

## Document Release Notice

<b>Document #:</b>	SP-0.20	<b>Title:</b>	NTTA Business Diversity Prism Contract Compliance Tracking Software	
<b>Current Revision #:</b>	N/A	<b>Type of Change:</b>	<input checked="" type="checkbox"/> ORIG RELEASE <input type="checkbox"/> REVISION <input type="checkbox"/> ARCHIVE <input type="checkbox"/> OBSOLETE	
<b>New Revision #:</b>	0	<b>DRN Number:</b>	10372	<input checked="" type="checkbox"/> MAJOR <input type="checkbox"/> MINOR <input type="checkbox"/> ADMIN
<b>Date Submitted:</b>	10/24/2011	<b>Document Type:</b>	NTTA Special Provision	Choose from Drop Down Menu - left

**Summary of Proposed Changes:**

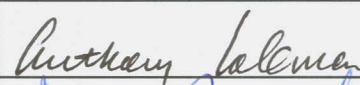
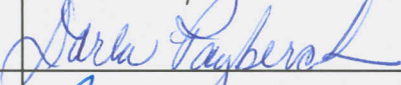


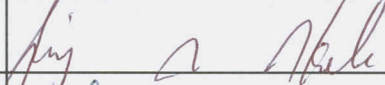
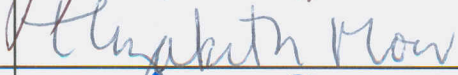

- Include paragraph numbers or other references & attach a copy of the new or revised documents)
- For new documents, indicate "Original Release"

This is a new Special Provision which outlines the requirements of the Business Diversity Department's PRISM tracking software the contractor is required to use to report Monthly Subcontractor Preogress Reports (Form 4907) when D/M/WBE subcontracting commitments are included.

**Reason for New Release / Revision / Obsolescence:**

When fully implemented, the NTTA PRISM system is intended to replace the current manual subcontractor payment reporting with a more efficient online reporting process.

**Required Signatures:**

Title	Printed Name	Signature	Date
Originator	Anthony Coleman		10/26/2011
Subject Matter Expert	Darla Payberah		10/25/2011
NTTA Manager	Mark Bouma		10/27/11
Quality Manager	Troy Federspiel		10/26/11
PD Contracts Manager	Ijay Nkele		10/27/11
Director of Project Delivery	Elizabeth Mow		11-1-11
Document Control	Md Omar Faruk		11/03/2011

**NORTH TEXAS TOLLWAY AUTHORITY  
SPECIAL PROVISION  
IMPORTANT NOTICE TO CONTRACTORS  
“NTTA BUSINESS DIVERSITY PRISM CONTRACT COMPLIANCE  
TRACKING SOFTWARE”**

**1. Introduction**

The NTTA PRISM contract compliance software (NTTA PRISM system) is the Authority's web-based computer system that tracks the monthly subcontractor payment reporting for NTTA contracts.

As outlined in the NTTA Business Diversity Department Contracting and Compliance Manual (CCM), if a contract includes a D/M/WBE subcontracting commitment, the prime contractor shall submit a Monthly Subcontractor Progress Report (Form 4907) to the Business Diversity Department (BDD). Form 4907 reflects actual payments made for the specific month indicated. Information provided on Form 4907 is utilized to monitor and track the percentage of work performed by all subcontractors and to confirm whether the contract-specific goal established is fulfilled.

When fully implemented, the NTTA PRISM system is intended to replace the current manual subcontractor payment reporting with a more efficient online reporting process.

**2. Contractor's Obligations**

The Contractor shall utilize the NTTA PRISM system for monthly subcontractor payment reporting and other reporting compliance as outlined in the CCM. Contractors will have a designated User ID and password to login to the NTTA PRISM system and may access the NTTA PRISM system over the internet 24 hours a day, seven days a week.

The NTTA PRISM system is an official record of communications between the Contractor and the NTTA Business Diversity Department. Information provided in the NTTA PRISM system is utilized to monitor and track the percentage of work performed by all subcontractors and to confirm whether the contract-specific goal established is fulfilled.

The Contractor shall understand the procedures listed in the Pre-Award and Post-Award Compliance sections of the CCM which can be found at the NTTA website at [ntta.org](http://www.ntta.org) under “Working With Us”, and “Business Diversity”.

