



# Cooperative Inclusion Plan (CIP)

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## 2018 Resource Guide

Connecting Regional Highway Transportation Providers and Contractor Associations

[www.KeepItMovingDallas.com/bus-div/cooperative-inclusion-plan-cip](http://www.KeepItMovingDallas.com/bus-div/cooperative-inclusion-plan-cip)



# Cooperative Inclusion Plan (CIP)

## RESOURCE GUIDE

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# Cooperative Inclusion Plan (CIP)

## RESOURCE GUIDE

Currently, with the ongoing 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.

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.



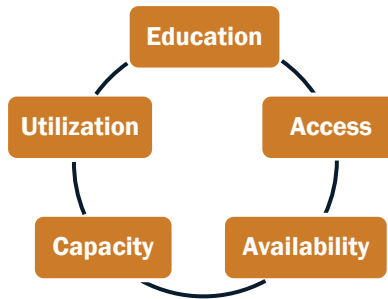
### What are the goals of the CIP?

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 the 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 (AACATX), Associated General Contractors of Texas (AGC), Regional Black Contractors Association (RBCA), and the Regional Hispanic Contractors Association (RHCA) – to provide the guiding posts for short- and long-term strategies. As the major highway providers in the region, the Texas Department of Transportation (TxDOT) and the North Texas Tollway Authority (NTTA) 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 2015. 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.



Asian American Contractors Association of Texas

AACATX holds monthly board meetings and four quarterly general membership meetings, one of which is the Constellation Awards Luncheon where outstanding individuals and organizations are recognized for contributions toward providing opportunities and assistance to DMWBEs. In 2014, the Moon Award was presented to the TXDOT Office of Civil Rights for its extensive outreach and new programs that include DMWBEs. A new Orion Award was presented to the most outstanding AACATX member, and one scholarship was awarded to a high school student who is in studies related to the construction industry or math/science.

### Mission

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

### Contact

Ken Tse  
President  
972-992-3952  
[kmt@kmtarchitects.com](mailto:kmt@kmtarchitects.com)  
[www.aacatx.com](http://www.aacatx.com)

## **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](mailto:pcausey@agctx.org)  
[www.agctx.org](http://www.agctx.org)

## 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, protect our bondholders and partner to meet our region's growing need for transportation infrastructure.



### Our Goals

- 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

- 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](mailto:acoleman@ntta.org)  
[www.NTTA.org](http://www.NTTA.org)

## **Regional Black Contractors Association (RBCA)**

The Regional Black Contractors Association Inc. (RBCA) was incorporated in June of 2002 by a small group of volunteer black contractors and spearheaded by the Dallas Black Chamber of Commerce. The RBCA markets its membership to general contractors, public entities, developers and project owners. The organization provides the following to its membership: education, training, business development, mentor/protégé programs and networking activities. RBCA'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 RBCA partners.



### **Mission**

To advocate and advance the development and growth of African-American owned businesses and their capacity. This contributes to and participates in the self-determination, economic growth and prosperity of African-American communities in the North Texas Region, thereby creating a strong economic base that develops, empowers and supports the ongoing success of these communities and our businesses at large. Increasing the number of successful African American and minority businesses by helping them gain access to procurement opportunities and capital is an ongoing process.

### **Contact**

John Proctor  
Chairman  
214-565-8946  
[jproctor@blackcontractors.org](mailto:jproctor@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 commit to developing programs and facilitating the resources needed to help all contractors reach their full potential and capacity.

### **Contact**

John H. Martinez-D.

President

972-786-0909

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[www.regionalhca.org](http://www.regionalhca.org)

Yolanda Tafoya

Vice President

972-786-0909

[yolanda@regionalhca.org](mailto:yolanda@regionalhca.org)

[www.regionalhca.org](http://www.regionalhca.org)

## Texas Department of Transportation (TxDOT)

Our mission is to provide collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods.



### Our Goals

- Deliver the Right Projects
- Focus on the Customer
- Foster Stewardship
- Optimize System Performance
- Preserve our Assets
- Promote Safety
- Value our Employees

### Our Values

- People
- Accountability
- Trust
- Honesty

The TxDOT-Dallas District has a Special Project Coordinator committed to assist with the following: maneuvering through TxDOT website, networking, providing one-on-one training to all firms to assist them with understanding the TxDOT policies and procedure, obtaining and understanding the requirements on contracts (whether it be in the form of a sub or a prime) and providing training at the CIP events that are hosted quarterly.

