Special conditions of bid

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# GENERAL INFORMATION AND SCOPE

The Wisconsin Department of Transportation (WisDOT or DOT), through its Purchasing Unit (Purchasing), requests bids to establish a contract for rehabilitation of the floor and inspection pits and the Kenosha Truck Safety Weigt Enforcement Building.

The resulting contract shall be governed by the attached Standard Terms and Conditions unless specifically modified in this Request for Bid document. Conditions of bid that include the word "must" or "shall,” describe a mandatory requirement.

##

## Scope

Remove existing floor and wall coatings. Replace light fixtures with LED fixtures. Replace floor access hatches. Resurface floor and walls.

## Definitions

The following definitions are used throughout the RFB documents:

Agency: The Wisconsin Department of Transportation

Bidder/Vendor: A company or individual submitting a bid response to this RFB

Contractor: Bidder awarded the contract

Department: The Wisconsin Department of Transportation

DVB: Wisconsin –Disabled Veteran-Owned Business is a business certified by the Department of Commerce under s. 560.0335(3).

DOT or WisDOT: The Wisconsin Department of Transportation

MBE: Wisconsin-certified Minority Business Enterprise is a business certified by the Department of Commerce under s. 560.036(2)

Owner: The Wisconsin Department of Transportation

P-Card: Procurement card (State credit card)

State: The State of Wisconsin

## Contract Term

The contract effective date shall be the date of the notice of award letter and will continue for 45 calendar days. All work, including site restoration and cleanup shall be completed prior to the end of the contract term. Failure to complete all work within the contract term may result in assessment the of liquidated damages in accordance with section 4.5. (page 4). The truck scale inspection bays may be closed for no more than 21 continuous calendar days.

# BIDDER QUALIFICATIONS AND REQUIREMENTS

To be eligible for a contract award, you must be qualified and able to provide the following:

* 1. Bidder must supply references of four (4) customers to which similar services have been provided during the past 2 years for comparable repairs. If contacted, all of those references must verify that a high level of satisfaction was provided. Use Attachment B to list references.
	2. Bidder must be prepared to provide WisDOT Purchasing a Certificate of Insurance prior to award and maintain the minimum limits specified prior to issuance of a Purchase Order. All policies must be issued with a 30-day cancellation notice, by an insurance company licensed to do business in the State of Wisconsin, with a minimum AM Best rating of A1, and signed by an authorized agent.
	3. Bidder must disclose if any State of Wisconsin employee would provide services relating to the agreement resulting from this solicitation. See Supplemental Standard Terms and Conditions, section 4.0, Dual Employment or 5.0, Employment.

2.4 Insurance Responsibility: The contractor performing services for the State of Wisconsin

shall:

2.4.1 Maintain worker's compensation insurance as required by Wisconsin Statutes, for all employees engaged in the work.

2.4.2 Maintain commercial liability, bodily injury and prop­erty damage insurance against any claim(s) which might occur in carrying out this contract. Minimum limits shall be one million dollars ($1,000,000) per occurrence and two million dollars ($2,000,000) aggregate for bodily injury and property damage including products liability and completed operations. Provide motor vehicle insurance for all owned, non-owned and hired vehicles that are used in carrying out this contract. Minimum limits shall be one million dollars ($1,000,000) per occurrence combined single limit and two million dollars ($2,000,000) aggregate for automobile liability and property damage.

2.4.3 The state reserves the right to require higher or lower limits where warranted at the state’s discretion.

2.4.4 Name the State of Wisconsin as an additional insured as to the work being performed and provide certificate of insurance prior to start of work.

2.4.5 Contractor shall require the same minimum insurance requirements, as listed above, of all its contractors, and subcontractors, and these contractors.

# SPECIFICATIONS

Failure to meet specification requirements shall disqualify your bid.

See Attachment G for specifications.