<http://www.ntta.org/WorkingWithUs/Business+Diversity+Department/>



Within 14 days after the Contract is awarded, the Contractor shall submit a list containing the name, company, role/title, telephone number, and e-mail address of individuals who will attend the training sessions for the use of the NTTA PRISM system. Training will be provided by the Authority at no cost. All the NTTA PRISM system users shall complete the training prior to receiving access to the NTTA PRISM system; no exceptions will be granted. The Contractor shall agree to comply with all terms and conditions associated with its use of the NTTA PRISM system. At any time during the contract, the Contractor may request for additional NTTA PRISM system training as a refresher course for existing NTTA PRISM system users or to add new individuals who will require use of the NTTA PRISM system.

### **3. Equipment**

The Contractor shall obtain the necessary computer equipment, at its own expense, to access the NTTA PRISM system. Please refer to the General Notes in the plan set regarding the list of computer equipment and software required for this project to meet the requirements set forth in the in the Special Provision 0.19, "Importance Notice to Contractors – NTTA Enterprise Project Delivery System" . This same list of computer equipment and software required will suffice for the NTTA PRISM system.

The Contractor will be able to access the NTTA PRISM system via the internet from any location 24 hours a day using their designated user id and password. In the event that the NTTA PRISM system becomes inoperable or unavailable to the Contractor, the Contractor shall contact the Business Diversity Department to have the software repaired and for directions of processing required documentation until the NTTA PRISM system is operational. Once the NTTA PRISM system is in operation again, the Contractor shall upload the required documentation through the NTTA PRISM system.

### **4. Documentation**

The Contractor shall understand the procedures listed in the Pre-Award and Post-Award Compliance sections of the CCM and submit all required documentation.

### **5. Noncompliance**

The Contractor shall understand and be required to comply with the procedures listed in the Pre-Award and Post-Award Compliance sections of the CCM which can be found at the NTTA website at [ntta.org](http://www.ntta.org/WorkingWithUs/Business+Diversity+Department/) under "Working With Us", and "Business Diversity".  
<http://www.ntta.org/WorkingWithUs/Business+Diversity+Department/>

### **6. Measurement and Payment**

The work performed, materials furnished, equipment, labor, tools, and incidentals required for compliance with this special provision will not be measured or paid for directly, but will be subsidiary to the various bid Items.

## PROPOSED SPECIAL PROVISION OR SPECIAL SPECIFICATION REQUEST

Construction: Project Delivery ☒ Maintenance ☒ ITS ☐ Specification Book Year 2004  
Non-review ☐ Reviewed ☒

Anticipated Use: System Wide Use ☒ Specific Tollway/Turnpike Use ☐ One Time Use ☐

County: \_\_\_\_\_ Project Number: \_\_\_\_\_  
City: \_\_\_\_\_ Letting Date: \_\_\_\_\_  
Highway: \_\_\_\_\_

Proposed Special Provision or Special Specification (Title):  
SP-0.20 NTTA Business Diversity Prism Contract Compliance Tracking Software

Conditions that created the need for the New Special Provision or Special Specification:  
New Business Diversity tracking requirement.

Is the Proposed Special Provision or Special Specification identical or similar to a previously approved Specification or provision? **No** If yes, then list most recent number: \_\_\_\_\_

Give a brief summary of content (if similar to previously approved specification or provision, list changes and provide marked up copy):

Outlines the requirement for the new tracking software the contractor is required to use to report business diversity.

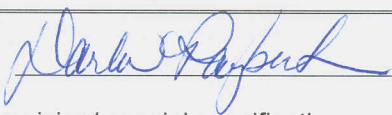
Reference Items: \_\_\_\_\_

File Name: SP-0.20\_BDD Prism Software\_112011

Justification for limited review:  
Spec. committee completed their review, along with Business Diversity Department.

Created by: Voranique Simon, P.E. Phone: 972-361-8192 Date: 10/24/11

Submitted by: Darla Payberah, P.E. Phone: 972-6128-3153 Date: 10/25/11

Approved By:  Date: 10/25/2012

New special provision/ special specification number SP 0.20.0

Bid Item Number (for new special specification only) N/A

Bid Item Code, Abbreviation, and Pay Item Unit <sup>(1)</sup> N/A N/A

Note 1: Abbreviation and Pay Item Units to be provided with this form. The Item Code will be assigned at the approval of the specification.



**NORTH TEXAS TOLLWAY AUTHORITY  
“DISADVANTAGED, MINORITY, WOMEN-OWNED, AND SMALL BUSINESS  
ENTERPRISE PROGRAM”**

**Professional Services, Consulting and Goods/Services Contracts, and Special  
Provision for Construction and Maintenance related projects**

**1. General**

The North Texas Tollway Authority (the Authority) is committed to providing contracting opportunities for disadvantaged, minority, women-owned, and small business enterprises (D/M/WBE). In this regard, the Authority maintains DBE, M/WBE, and SBE programs in order to facilitate contracting opportunities for these businesses.

