements, key contact information, and a glossary of common highway industry terms.

CIP OVERVIEW

What is the CIP?

The CIP is a comprehensive approach to addressing the lack of D/M/W/SBEs and HUBs in highway contracting. The CIP provides a road map for addressing this challenge and aims to bring together the key highway players and contractor associations to close this gap. The North Texas region is a dynamic and diverse community. The CIP paves the way to build on the foundation of inclusion by unifying the key professional organizations, highway organizations and community leaders to collaborate toward feasible strategies.



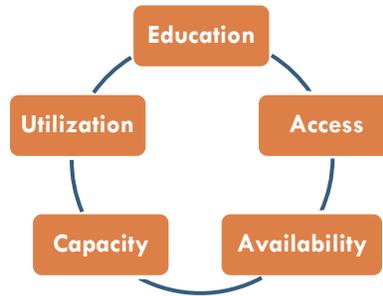
What are the goals of the CIP?

The CIP focuses on the following four goals, which are monitored to assess performance:

- Expand pool of qualified D/M/W/SBEs and HUBs certified to perform highway construction
- Increase dollars spent with local D/M/W/SBEs and HUBs in highway construction
- Grow bonding capacity of D/M/W/SBEs and HUBS
- Increase number of D/M/W/SBEs and HUBs capable of serving in prime roles

Five Key Focus Areas

The founding CIP partnering organizations identified five key areas to provide the framework for the Plan. Centralizing efforts around the five key areas should result in a robust approach that leads to enhanced and new initiatives that drive diversity in highway construction.



One: Education

Develop greater understanding of key processes and requirements for the highway industry

Two: Access

Provide D/M/W/SBE and HUB firms with greater access to key industry decision makers. Connect current and potential highway contractors to qualified subcontractors

Three: Availability

Expand pool of firms ready, willing and able to perform highway construction work

Four: Capacity

Help strengthen the skill set and business acumen of interested firms

Five: Utilization

Expand the participation of firms in Texas Department of Transportation and North Texas Tollway Authority procurements to increase potential use of these firms to perform highway work

CIP PARTNERS

The CIP partnering organizations represent a network of entities that are committed to facilitating increased diversity participation in highway procurements and providing opportunities for training, mentoring, networking and business development for D/M/W/SBE and HUB firms.

The CIP combines the expertise of the region's professional contracting organizations – Asian American Contractors Association of Texas, Black Contractors Association, Regional Hispanic Contractors Association, and the Associated General Contractors of Texas – to provide the guiding posts for short- and long-term strategies. As the major highway providers in the region, the Texas Department of Transportation and the North Texas Tollway Authority have joined with the professional contracting organizations to advance current initiatives that are aimed at ensuring that the region's diverse makeup is carried throughout its procurement processes. Brief overviews of the partnering organizations are included in this section to provide further information on their missions, goals, values and diversity efforts.



Asian American Contractors Association of Texas (AACATX)

AACATX has grown from a group of 12 members in 2010 to 100 in 2014. A majority of its members are professional engineering and architectural firms. There are also several manufacturing firms providing construction materials and energy efficiency goods and services.



AACATX holds monthly Board meetings and four quarterly General Membership meetings one of which is its Constellation Awards luncheon where outstanding individuals and organizations are recognized for contributions towards providing opportunities and assistance to DMWBEs. In 2014, the Moon Award was presented to TXDOT Office of Civil Rights for their extensive outreach and new programs to include DMWBEs. A new Orion Award was presented in memory of former Chairman of DFW Airport to the most outstanding AACATX member and two scholarships were awarded to high school and college students who are in studies related to the construction industry or math/ science.

Mission

Our mission is to increase the visibility and reach of minority businesses by promoting and creating new avenues to expand business opportunities as well as help these businesses prosper and connect with each other.

Contact

Anuj M. Patel, P.E., President
972-620-1100
apatel@ap-ec.com
www.aacatx.com

Black Contractors Association (BCA)

The Black Contractors Association, Inc. (BCA) was incorporated in June of 2002 by a small group of volunteer Black contractors spearheaded by the Dallas Black Chamber of Commerce. The BCA markets its membership to general contractors, public entities, developers, and project owners.