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 Special Projects Coordinator  
214-319-3553  
*Denise.D.Prather@txdot.gov*

Nora Perez  
Dallas District DBE Coordinator  
214-319-6456  
*Noraima.perez@txdot.gov*

## **CIP OUTREACH AND DIVERSITY INITIATIVES**

### **TxDOT Partnerships, Certification, Outreach, Supportive Services and Training Programs**

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

#### **Partnerships**

##### **Small, Disadvantaged and Historically Underutilized Businesses**

It is a priority of the state of Texas and the Texas Department of Transportation to promote full and equal procurement opportunities for all types of businesses.

- Historically Underutilized Business (HUB) Program  
<http://www.txdot.gov/business/partnerships/hub.html>
- Disadvantaged Business Enterprise (DBE) Program  
<http://www.txdot.gov/business/partnerships/dbe.html>
- Small Business Enterprise (SBE)  
<http://www.txdot.gov/business/partnerships/sbe.html>

The HUB Program was created to promote full and equal procurement opportunities for small, minority- and women-owned businesses. Companies interested in doing business with the state are encouraged to become HUB certified.

The 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.

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

#### **Certification**

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.



This information can be obtained on the website:

<http://www.txdot.gov/business/partnerships/tucp.html>

Businesses interested in pursuing an SBE certification must meet the U.S. Small Business Administration (SBA) size standards and submit a completed application by applying online at:

<http://www.txdot.gov/business/partnerships/sbe.html>

The HUB Program was created to promote full and equal procurement opportunities for small, minority- and women-owned businesses.

Companies interested in doing business with the state are encouraged to become HUB certified. See the following link for additional information:

<https://www.comptroller.texas.gov/purchasing/>

This is accomplished by completing an application and submitting it to the Texas Comptroller of Public Accounts (CPA). Once approved, the company is considered "certified" and agencies using them on contracts receive credit toward meeting established HUB goals. The HUB Program is a state level program required by law and managed by the CPA. This is accomplished by completing an application and submitting it to the Texas Comptroller of Public Accounts (CPA) at:

<https://www.comptroller.texas.gov/>

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 agencies contact information on websites:

Map: <http://ftp.dot.state.tx.us/pub/txdot-info/ocr/tucp/tucp-region-map.pdf> and

Agencies: <http://www.txdot.gov/business/partnerships/tucp.html>

Certification is valid for three years from the date of initial certification. However, you must update your certification annually. TxDOT will notify you of upcoming annual updates and it is the firm's responsibility to ensure that the information in the TUCP Directory is correct.

### Supportive Services

TxDOT is committed to assisting Disadvantaged Business Enterprises and Small Business Enterprises in their efforts to work with TxDOT and

other state agencies. To this end, we provide the following training and additional outreach to serve Texas communities:

- Texas Business Opportunity and Development (TBOD) Program
- Events and Workshops

### **Texas Business Opportunity and Development (TBOD) Program**

TxDOT's TBOD Program works to increase disadvantaged-owned business participation in the highway construction industry. The Program provides DBE's with firm specific training and guidance to help them become competitive within the heavy highway or construction marketplace. TxDOT's TBOD programs prepare DBE's to move into non-traditional areas of work and to compete in the marketplace outside the DBE program.

The TBOD Program provides networking opportunities, project matching assistance between subcontractors and primes, and access to training in the areas of business development, business management, and construction management. Services include:

- Classroom and workshop components
- Industry technical assistance
- Vendor events
- Industry partnering at the local, state, and federal levels

Current Providers:

- Del Mar College
- Prairie View A&M University
- Texas Southern University
- University of Texas San Antonio

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

- Bonding
- Construction management
- Developing a website and/or business plan
- Construction safety training and certification
- Business financial management

Website: <http://www.txdot.gov/business/partnerships/dbe/business-opportunity-development.html>

### **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.

### **Economic Opportunity Forums (EOF)**

Economic Opportunity Forums (EOFs), held in different cities throughout the state, seek to attract businesses 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.