The programs are implemented in accordance with the NTTA's Disadvantage, Minority, Women-Owned and Small Business Enterprises Policy (Diversity Policy), originally adopted by the NTTA Board of Directors under Resolution No. 10-19 on January 20, 2010, and any revisions thereafter.

The following document outlines:

- Criteria regarding commercially useful function
- Factors to determine good faith efforts
- Contractor responsibilities
- Monthly reporting and compliance requirements
- Noncompliance enforcement

The Business Diversity Department Contracting and Compliance Manual (CCM) outlines the procedures, provisions and compliance requirements to support and comply with the Authority's Diversity Policy. The CCM is approved and incorporated into the contract by reference for all purposes by the Authority.

The CCM and the Diversity Policy may be obtained online at the NTTA website at <http://www.ntta.org/WorkingWithUs/Business+Diversity+Department/> or by contacting the Business Diversity Department at (214) 461-2007.

**2. Commercially useful function criteria**

A commercially useful function (CUF) is when the D/M/WBE is responsible for the performance, management and supervision of a distinct element of work, in accordance with normal industry practice. The criteria utilized to determine a commercially useful function is set forth in the CCM (page 18).

**3. Factors to determine good faith efforts**

All prime contractors are required to demonstrate a good faith effort toward achieving a D/M/WBE goal. A good faith effort can be demonstrated by actions which, by their scope, intensity, and appropriateness to the objective, can reasonably be expected to, either individually or collectively, achieve the goal.

If a prime contractor does not meet the designated goal, it shall nevertheless be eligible for award of the contract if it can demonstrate to the NTTA that it has made a good faith effort to meet the goal. The factors that determine if a good faith effort has been met are set forth in the CCM (page 23).

#### **4. Contractor's responsibilities**

All responding firms, including D/M/WBE certified firms, must submit documentation regarding all subcontractor utilization and how they will meet or exceed the established goal using certified D/M/WBE firms for this project on the Commitment Agreement Form (Form 4906) provided.

Commitment Agreement Form (Form 4906), good faith effort documentation and supporting information must be submitted to the Business Diversity Department for all contracting opportunities in accordance to the CCM. Form 4906 must be submitted to the Authority with the proposal.

#### ***Information for construction and maintenance related projects***

*For all construction and maintenance related projects, Form 4906 must be submitted to the Authority no later than 5:00 pm on the 14<sup>th</sup> day after written notification of the conditional award of the contract.*

Additional questions and/or clarification can be obtained by contacting the Director of Business Diversity at [businessdiversity@ntta.org](mailto:businessdiversity@ntta.org). Please copy the Procurement Services Department at [bidpurchasing@ntta.org](mailto:bidpurchasing@ntta.org) on all correspondence. Form 4906 must include a brief description of the type of work to be performed and the dollar value or percentage of utilization of work that will be assigned to the subcontractors including D/M/WBEs and must be signed by both the prime contractor and subcontractor.

All compliance forms may be obtained online at the NTTA website at <http://www.ntta.org/WorkingWithUs/Business+Diversity+Department/>

#### **5. Monthly reporting and compliance requirements**

Prime contractors must submit monthly reports, no later than the 15<sup>th</sup> of each month, using the Monthly Subcontractor Progress Report (Form 4907) throughout the term of the contract, and submit the Subcontractor Final Report (Form 4908) upon completion of the Contract in accordance with the CCM.

Prime contractors are also required to electronically submit their respective Form 4907 information into the business diversity contract compliance tracking system by the 15<sup>th</sup> of each month.

#### **6. Noncompliance enforcement**

All participants of the D/M/WBE business process must comply with the requirements set forth in the Diversity Policy and are subject to noncompliance enforcement as set forth in the CCM (page 41).

**NORTH TEXAS TOLLWAY AUTHORITY  
“D/M/WBE GOAL”**

**Contract No:** [Show Contract number]

**Project:** [Description of project]

The following goal is established for DBE, MBE, and WBE subcontractor participation:

DBE \_\_\_\_\_% of total contract amount

M/WBE \_\_\_\_\_% of total contract amount

**Total D/M/WBE Goal** \_\_\_\_\_% of total contract amount

Pursuant to the Authority’s Disadvantaged, Minority, Women-Owned and Small Business Enterprises Policy, and as outlined in the “Business Diversity Department Contractors Compliance Handbook”, SBE utilization will continue to be tracked, reported, and monitored in its procurements. However, SBE participation will be counted independent of D/M/WBE participation goal and tracked separately.