The organization provides to its membership - education, training, business development, mentor/protégé programs and networking activities. BCA's goal is to increase opportunities, enrich our membership/partnership base, and build stronger connections with our partners and member firms to facilitate the growth and success of our BCA partners

Mission

To foster the development and growth of Minority Business Owners by increasing their capacity; by providing easier access to information, infrastructure, technical and business support.

Contact

Monica Bailey- Jackson, Executive Director
(214) 928-7097
www.blackcontractors.org

Regional Hispanic Contractors Association (RHCA)

The Regional Hispanic Contractors Association (RHCA) was formed in 1995 to address the needs of one of the fastest growing sectors of the construction industry. The RHCA serves the construction



industry through its many programs and services. RHCA has streamlined and improved the bid process for its members. Hispanic Contractors Association members have been successful in working with local and state elected officials to ensure fairness in the awarding of bids. Additionally, the RHCA has implemented several initiatives to offer members expanded support services and benefits.

Mission

To promote and support the advancement and economic growth of Contractors in Texas and committed to developing programs and facilitating the resources needed to help all Contractors reach their full potential and capacity.

Contact

Email: John H. Martinez-D., President | john@regionalhca.org

Yolanda Tafoya, Vice President | yolanda@regionalhca.org

Offices: Dallas | 2210 W. Illinois Ave., Dallas, TX 75224

Fort Worth | 1150 S. Freeway #114, Fort Worth, TX 76104

Telephone: 972-786-0909

Visit our Website for more information: www.regionalhca.org

Associated General Contractors of Texas (AGC)

The Associated General Contractors of Texas (AGC of Texas) is comprised of nearly 900 member firms across the state of Texas. Its members are also part of the more than 32,000 networking firms comprising the Associated General Contractors of America. The Texas Highway and Heavy Branch was originally founded in 1924, making it one of the oldest trade associations in the nation. AGC of Texas concentrates member interests to promote growth markets statewide. The Chapter advocates professional, ethical standards that support cost-effective, quality construction to stand for all AGC contractor and associate members.



Mission

- to promote better relations between private owners and public bodies, their engineers or architects on the one hand, and contractors on the other;
- to maintain high professional standards in the conduct of work; and
- to promote safe work practices for the benefit of the public and employees of members and to maintain an affiliation with the AGC of America, Inc.

Contact

Paul Causey, North Texas Area Manager
(972) 580-8685
pcausey@agctx.org
www.acgtx.org

Texas Department of Transportation (TxDOT)

Our mission is to work with others to provide safe and reliable transportation solutions for Texas.



Our goals are:

- Maintain a safe system
- Address congestion
- Connect Texas communities
- Become best in class state agency

Our values are:

- Trust
- Integrity
- Responsibility
- Excellence
- Service

Each district has its own DBE Coordinator and usually an employee dedicated to educate and advise about our construction contracting, outreach, supportive services and training programs.

Contact

Denise Prather, P.E.
Dallas District Diversity Project Manager
(214) 319-3553
Denise.D.Prather@txdot.gov

Trena Brand
Dallas District DBE Coordinator
(214) 320-6180
Trena.Brand@txdot.gov

North Texas Tollway Authority (NTTA)

Our mission is to provide a safe and reliable toll road system, increase value and mobility options for our customers, operate the Authority in a business-like manner, and protect our bondholders, partner to meet our region's growing need for transportation infrastructure.



Our goals are:

- Customer-driven organization
- Financially sound and vibrant organization
- Innovative transportation solutions
- Respected leader and partner in the region's transportation network
- Highly qualified, energized and engaged team
- Open and honest communication

Our values are:

- Integrity
- Leadership
- Excellence
- Teamwork
- Accountability

The NTTA has a dedicated business diversity staff focused on maximizing the participation of D/M/W/SBEs in all phases of the Authority's purchasing and contracting processes. Through its Business Diversity Department, the Authority carries out its diversity programs and initiatives.