# SPECIAL TERMS AND CONDITIONS

## Warranty

A one-year warranty for defective workmanship and/or replacement of defective products/materials of the contract is required in addition to any warranties provided automatically by the manufacturers of the products/materials and otherwise specified. Provide written manufacturers’ warranties to WisDOT contract manager prior to final payment.

## Subcontracting or Third Party Payments

All subcontracting shall be pre-approved by WisDOT. Subcontractors must abide by all terms and conditions of the contract. The prime Contractor shall be responsible for all subcontractor(s) work and payment. The WisDOT will not pay any subcontractor or third parties directly.

## Confidentiality

Contractor acknowledges that some of the data and documentation it may become privy to in the performance of this contract is of a confidential nature. Contractor shall make all reasonable efforts to ensure that it or its employees and subcontractors do not disseminate such confidential information.

Contractor or its employees and subcontractors will not reuse, sell, or make use in any format the data researched or compiled for this contract for any venture, profitable or not, outside this contract.

Contractor agrees to observe complete confidentially with respect to all aspects of any confidential information, proprietary data and/or trade secrets and any parts thereof, whether such contents are the State's or the manufacturer's, bidder's, or distributor's whereby Contractor or any Contractor's personnel may gain access while engaged by the State or while on State premises.

The restrictions herein shall survive the termination of this contract for any reason and shall continue in full force and effect and shall be binding upon the Contractor or its agents, employees, successors, assigns, subcontractors, or any party claiming an interest in this contract on behalf of or under the rights of Contractor following any termination. Contractor shall advise all Contractors’ agents, employees, successors, assigns and subcontractors which are engaged by the State of the restrictions, present and continuing, set forth herein. Contractor shall defend and incur all costs, if any, for actions that arise as a result of noncompliance by Contractor, its agents, employees, successors, assigns and subcontractors regarding the restrictions herein.

## Liquidated Damages

This shall be surety for fulfillment of the contract(s) including quality, performance and delivery under the terms of this Request for Bid. Liquidated damages shall consist of $100.00 per calendar day for failure to deliver according to the contract terms. Liquidated damages will be deducted from payments on the invoice covering the late work, if the invoice is of sufficient amount to cover the liquidated damages. If the invoice is not of a sufficient amount to cover the liquidated damages on a particular work, the agency will request cancellation of the invoice and a credit to cover the balance.

## Firm prices

Prices must remain firm for the entire contract period. Prices established may be lowered due to general market conditions.

The awarded Contractor must hold the accepted costs for the entire contract period. WisDOT will review any adjustment of costs before the beginning of a contract renewal period.

## Invoicing Requirements

Invoices/Purchase Order:

WisDOT must meet a statutory mandate to pay or reject invoices within 30 days of receipt by WISDOT. Before payment is made, WisDOT must verify that all invoiced charges are correct as per this contract. Only properly submitted invoices shall be officially received for payment. Thus, your prompt payment requires that your invoices be clear and complete in conformity with the instructions below.

All invoices must be itemized showing:

* + - * Purchase order number
			* Vendor name
			* Remit to address
			* The complete product description as stated on your bid
			* Prices per the contract

Send invoices to the bill-to address shown on the Purchase Order.

## Reporting Requirements

WisDOT shall have the right to audit, review, examine, copy, and transcribe any pertinent records or documents held by the Contractor related to this contract. The Contractor shall establish, maintain, report as needed, and submit upon request records of all transactions conducted under the contract. All records must be kept in accordance with generally accepted accounting procedures. All procedures must be in accordance with federal, State of Wisconsin and local ordinances.

## Order of Precedence

In the event of contract award, the contents of this RFB (including all attachments), RFB addenda and revisions, the bid response from the successful bidder, and additional terms agreed to, in writing, by WisDOT and Contractor shall become part of the contract.

The following priority for contract documents will be used if there are conflicts or disputes:

1. The Contract Award document
2. Official Purchase Order
3. Bid response as accepted by WisDOT
4. WisDOT Request for Bid

## Completion Date

Contract award is expected within 7 calendar days of the bid date and the contractor shall provide the Certificate of Insurance in accordance with Section 2.4 of the Special Conditions. The contractor shall complete all work within the limits described under Section 1.3 Contract Term. Liquidated damages in accordance with Section 4.5 of the Special Conditions may be assessed for failure to complete the work within the contract term.

