

Document Release Notice

Document #:	Doc 009C	Title:	Disadvantaged, Minority, Women-Owned, and Small Business Enterprise Program	
Current Revision #:	12-Jan	Type of Change:	<input type="checkbox"/> ORIG RELEASE <input checked="" type="checkbox"/> REVISION <input type="checkbox"/> ARCHIVE <input type="checkbox"/> OBSOLETE	
New Revision #:	12-Aug	DRN Number:	10413	<input type="checkbox"/> MAJOR <input checked="" type="checkbox"/> MINOR <input type="checkbox"/> ADMIN
Date Submitted:	8/2/2012	Document Type:	NTTA Front End - General Note	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 document was modified to change the NTTA link where contractors can get additional information regarding the Diversity Policy.

Reason for New Release / Revision / Obsolescence:

NTTA website was revised and the links changed.

Required Signatures:

Title	Printed Name	Signature	Date
Originator	Anthony Coleman, BDD		8/3/12
Subject Matter Expert	Darla Payberah		8/3/2012
NTTA Manager	Mark Bouma		8/7/12
Quality Manager	Troy Federspiel		8/8/12
PD Contracts Manager	Ijay Nkele		8/8/12
Director of Project Delivery	Elizabeth Mow		8-24-12
Document Control	Md Omar Faruk		8/27/2012

**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/procurement/busdiv/bestpractices/Pages/default.aspx> 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 14th 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. Please copy the Procurement Services Department at 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/procurement/busdiv/bestpractices/Pages/default.aspx>

5. Monthly reporting and compliance requirements

Prime contractors must submit monthly reports, no later than the 15th 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 15th of each month. Prime contractors will have a designated User ID & password to login to the contract compliance tracking system via the following link: <https://pro.prismcompliance.com>

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 Non Compliance Enforcement section of the CCM .

**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. Women-owned minority firms certified as WBEs will count towards NTTA's MBE participation. Minority firms certified as DBEs will count towards NTTA's DBE participation.

DBE = Disadvantaged Business Enterprise
MBE = Minority Business Enterprise
WBE = Women-Owned Business Enterprise
SBE = Small Business Enterprise

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Department

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