Contact

Anthony Coleman,
Director of Business Diversity
(214) 224-2288
acoleman@ntta.org
www.NTTA.org

CIP OUTREACH AND DIVERSITY INITIATIVES

TxDOT Certification, Outreach, Supportive Services and Training Programs

Dallas District with Assistance from Office of Civil Rights (OCR)

DBE Eligibility Criteria

- A business must be 51% owned, controlled, and managed by one or more socially and economically disadvantaged individuals.
- A business must be a small business as defined Small Business Administration (SBA) size standards. The firm's average annual gross receipts over the previous three fiscal years must not exceed U.S. DOT's cap of \$22.41 million.
- Effective Feb. 28, 2011, the Personal Net Worth (PNW) of each socially and economically disadvantaged owner must not exceed \$1,320,000. Items excluded from disadvantaged owner's net worth calculation are his/her personal residence and ownership interest in the applicant firm.
- Only U.S. citizens or lawfully admitted permanent residents are eligible for certification.

Certification Agencies

Small businesses desiring DBE certification must submit an application to one of six certifying agencies within the state. The business' location determines which agency to contact. See Map and contact information on website: <http://www.txdot.gov/business/partnerships/tucp.html>

Annual Reporting and Analysis

TxDOT administers two programs that track/report on minority businesses: DBE Program and HUB Program.

The DBE Program has seven categories: Black, Hispanic, Asian Pacific, Subcontinent Asian, Native American, Non-Minority Women and Other.

The HUB Program has five categories. They are essentially the same but it combines the "Asian" groups into one and eliminates the "Other" category.

For data, please visit:

<http://www.window.state.tx.us/procurement/prog/hub/hub-reporting/>

Technical Assistance Program (TAP)

Provides free business development and technical industry training to Disadvantaged Business Enterprises in the highway construction industry to enhance the skills necessary to bid and perform on TxDOT contracts.

Learning, Information, Networking, Collaboration (LINC) Mentor-Protégé Program

In this program, TxDOT mentors small and minority-owned business with TxDOT. The program focuses on construction, goods and services, information technology and professional services.

One-on-One Business Appointment Program

TxDOT coordinates and arranges appointments between businesses interested in working with TxDOT and the appropriate agency purchasers and/or contact management employees.

DBE/HUB/SBE Industry Liaison Meetings

The DBE/HUB/SBE Industry Liaison Meetings provide a vital two-way communication link between the DBE/HUB/SBE community and TxDOT. These quarterly meetings provide an opportunity for the small and minority businesses development community to provide input and recommendations to TxDOT DBE/HUB/SBE programs.

Economic Opportunity Forums

Economic Opportunity Forums (EOFs), held in different cities throughout the state, seek to attract business interested in finding contracting and procurement opportunities. Business Outreach and Program Services sponsors and attends many of these functions to provide information on TxDOT contracting and procurement opportunities.

Small Business Briefings

TxDOT conducts small business briefings around the state for small and minority-owned businesses providing contract opportunities and information on how to do business with TxDOT and the state in construction, goods and services, information technology and professional engineering.

Texas Business Opportunity Development Program (TBOD)

The Texas Business Opportunity Development Program works to increase minority business participation in the highway construction industry.

TxDOT Specialized Workshops

These in-depth workshops provide an opportunity for small and minority-owned businesses to receive training on various business development and technical industry topic including:

- Bonding
- Construction Management
- Development a Web Site and/or a Business Plan
- Construction Safety Training and Certification
- Business Financial Management

Other Resources

- Webinars
- USDOT Short Term Lending Program
- Dallas CDA Projects (Horseshoe)
- Website:www.keepitmovingdallas.com

For additional information on the Business with TxDOT/Small Minority Business Opportunities/Supportive Services visit the website:
www.txdot.gov/business.html

NTTA Outreach and Diversity Programs and Initiatives

Vendor Outreach Symposiums (VOS)

The Vendor Outreach symposiums are traveling road shows that offer one-stop outreach for prospective vendors. Events are held quarterly in one of the NTTA's four member counties (Dallas, Tarrant, Denton and Collin counties).