# BID PROCEDURE AND INSTRUCTIONS

## Reasonable Accommodations

The Department will provide reasonable accommodations, including the provision of informational material in an alternative format, for qualified individuals with disabilities upon request. If you require information in an alternate format in order to respond to this bid or if you need accommodations at a bid opening/vendor conference, contact: Kevin Diehl, 608-261-0124, kevin.diehl@dot.wi.gov or Wisconsin Telecommunications Relay System (TTY) at 1-800-947-3529.

## Questions

If a vendor discovers any significant ambiguity, error, conflict, discrepancy, omission, or other deficiency in this RFB they shall notify the Facilities Engineer named below of such error and request modification or clarification of the bid document.

Any communications or questions regarding the specifications, or special conditions of bid should be written and submitted to the purchasing agent shown on the bid cover sheet and below as soon as possible, but no later than May 4, 2018. Purchasing will respond to questions by issuing an official addendum, posted on VendorNet.

Any correspondence or submitted documents must include the bid number.

**Submit in writing via email to:**  Leanna.wall@dot.wi.gov

## Bid Submission

Bidders must submit the original and 1 copy of all required materials for acceptance of their bid by the date and time listed on the Bid cover sheet. Any bids received after that time and date will be rejected. Receipt of a bid by the State mail system does not constitute receipt of a bid by Purchasing, for purposes of this RFB. Also refer to the Bid Response Instructions. Use one of the options below for return of the bid. Faxed and e-mailed bids are not accepted.

***U.S. Mail:*** ***UPS, Fed Ex, etc.:***

Purchasing Purchasing

WI Department of Transportation WI Department of Transportation

4822 Madison Yards Way, South 4822 Madison Yards Way, South Tower

PO Box 7396 Madison, WI 53705

Madison, WI 53707-7396

All bids are to be packaged, sealed, and show the following information on the **outside of the package:**

* Vendor's Name and Address
* Request for Bids Kenosha SWEF Inspection Bay Rehab
* Request for Bids # XXXXX
* Bid Due Date XXXX

**Because of increased building security, access to the WisDOT Purchasing Office is restricted and may cause delay if hand delivering your bid. If hand delivering a bid, a vendor must notify purchasing at least 24 hours prior to delivery.**

## Site Review

The site will be open for inspection on July XX, 2018 from 9a-Noon.

## Method of Bid

Bidder must submit a unit price for each item and a total price as designated. All prices must be quoted in U.S. Dollars.

Bids requiring an order minimum shall be disqualified.

Bidder must bid on the enclosed bid price sheet. (Attachment H)

## Bid Response Requirements

In order for your bid to be considered, the following information must be provided. Fill out and submit your bid and 1 copy by the due date and time listed on the bid cover page. Include:

* Bid Cover (Signature) Pages
* Addendum Cover (Signature) Page(s), if applicable to this bid request
* Bid Price Sheet(s), Attachment F
* Vendor Information Sheet, Attachment A
* References Sheet, Attachment B
* Bidder Response Sheet, Attachment E

Failure to provide the forms/information with your bid submittal may disqualify your bid. WisDOT encourages all bidders to print their submission double-sided to save paper

## Incurring Costs

The State of Wisconsin is not liable for any cost incurred by a bidder in the process of responding to this RFB.

## E-Supplier Registration

Registration on the State of Wisconsin’s E-Supplier System (http://esupplier.wi.gov) is available free of charge to all businesses and organizations that want to sell to the state. Registration allows a vendor to:

* Register for a bidders list for commodities/services that the vendor wants to sell to the state.
* Receive an automatic e-mail notification each time a state agency, including the University of Wisconsin System campuses, posts a request for bid (RFB) or a request for proposal (RFP) with an estimated value over $50,000 in their designated commodity/service area(s).
* Receive an e-mail notification of addendums/amendments relative to the RFB or RFP.