This site provides a schedule of various EOFs (i.e. vendor fairs, spot bid fairs, conventions, conferences, workshops, seminars, etc.) held throughout the state. EOFs are sponsored by state and local government agencies and universities as well as development centers and trade organizations that provide assistance and guidance for the economic development and sustainability of small, minority-, woman- and service-disabled veteran-owned businesses.

Events and Workshops: <http://www.txsmartbuy.com/eof/index.html>

### **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.

- Bonding
- Construction management
- Developing a website and/or business plan
- Construction safety training and certification
- Business financial management

## Other Resources

- USDOT Short Term Lending Program
- TxDOT Alliance Program
- Website: [www.keepitmovingdallas.com](http://www.keepitmovingdallas.com)

For additional information on Business with TxDOT/Small Minority Business Opportunities/Supportive Services, visit the website: [www.txdot.gov/business.html](http://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](http://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](mailto:bidpurchasing@ntta.org).

### Vendor Database / Vendor Registration

Vendors wishing to stay apprised on NTTA opportunities should register online at [www.ntta.org](http://www.ntta.org). Registering online allows you to automatically receive email from NTTA bid opportunities that match 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 vendors' 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](http://www.ntta.org/newsresources/reports/Pages/Monthly-Project-Delivery-Reports.aspx)

### Business Diversity Department Website

Visit the Business Diversity Department at [www.ntta.org](http://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 and 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](mailto: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](mailto: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). Also, it can be viewed online: <http://onlinemanuals.txdot.gov/manuals/>

To purchase a copy of this book, go to the department's web page, <http://www.txdot.gov>, Support Services Division, or call the department's Support Services Division.

For additional information on specifications or information on Departmental Materials Specifications (DMS), 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.
- 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](mailto: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](mailto: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 in order 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. A quick summary of the certifications utilized on transportation contracts follows.

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

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

- 51-percent owned, managed and controlled by one or more socially and economically disadvantaged individual(s)
- Must be a small business as defined by Small Business Administration (SBA)
- Personal net worth Limit: \$1.32 million
- Gross receipts must not exceed \$23.98 million averaged out over three years
- Firm must be organized as a for-profit business

Note: Members of these groups are presumed disadvantaged:

- Asian-American
- African-American
- Hispanic
- Native American
- Women

DBE certified firms are automatically eligible for Small Business Enterprises (SBE) certification.

DBE certified firms are automatically eligible for Small Business Enterprises (SBE) certification.

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.



Certification is valid for three years from the date of initial certification. However, you must update your certification annually. TxDOT will notify you of upcoming annual updates and it is the firm's responsibility to ensure that the information in the TUCP Directory is correct.

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 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 American, 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 Marianas Islands, Macao or Nauru.
- 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 Worth 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

**Actual Cost:** Contractor's actual cost to provide labor, material, equipment and project overhead necessary for the work.

**Addendum:** Change in original contract requirements added/modified between advertising and bid submittal deadline.

**Available Bidding Capacity:** The Contractor's approved bidding capacity less uncompleted work on Department Contracts.

**Award:** The Commission's acceptance of a contractor's bid for a proposed contract that authorizes the department to enter into a contract.

**Bid:** The offer from the bidder for performing the work described in the proposal.

**Bid Bond:** The security executed by the contractor and the surety furnished to the department to guarantee payment of liquidated damages if the contractor fails to enter into an awarded contract.

**Bidder's Questionnaire:** A prequalification form completed by a prospective bidder reflecting a bidder's financial data and experience.

**Bidding Capacity:** The maximum dollar value a contractor may have under contract with the Department at any given time.

**Commission:** The Texas Transportation Commission or authorized representative.

**Consultant:** The licensed professional engineer or engineering firm, or the architectural firm, registered in the State of Texas and under Contract to the Department to perform professional services.

**Contractor:** The individual, partnership, Limited Liability Company, corporation or joint venture and all principals and representatives with which the contract is made by the department.

**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.

**Detour:** A temporary traffic route around a closed portion of a road.

**Disadvantaged Business Enterprise:** A for-profit small business certified through the Texas Unified Certification Program in accordance with 49 CFR Part 26, that is at least 51% owned by one or more socially and economically disadvantaged individuals, or in the case of a publicly owned business, in which is at least 51% of the stock is owned by one or more socially and economically disadvantaged individuals, and whose management and daily business operations are controlled by one or more of the individuals who own it.