Monthly Business Chats

Learn how to do business with the NTTA and participate in networking opportunities. Meetings are held 10-11 a.m. on the second Wednesday of each month in the NTTA Board Room located at 5900 W. Plano Parkway in Plano.

Upcoming Procurement Opportunities

Visit www.ntta.org to find information on upcoming opportunities as well as the construction letting schedule. For questions regarding all procurement activities, email bidpurchasing@ntta.org

Vendor Data Base / Vendor Registration

Vendors wishing to stay apprised on NTTA opportunities should register online at www.ntta.org. Registering online allows you to automatically receive email from NTTA bid opportunities matching your business' services.

Vendor E-newsletter

The Business Diversity Department produces *Diversity Connection*, a quarterly e-newsletter that highlights the successes of local D/M/W/SBEs and provides information about future procurement opportunities. Vendors registered with the NTTA automatically receive the e-newsletter.

Procurement Debriefings

Upon request, procurement staff facilitates post award debriefings to discuss successful vendor's submission and the applicable evaluation process and procedure.

Monthly Project Delivery Report (MPDR)

Monthly updates on existing construction projects are available at www.ntta.org/newsresources/reports/Pages/Monthly-Project-Delivery-Reports.aspx

Business Diversity Department Website

Visit the Business Diversity Department at www.ntta.org. Vendors have direct access to the NTTA's Diversity Policy, Contractors Compliance Handbook, compliance reporting forms, and other helpful links.

Relationship and Opportunity Advancing Diversity Program (ROAD Program)

NTTA's ROAD Program is a two-year mentor-protégé program that seeks to promote and facilitate relationships between prime and sub-contractors, foster opportunities for D/M/WBEs to participate in contracts with the NTTA, and build capacity of smaller firms. The ROAD Program provides opportunities for new and emerging D/M/WBE firms to have expanded access to resources, a broader scope of services, deeper technical knowledge and improved business management.

Business Diversity Advisory Council (BDAC)

The NTTA's Board of Directors recommended a group of nine business and community leaders to guide the NTTA's Business Diversity Advisory Council (BDAC). Members represent the NTTA's four member counties (Dallas, Tarrant, Denton, Collin). The group advises the NTTA in its efforts to encourage the participation of D/M/W/SBEs in contract and procurement opportunities with the NTTA.

Please contact Anthony Coleman, director of business diversity, for all outreach and diversity related questions at (214) 224-2388 or acoleman@ntta.org. Procurement related questions can be directed to Jeff English, senior director of procurement services, at (214) 461-2076 or jenglish@ntta.org.

DOING BUSINESS IN THE HIGHWAY INDUSTRY

Getting Started

Obtain a copy of the *Standard Specifications for Construction and Maintenance of Highways, Streets, and Bridges* (a.k.a., The Spec Book). To purchase a copy of this book, go to TxDOT's web page, <http://www.txdot.gov> or call TxDOT's General Services Division.

For additional information on specifications and updates or information on Departmental Material Specifications (DMS), Manual Testing Procedures, Material Inspection Guide and other material information go to <http://www.txdot.gov>

The Spec Book:

- Contains rules for TxDOT and NTTA (and other public entities) highway construction work;
- Describes work items;
- Provides material and installation requirements; and
- Outlines measurement and payment requirements

Construction detail

- Know what you are building.
- Know the standard or construction details used by that entity.
- For NTTA construction details, contact Anthony Coleman, director of business diversity at (214) 224-2288 or acoleman@ntta.org
- For TxDOT construction details, Contact Denise Prather, P.E, Dallas District Construction at (214) 319-3553 or Denise.D.Prather@txdot.gov

Bonding

- Projects less than \$25,000 – No bond required
- Projects between \$25,000 and \$100,000 – Payment bond required
- Greater than \$100,000 – Performance and payment bonds required
- Payment bond guarantees that labor gets paid
- Performance bond is the surety bond that guarantees that the project gets built

Prequalification

Some form of prequalification is required for all contracts executed for TxDOT. General rules are as follows:

- Contracts less than \$300,000 require the contractor to complete a bidder's questionnaire to be placed on the qualified bidders list.
- Contracts greater than \$300,000, in addition require a financial statement for prequalification.
- There can be exceptions to both of these rules. A district engineer can request financial prequalification for contracts less than \$300,000. The district engineer can also waive the financial prequalification for projects greater than \$300,000 for maintenance type projects.
- Bidding capacity is based on financial prequalification and is equal to 20 times the bidder's net working capital as a general rule.
- A bidder generally can't exceed his bidding capacity.
- Even if a contractor is not required to financially qualify, and bids on work less than \$300,000, he will be capped at that amount unless he is financially prequalified for more. For example: Say a contractor is prequalified for the \$300,000 (just filled out the questionnaire only). He wants to bid on two projects the same day for \$250,000. This is allowed. However, if he wins these bids, he has a bidding capacity of MINUS \$200,000 and can't take on any additional work until he either lowers his current capacity (by building the projects) or he gets financially prequalified.

For more information:

<http://www.txdot.gov/business/contractors/contractor-prequalification.html>

Certifications

Diversity certifications vary by highway transportation providers and contract funding sources. Below is a quick summary of the certifications utilized on transportation contracts.

TxDOT/NTTA Disadvantaged Business Enterprise (DBE) Program (federally-assisted projects)

Firms applying for Disadvantaged Business Enterprise certification must meet the following qualifying requirements:

- Firm must be at least 51% owned and controlled by a socially and economically disadvantaged individual(s).
- The disadvantaged owner(s) must be a United States citizen or lawfully admitted permanent resident of the United States.
- Small businesses must meet the Small Business Administration's size standards and cannot exceed \$22.51 million in gross receipts for DBEs and \$56.42 million in gross receipts for ACDBEs.
- Personal net worth for all owners claiming disadvantaged status for the DBE and/or ACDBE program must not exceed \$1.32 million.
- Firm must be organized as a for-profit business.

The Texas Unified Certification Program (TUCP) is a certification process for the Federal Disadvantaged Business Enterprise (DBE) Programs in Texas. A business' DBE certification is valid at any Texas entity that receives U.S. Department of Transportation (DOT) funds and has a DBE Program. (See TUCP participating entities on the following page)

Small businesses desiring DBE certification must submit an application to one of six certifying agencies within the state. The business' location determines which agency to contact.

Firms certified by each of the six agencies listed below are included in one consolidated and centralized DBE Directory. The TUCP is required by the U.S. Department of Transportation.

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

Access the Texas Unified Certification Program (TUCP) DBE Information Directory at <http://www.txdot.gov/business/partnerships/dbe.html>

NTTA Minority and Woman-owned (M/WBE) Program (locally-funded projects)

Firms applying for Minority Business Enterprise or Woman-Owned Business Enterprise certification must meet the following qualifying requirements:

- Firm must be at least 51% owned and controlled by a minority or women individual(s)
- The minority or women owner(s) must be a United States citizen or lawfully admitted permanent resident of the United States
- Firm must be organized as a for-profit business
- The NTTA recognizes the following groups for certification purposes:
 - Women
 - Black Americans – persons with origins from any Black racial group of Africa.
 - Hispanic Americans – persons of Mexican, Puerto Rican, Cuban, Central/South Americans, Spanish or Portuguese culture or origins, regardless of race.
 - Native Americans – persons who are American Indians, Eskimos, Aleuts, or Native Hawaiians.
 - Asian Pacific Americans – persons with origins from Burma, Thailand, Malaysia, Indonesia, Singapore, Brunei, Japan, China, Taiwan, Laos, Cambodia, (Kampuchea), Vietnam, Korea, the Philippines, Samoa, Guam, the U.S. Trust Territories of the Pacific Islands, Federated States of Micronesia, the Commonwealth of the Northern Marinas Islands, Macao or Naura

- Asian Indian Americans - persons whose origins are from India, Pakistan, Bangladesh, Sri Lanka, Bhutan, the Maldives Islands or Nepal.