DBE = Disadvantaged Business Enterprise

MBE = Minority Business Enterprise

WBE = Women-Owned Business Enterprise

SBE = Small Business Enterprise



Faruk, Omar

---

**From:** Darla Payberah [dpayberah@hntb.com]  
**Sent:** Tuesday, October 25, 2011 1:03 PM  
**To:** Faruk, Omar  
**Cc:** Brush, Scott; Martinez, Jeff; Dennis, Bryan  
**Subject:** FW: Special Provision Request for Mission Critical Status for Maintenance Projects

Hi Omar,  
Elizabeth has approved these documents.  
Please prepare for immediate release.  
Thanks!

---

**From:** Mow, Elizabeth [<mailto:Emow@ntta.org>]  
**Sent:** Tuesday, October 25, 2011 12:49 PM  
**To:** Darla Payberah  
**Subject:** Re: Special Provision Request for Mission Critical Status for Maintenance Projects

Approved

---

**From:** Darla Payberah  
**To:** Mow, Elizabeth  
**Cc:** Bouma, Mark; Faruk, Omar; Johnson, Kelly; Brush, Scott; Martinez, Jeff; Dennis, Bryan  
**Sent:** Tue Oct 25 12:47:13 2011  
**Subject:** RE: Special Provision Request for Mission Critical Status for Maintenance Projects

Elizabeth,  
The BDD department has requested the following Special Provision for immediate release and utilization on all projects with D/M/WBE subcontracting commitments.

**SP 0.20.0 Business Diversity Prism Contract Compliance** – This is an online contract compliance software system intended to replace the current manual subcontractor payment reporting with an online reporting process.

Additionally, the BDD has modified one of their documents, "NTTA Disadvantaged, Minority, Women-Owned, and Small Business Enterprise Program". Although Project Delivery does not control this document, it is included in Project Delivery's front end documents. Therefore, I request this document be replaced with the current version attached above.

The following Project Delivery project is scheduled to be advertised 1/12/2012:

- (1) SRT Woodland Mitigation Project

The following Maintenance projects are anticipated to be advertised over the next 4-6 weeks:

- (1) PGBT Segment V Restriping
- (2) Bridge Deck Repair
- (3) Systemwide Erosion Repairs
- (4) SRT/I-35E Sand Stockpile Development
- (5) PGBT/I-35E Wall Joint Separation Repair
- (6) PGBT/Alma Rd. Drainage Improvements



If this meets your approval, the documents are attached for further processing through Document Control.

Thanks,

**Darla W. Payberah, P.E., C.F.M.**  
Project Manager

---

**HNTB Corporation**  
5910 W. Plano Parkway, Suite 200  
Plano, Texas 75093

Tel (972) 628-3153  
Fax (972) 661-5614

**Faruk, Omar**

---

**From:** Faruk, Omar  
**Sent:** Thursday, November 03, 2011 9:11 AM  
**To:** Darla Payberah  
**Cc:** Nkele, Ijay; Musa, Basel  
**Subject:** RE: Special Provision Request for Mission Critical Status for Maintenance Projects

Tracking:	Recipient	Delivery
	Darla Payberah	
	Nkele, Ijay	Delivered: 11/3/2011 9:11 AM
	Musa, Basel	Delivered: 11/3/2011 9:11 AM

Hi Darla,

*Darla verbally advised that release notification for this release is not required.*

I have received Elizabeth's final approval for SP-0.20 this morning and released the same in the Library. Please let me know if EPDS release notice is needed for this release or not.

*11:00 am  
11/03/2011*

Thanks,  
Omar

---

**From:** Darla Payberah [<mailto:dpayberah@hntb.com>]  
**Sent:** Tuesday, October 25, 2011 3:26 PM  
**To:** Faruk, Omar  
**Cc:** Nkele, Ijay; Musa, Basel  
**Subject:** RE: Special Provision Request for Mission Critical Status for Maintenance Projects

Hi Omar,  
I'm available now if you have it ready.  
Thanks!

---

**From:** Faruk, Omar [<mailto:ofaruk@ntta.org>]  
**Sent:** Tuesday, October 25, 2011 3:04 PM  
**To:** Darla Payberah  
**Cc:** Nkele, Ijay; Musa, Basel  
**Subject:** RE: Special Provision Request for Mission Critical Status for Maintenance Projects

Hi Darla,

The DRN for SP-0.20.0 is ready. Please let me know when you are available so that I can come to take your signature.

Thanks,  
Omar

---

**From:** Faruk, Omar  
**Sent:** Tuesday, October 25, 2011 1:59 PM  
**To:** Darla Payberah  
**Subject:** RE: Special Provision Request for Mission Critical Status for Maintenance Projects