**Only vendors registered, with a valid e-mail address, at the time the RFB or RFP is posted will receive e-mail notifications of addendums/amendments.** Vendors who obtain the RFB or RFP from a third party; through the public notice website <http://publicnotices.wi.gov>; or other means assume responsibility for checking for updates to the RFB or RFP.

Only vendors registered with the State of Wisconsin’s E-Supplier will receive future official notice for this service/commodity.

To obtain information on the state’s bidder registration, please visit the E-Supplier Web site at <http://esupplier.wi.>gov Assistance is available from the E-Supplier Information Center
(1-800-482-7813); in the Madison area, 264-7898.

# BID OPENING, ACCEPTANCE AND AWARD

## Bid Opening

Bids will be opened on the date and time listed on the front cover page. Names of the bidders will be read aloud at that time. WisDOT will issue an official addendum and post on VendorNet should a need to change the bid open date and/or time occur.

## Bid Acceptance

WisDOT shall review all materials submitted in response to this bid in an identical manner to determine specification compliance. Bids which do not comply with specifications contained in this RFB WILL be rejected by the State. The State retains the right to accept or reject any or all bids, or accept or reject any part of a bid deemed to be in the best interest of the State. The State shall be the sole judge as to compliance with the specifications contained in this RFB.

## Method of Award

The contract will be awarded to the lowest cost responsive, responsible bidder that meets the specifications.

## Minority Business Participation

The Wisconsin Department of Transportation is committed to the promotion of minority businesses in the State’s purchasing program. Authority for this program is found in Wisconsin Statutes 15.107(2), 16.75(3m), and 16.755.

Bidders who feel that they qualify, should seek certification from the Wisconsin DOA and mark “yes” on page 2 of the RFB. Details of program certification are located at: <http://www.doa.state.wi.us/index.asp?locid=169>.

Bidders are strongly urged to use due diligence to further this policy by setting up subcontracts to state-certified Minority Business Enterprises (MBE) and/or by using such enterprises to provide goods and services incidental to this contract (second-tier suppliers), with a goal of awarding 5% of the contract cost to such enterprises. An MBE means a business certified, or certifiable, by the Wisconsin Department of Administration under Statute 560.036(2).

Bidders must submit the attached WisDOT MBE / DVB Program Awareness, Compliance & Action Plan (Attachment C) indicating their proposed utilization of state-certified minority businesses for this contract. Contact the State’s Minority Business Manager for assistance in locating certified firms at (608) 267-3293 or the WisDOT Minority Business Program Coordinator at (608)-267-3293. A listing of State of Wisconsin certified minority businesses, as well as the services and commodities they provide, is on the State-certified MBE web site: [www.doa.wi.gov/mbe](http://www.doa.wi.gov/mbe)

Monthly reports (Attachment D) are requested to be submitted to the WisDOT Minority Business Program Coordinator, itemizing the deliveries and cost of items or services provided by certified firms. Reports should state the costs for the previous contract month. The Department reserves the right to verify with listed firms their involvement as subcontractors or second-tier suppliers.

## Disabled Veteran Owned Business

Wisconsin statutes support purchasing goods/services from Disabled Veteran-owned businesses located in Wisconsin. Bidders are strongly urged to use due diligence to further this policy by setting up subcontracts to state-certified Disabled Veteran-Owned Businesses (DVB) and/or by using such enterprises to provide goods and services incidental to this contract (second-tier suppliers), with a goal of awarding 5% of the contract cost to such enterprises. A DVB means a business certified, or certifiable, by the Wisconsin Department of Administration under Statute 16.283 (3).

"Disabled veteran" means a person who is verified by the Department of Veterans Affairs as being all of the following at the time the person applies for certification:

1. A veteran as defined in s. 45.01(12),
2. A resident of this state, and
3. A person who is in receipt of an award from the U.S. Department of Veterans Affairs of a service–connected disability rating under 38 USC 1114 or 1134 of at least 30%.