**Federal Highway Administration (FHWA):** Federal overseer of all state departments of transportation (DOT), including TxDOT.

**Historically Underutilized Business:** A corporation, sole proprietorship, partnership, or joint venture formed for the purpose of making a profit certified by the Texas Building and Procurement Commission, and 51% owned by one or more persons who are economically disadvantaged because of their identification as members of certain groups, including African Americans, Hispanic Americans, Asian-Pacific Americans, Native Americans, or women, and have a proportionate interest and demonstrate active participation in the control, operation, and management of the business' affairs. Individuals meeting the HUB definition are required to be residents of the State of Texas. Businesses that do not have their primary headquarters in the State of Texas are not eligible for HUB certification.

**Letting:** The receipt, opening, tabulation and determination of the apparent low bidder.

**Goal Credit:** The value of DBE participation on a project that qualifies towards the DBE goal.

**Joint Venture:** A joint venture is an association of a DBE firm and one or more other firms to carry out single, for-profit business enterprise, for which the parties combine their property, capital, efforts, skills, and knowledge, and in which the DBE is responsible for a distinct, clearly defined portion of the work of the contract and whose shares in the capital contribution, control, management, risks, and profits of the joint venture are commensurate with its ownership interest.

**Notice of Intent (NOI):** A permit obtained from the Texas Commission on Environmental Quality (TCEQ), required by the Construction General Permit (CGP), when there is to be 5-acre or more of total soil disturbance on a project that includes Project-Specific Location (PSL) acreages if PSL is located within one mile of project.

**North American Industry Classification System (NAICS):** A designation that best describes the primary business of a firm. The NAICS is described in the North American Industry Classification Manual—United States, which is available on the Internet at the U.S. Census Bureau website: <http://www.census.gov/eos/www/naics/>.

**Plans:** The drawings approved by the Engineer, including true reproductions of the drawings that show the location, character, dimensions, and details of the work and are a part of the contract.

**Prequalification:** The process for determining a Contractor's eligibility to bid work.

**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.

**Proposal:** The offer from the bidder submitted on the prescribe form, including addenda issued and giving contractor place to input unit bid prices for performing the work described in the plans and specifications. Also includes other information including special provisions.

**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.

**Small Business Enterprise:** A firm (including affiliates) whose annual gross receipts do not exceed the U.S. Small Business Administration's size standards for 4 consecutive years.

**Special Provisions:** Additions or revisions to the Standard Specifications or Special Specifications. Numerical dimensions govern over scaled dimensions. Special Provisions govern over plans (including general notes), which govern over Standard Specifications and Special Specifications. Job-specific plan sheets govern over standard plan sheets.

**Special Specifications:** Supplemental Specifications applicable to the Contract not covered by the Standard Specifications.

**Standard Specifications:** The Standard Specifications for Construction of Roads and Bridges on Federal Highway Projects approved for general application and repetitive use. An act of describing or identifying something precisely or of stating a precise requirement.

**Subsidiary Materials/Labor:** Materials, labor, or other elements as defined in the contract that because of their nature or quantity have not been identified as a separate item and are included within the items on which they necessarily depend.

**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.

**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.

**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.

**Traffic Lane:** The strip of roadway intended to accommodate the forward movement of a single line of vehicles.

**Traveled Way:** The portion of the roadway for the movement of vehicles, exclusive of shoulders and auxiliary lanes.

**Utilization Plan:** The Utilization Plan identifies which DBEs the prime contractor intends to use to satisfy the project DBE Goal.

**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**

### **Ken Tse**

Asian American Contractors Association of Texas

### **Paul Causey**

Associated General Contractors of Texas

### **Elizabeth Mow, P.E.**

North Texas Tollway Authority

### **Anthony Coleman**

North Texas Tollway Authority

### **John Proctor**

Regional Black Contractors Association

### **John H. Martinez-D.**

Regional Hispanic Contractors Association

### **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

### **Richard Dominguez**

Office of State Senator Royce West







# **CooperativeInclusionPlan**

Connecting the Dallas-FortWorth Highway Transportation Providers and Contractors Associations