NTTA recognizes the following certifying entities for M/WBE certification:

- North Central Texas Regional Certification Agency (NCTRCA)
- Dallas-Fort Minority Supplier Development Council (DFW MSDC)
- Women's Business Council-Southwest (WBC-SW)

All ethnic woman-owned firms are classified as MBEs. Firms owned by Caucasian females are classified as WBEs.

TxDOT/NTTA- Small Business Enterprise (SBE) program

The Small Business Enterprise (SBE) Program offers small businesses another avenue of maximizing their opportunities of doing business with TxDOT and NTTA. The program applies only to highway construction and maintenance projects that are funded entirely by state and/or local funds.

Businesses interested in pursuing an SBE certification must meet the U.S. Small Business Administration (SBA) size standards and submit a completed application. The SBE Program is a program authorized by law, 43 TAC §9.55. Certified DBE firms are recognized as SBEs without having to submit an SBE application and are listed in the TUCP DBE Directory.

TxDOT Federal Funded Project Requirement

Minority Business Enterprise or Woman-Owned Business Enterprise must be DBE certified to perform construction work on TxDOT federal projects to receive goal credit.

HIGHWAY INDUSTRY KEY TERMS AND ACRONYMS

Control Section Job (CSJ): CS- Identification numbers assigned to route segments on every highway route in the state, J-Is the specific job number.

Design Build (DB): Project that has one contract for design services and construction services.

Design Bid Build (DBB): Project that has two separate contracts for design services and construction services.

Federal Highway Administration (FHWA): Federal overseer of all state Departments of Transportation (DOT), including TxDOT.

Notice of Intent (NOI): A means of communicating to provider's different type of work that is being sought.

Project Specific Location (PSL): A material source, plant, waste site, parking area, storage area, field office, staging area, haul road, or other similar location either outside the project limits or within the project limits but not specifically addressed in the PS&E. PSLs defined here are the work areas that exist only for the specific Contract.

Quality Assurance (QA): Defined as all those planned and systematic actions necessary to provide confidence that a product or service will satisfy given requirements for quality.

Quality Control (QC): Defined as all contractor/vendor operational techniques and activities that are performed or conducted to fulfill the contract requirements.

Request for Information (RFI): A formal method of obtaining information to be used in procurement.

Request for Proposals (RFP): A method of solicitation used for selected, technically complex procurements when deliverables cannot be easily defined.

Texas Administrative Code (TAC): A compilation of all state agency rules in Texas. Each title represents a category, and relating agencies are assigned to the appropriate title.

Traffic Control Plan (TCP): All documents pertinent to the proposed efficient, effective, and safe travel of the public through work zones. Such documents include plan sheets, general notes, specifications, special specifications, special provisions, and quantities.

Texas Unified Certification Program (TUCP): The “one-stop” certification process for the federal disadvantaged business enterprise (DBE) programs in Texas. The TUCP consolidates all DBE firms certified by six different agencies for U.S. DOT funded contracts into one centralized DBE directory.

Value Engineering (VE): The systematic application of recognized techniques that identify the function of a product or service, establish a value for that function, and provide the necessary function reliability at the least overall cost.



CIP PLANNING AND IMPLEMENTATION COMMITTEE

Anuj M. Patel, P.E.

Asian American Contractors Association of Texas

Monica Bailey-Jackson

Black Contractors Association

John H. Martinez-D.

Regional Hispanic Contractors Association

Paul Causey

Associated General Contractors of Texas

William "Bill" Hale, P.E.

Texas Department of Transportation Chief Engineer

James K. Selman, P.E.

Texas Department of Transportation Dallas District Engineer

Denise Prather, P.E.

Texas Department of Transportation

Trena Brand

Texas Department of Transportation

Elizabeth Mow, P.E.

North Texas Tollway Authority

Anthony Coleman

North Texas Tollway Authority

Richard Dominguez

Office of State Senator Royce West



CooperativeInclusionPlan

Connecting the Dallas-Fort Worth Highway Transportation Providers and Contractors Associations