Bidders who feel that they qualify, should seek certification from the Wisconsin DOA and mark “yes” on page 2 of the RFB. Details of program certification are located: <http://www.doa.state.wi.us/section.asp?linkid=191&locid=0>

Monthly reports (Attachment D) are requested to be submitted to the WisDOT, Purchasing Unit, itemizing the deliveries and cost of items or services provided by certified DBV firms. Reports should state the costs for the previous contract month. Any use of DVB firms can be reported via e-mail to DOTTIPSCOrrespond@dot.wi.gov. WisDOT reserves the right to verify with listed firms their involvement as subcontractors or second-tier suppliers.

## Contract Cancellation

This Contract may be terminated by either party under the following conditions:

1. Please review section 13.0 and 24.0 of the Standard terms and Conditions of Bid. WisDOT may terminate the contract at any time at its sole discretion by delivering 30 days written notice to the Contractor.

If the problem is service performance, Contractor will be warned either verbally or in writing of unsatisfactory performance and intent to cancel this contract. Contractor will be given a period of time to ‘cure’ the performance. If the performance does not improve Contractor will be given 30 days written notice that the contract will be cancelled.

**Upon termination, WisDOT’s liability will be limited to the pro rata cost of the services performed as of the date of termination.**

1. In the event the Contractor terminates the contract, for any reason whatsoever, it will require written certified letter notification delivered to the Department purchasing agent not less than 30 days prior to said termination. The Contractor will, in turn, refund the Department, within 30 days of said termination, all payments made hereunder by the Department to the Contractor for work not completed.
2. If at any time the Contractor performance threatens the health and/or safety of WisDOT, WisDOT has the right to cancel and terminate the Contract without notice.
3. If the Contractor fails to maintain and keep in force the insurance as provided in #23.0 of the Standard Terms and Conditions, WisDOT has the right to cancel and terminate the Contract without notice. If the Contractor fails to maintain and keep in force required certificates, permits, and licenses will be cause for contract termination.
4. If at any time a petition in bankruptcy shall be filed against the Contractor and such petition is not dismissed within 90 calendar days, or if a receiver or trustee of Contractor's property is appointed and such appointment is not vacated within 90 calendar days, WisDOT has the right, in addition to any other rights of whatsoever nature that it may have at law or inequity, to terminate this Contract by giving 90 calendar days notice in writing of such termination.

## Certification for Collection of Sales and Use Tax

The State of Wisconsin shall not enter into a contract with a vendor, and reserves the right to cancel any existing contract, if the vendor or Contractor has not met or complied with the requirements of s.77.66, Wis. Stats., and related statutes regarding certification for collection of sales and use tax.

## Appeals Process

The appeals process applies only to those requests for bids for services that result in a contract greater than $50,000. Notices of intent to protest and protests must be made in writing. Protestors should make their protests as specific as possible and should identify Wisconsin Statutes and Wisconsin Administrative Code provisions that are alleged to have been violated.

The written notice of intent to protest the intent to award a contract must be filed with Dave Ross, Secretary, Wisconsin Dept. of Transportation, 4802 Sheboygan Avenue, PO Box 7910, Madison, WI 53707, phone number 608-266-1114, facsimile number 608-266-9912, and received in his office no later than five (5) working days after the notice of intent to award is issued.

The written protest must be received in his office no later than ten (10) working days after the notice of intent to award is issued.

