



**\*\*\*ADDENDUM THREE\*\*\***  
**RFP to Provide Management Services**  
**For Both Fixed Route and Demand Response Services**  
**October 10, 2017**

Clarification: In the list of required forms found in Section VII "Administrative Specifications" A. Proposal Submission, the following forms were listed however, inadvertently left out: Disadvantaged Business Enterprise Letter of Intent, DBE Affidavit, and Disadvantaged Business Enterprise Unavailable Certification. These are attached to this Addendum and will need to be completed and submitted with the Request for Proposals.

## DISADVANTAGED BUSINESS ENTERPRISE (DBE)

### 49 CFR Part 26

#### Disadvantaged Business Enterprises

a. This contract is subject to the requirements of Title 49, Code of Federal Regulations, Part 26, *Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs*. The national goal for participation of Disadvantaged Business Enterprises (DBE) is 10%. The agency's overall goal for DBE participation is 5.9%. A separate contract goal **has not** been established for this procurement.

b. 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 this DOT-assisted contract. 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 **GATRA** deems appropriate. Each subcontract the contractor signs with a subcontractor must include the assurance in this paragraph (see 49 CFR 26.13(b)).

c. Offerors are required to document sufficient DBE participation to meet these goals or, alternatively, document adequate good faith efforts to do so, as provided for in 49 CFR 26.53. Award of this contract is conditioned on submission of the following concurrent with and accompanying an initial proposal:

1. The names and addresses of DBE firms that will participate in this contract;
2. A description of the work each DBE will perform;
3. The dollar amount of the participation of each DBE firm participating;
4. Written documentation of the offeror's commitment to use a DBE subcontractor whose participation it submits to meet the contract goal;
5. Written confirmation from the DBE that it is participating in the contract as provided in the prime contractor's commitment; and
6. If the contract goal is not met, evidence of good faith efforts to do so.

**Offerors** must present the information required above [as a matter of responsiveness] [with initial proposals] (see 49 CFR 26.53(3)).

The successful offeror will be required to report its DBE participation obtained through race-neutral means throughout the period of performance.

d. The contractor is required to pay its subcontractors performing work related to this contract for satisfactory performance of that work no later than 30 days after the contractor's receipt of payment for that work from the **GATRA**. In addition, [the contractor may not hold retainage from its subcontractors; is required to return any retainage payments to those subcontractors within 30 days after the subcontractor's work related to this contract is satisfactorily completed; [is required to return any retainage payments to those subcontractors within 30 days after incremental acceptance of the subcontractor's work by the GATRA and contractor's receipt of the partial retainage payment related to the subcontractor's work.

e. The contractor must promptly notify **GATRA**, whenever a DBE subcontractor performing work related to this contract is terminated or fails to complete its work, and must make good faith efforts to engage another DBE subcontractor to perform at least the same amount of work. The contractor may not terminate any DBE subcontractor and perform that work through its own forces or those of an affiliate without prior written consent of **GATRA**.



**DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION**  
**LETTER OF INTENT**

\_\_\_\_\_  
(Name of Prime Respondent)

The undersigned intends to perform work in connection with the above project as (check one):

\_\_\_\_\_ an individual      \_\_\_\_\_ DBE      \_\_\_\_\_ a partnership      \_\_\_\_\_ a joint venture

The Disadvantaged Business status of the undersigned is confirmed

(A) on the reference list of Disadvantaged Business Enterprises dated

\_\_\_\_\_, or

(B) on the attached Disadvantaged Business Enterprise Identification Statement

The undersigned is prepared to perform the following work in connection with the above project,  
(Specify in detail particular work items or parts thereof to be performed):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

at the following price: \_\_\_\_\_

You have projected the following commencement date for such work, and the undersigned is projecting completion of such work as follows:

<u>Items</u>	<u>Projected Commencement Date</u>	<u>Projected Completion Date</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

The above work will not be sublet to a non-Disadvantaged Business Enterprise at any tier. The undersigned will enter into a formal agreement for the above work with you, conditioned upon your execution of a contract with GATRA.

Date \_\_\_\_\_

\_\_\_\_\_  
Name of Disadvantaged Business Enterprise

By \_\_\_\_\_

**DBE AFFIDAVIT**

STATE OF \_\_\_\_\_ DATE: \_\_\_\_\_

COUNTY OF \_\_\_\_\_ S.S.

The undersigned being duly sworn, deposes and says that he/she is the

\_\_\_\_\_ (sole owner; partner; president; treasurer; or other duly authorized official of a corporation)

of \_\_\_\_\_

(Name of DBE)

and certifies that since the date of its certification by

\_\_\_\_\_ (SOMBA or out-of-state certification agency)

the certification has not been revoked nor has it expired nor has there been any change in the minority status of:

\_\_\_\_\_ (Name of DBE)

\_\_\_\_\_  
Signature and Title of  
Person Making Affidavit

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public

NOTE: The Bidder must attach the DBEs most recent certification letter or document to this affidavit.

DISADVANTAGED BUSINESS ENTERPRISE UNAVAILABLE CERTIFICATION

I, \_\_\_\_\_

\_\_\_\_\_ NAME

\_\_\_\_\_ TITLE

of \_\_\_\_\_, certify that on \_\_\_\_\_

PRIME BIDDER

DATE

I contacted the following Disadvantaged Business Enterprise to obtain an estimate for work items to be performed on GATRA Contract No. \_\_\_\_\_

Disadvantaged Respondent

Work Items Sought

\_\_\_\_\_  
To the best of my knowledge and belief, said Disadvantaged Business Enterprise was unavailable for work on this project, or unable to prepare an estimate for the following reason(s):

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

was offered an opportunity to respond on above-identified work on \_\_\_\_\_

by \_\_\_\_\_

Name of Business Enterprise

\_\_\_\_\_ Date

\_\_\_\_\_ Source

The above statement is a true and accurate account of why I did not submit an estimate on this project.

\_\_\_\_\_  
Signature of Disadvantaged Business Enterprise

\_\_\_\_\_  
Title

Date: \_\_\_\_\_