The decision of the head of the procuring agency may be appealed to the Secretary of the Wisconsin Dept. of Administration within five (5) working days of issuance, with a copy of such appeal filed with the procuring agency. The appeal must allege a violation of a Wisconsin Statute or a provision of the Wisconsin Administrative Code

STATE OF WISCONSIN

DOA-3477 (R05/98)

**ATTACHMENT A**

**VENDOR INFORMATION**

1. BIDDING COMPANY NAME:

FEIN (Federal Employer ID Number) OR Social Security # (if Sole Proprietorship)

Phone ( ) Toll Free Phone ( )

Fax ( ) Email Address ( )

Address:

City State Zip + 4

1. Name the person to contact for questions concerning this bid.

Name Title

Phone ( ) Toll Free Phone ( )

Fax ( ) Email Address ( )

Address:

City State Zip + 4

1. Any vendor awarded over $25,000 on this contract must submit affirmative action information to the department. Please name the Personnel/Human Resource and Development or other person responsible for affirmative action in the company to contact about this plan.

Name Title

Phone ( ) Toll Free Phone ( )

Fax ( ) Email Address ( )

Address:

City State Zip + 4

1. Mailing address to which state purchase orders are mailed and person the department may contact concerning orders and billings.

Name Title

Phone ( ) Toll Free Phone ( )

Fax ( ) Email Address ( )

Address:

City State Zip + 4

**ATTACHMENT B**

**References**

**Vendor:**

Provide company name, address, contact person, telephone number, and appropriate information on the product(s) and/or service(s) provided to customers similar to those requested in this solicitation document. Potential subcontractors cannot be references. Any subcontractor arrangement for the completion of this work shall be listed on a separate id page.

**Company Name:**

Address (include Zip + 4)

Contact Person: Phone No.

E-Mail Address:

Product(s) Used and/or Service(s) Provided:

**Company Name:**

Address (include Zip + 4)

Contact Person: Phone No.

E-Mail Address:

Product(s) Used and/or Service(s) Provided:

**Company Name:**

Address (include Zip + 4)

Contact Person: Phone No.

E-Mail Address:

Product(s) Used and/or Service(s) Provided:

**Company Name:**

Address (include Zip + 4)

Contact Person: Phone No.

E-Mail Address:

Product(s) Used and/or Service(s) Provided:

**Attachment C**

**WisDOT MINORITY BUSINESS ENTERPRISE (MBE) PROGRAM**

**AWARENESS, COMPLIANCE & ACTION PLAN**

As a matter of sound business practice, the Wisconsin Department of Transportation is committed to “supply diversity” by promoting the use of minority business and disabled veteran-owned business whenever and wherever possible. Additionally, as an agency of the State of Wisconsin, WisDOT shares in the state goal of placing five (5) percent of its total annual purchasing dollars with state-certified minority and disabled veteran-owned businesses.

State of Wisconsin procurement policy provides that Minority Business Enterprises (MBE) and Disabled Veteran-owned Businesses (DVB) certified by the Wisconsin Department of Administration should have the maximum opportunity to participate in the performance of its contracts/projects.

You, as a contractor, are strongly urged to use due diligence to further this policy by awarding subcontracts to MBEs and DVBs by using such enterprises to provide goods and services incidental to this agreement (second-tier suppliers), with a goal of awarding 5% of the contract cost to such enterprises.

**Authority for these programs is found in Wisconsin Statutes 15.107(2), 16.283(3), 16.75(3m), 16.755 and 560.036(2), and details about the program can be found at:** <http://www.doa.state.wi.us/category.asp?linkcatid=677&linkid=113&locid=0>

Monthly reports are requested to be submitted to the Department of Transportation Purchasing Unit, itemizing the costs of services and goods provided by certified firms. Reports should state the costs for the previous contract/project month.

**Your complete response on the following form must address the following components of your company’s/organization’s commitment/action plan:**

1. Indication that you understand the **WisDOT’s goal,**
2. Listing of any **MBE/DVB vendors with which you intend to subcontract,**
3. Description of the various **second tier MBE/DVB expenses** (goods and services procured that are incidental to the contract/project; *examples are*: specific office supplies to perform the contract, percentage of cost for uniforms for contract staff, travel to perform the contract/project, percentage of facility maintenance services for your facility used directly by your staff during the contract/project period) your company/organization will be able to report that are in direct connection with the administration of this contract,
4. **Statement expressing your commitment** to complete the required monthly reports that will reflect your subcontracts and second-tier expenditures for the period.

For information on certified State of Wisconsin Minority Business Enterprises, please contact:

**June Robinson**

MBE Program Coordinator

WisDOT Division of Business Management

4802 Sheboygan Avenue, Room 751

Madison, WI 53705

Phone: 608-267-2886 Fax: 608-267-3609

 [www.dot.wisconsin.gov/business/mbe](http://www.dot.wisconsin.gov/business/mbe/index.htm)

june.robinson@dot.wi.gov

A complete listing of certified minority businesses, as well as the services and commodities they provide, is available on the web at: [www.doa.wi.gov/mbe](http://www.doa.wi.gov/mbe) and Information regarding certification of minority businesses is available at: <http://commerce.wi.gov/BD/BD-MBD-Index.html>

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **ATTACHMENT C****WisDOT MINORITY BUSINESS ENTERPRISE (MBE) PROGRAM****DISABLED VETERAN-OWNED BUSINESS (DVB) PROGRAM****AWARENESS, COMPLIANCE & ACTION PLAN** Complete, sign, and include in your bid response.Failure to complete this form as a component of your bid may result in rejection of your bid.

|  |  |  |
| --- | --- | --- |
| Our company/organization is a Wisconsin-certified Minority Business Enterprise (MBE)Our company/organization is a Wisconsin-certified Disabled Veteran-owned Business (DVB) | ⬜ Yes⬜ Yes  | ⬜ No⬜ No |
| Our company/organization is a minority business but has not yet received Wisconsin certification (please provide details): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Our company/organization is a disabled veteran-owned business but has not yet received Wisconsin certification (please provide details): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | ⬜ Yes⬜ Yes  | ⬜ No⬜ No |
| We are aware of the WisDOT’s goal to spend at least 5% of their total annual purchasing dollars with state-certified MBE /DVB firms. | ⬜ Yes  | ⬜ No |
| We are aware that if awarded this contract/project our company/organization will provide monthly or quarterly reports to WisDOT reporting all expenditure activity directed to MBE/DVB subcontractors or second-tier MBE/DVB suppliers that directly relate to this contract. (Any non-certified minority or non-certified disabled veteran-owned businesses could be a potential subcontractor/second-tier supplier--indicate these on your plan. WisDOT will work with those businesses for possible certification.) | ⬜ Yes  | ⬜ No |
| Subcontractors: Our company/organization intends to subcontract at least 5% dollar volume with certified MBE/DVB firms listed below (names, addresses, telephone numbers): | ⬜ Yes  | ⬜ No |
|  |
|  |

Second-tier Suppliers: In addition to direct subcontracting efforts, your company/organization can help WisDOT achieve the 5% goal by managing your second-tier MBE/DVB purchases. Second-tier business refers to incidental business expenses your company may spend with Wisconsin-certified MBE/DVB firms as it pursues the normal course of business supplying the WisDOT-contracted products or services. Here are some *examples*:* Percentage of your office supplies specifically used during the course of this contract/project.
* Percentage of uniform costs for staff performing this contract/project.
* If you travel to perform this contract/project, you could use a state-certified MBE travel agency and report that expense.
* Percentage of facilities maintenance services for facility(ies) directly used by your staff during the course of this contract/project.

These second-tier expenses can only be reported to the extent that they directly relate to your business with WisDOT. The percentage of the expense you can report is determined by the amount of your WisDOT sales as it relates to your total sales volume. Per the terms of your contract, you should actively pursue directing business towards these types of companies, and report your efforts in this regard on a monthly basis. \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*In paragraph form, describe your company/organization’s commitment/action plan with regard to the planned use of state-certified MBE/DVB businesses in subcontracting efforts, as well as developing MBE/DVB second-tier suppliers. Please list your specific commitments (attach sheet, if necessary).

|  |
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SIGNATURE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

PRINTED NAME & TITLE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

COMPANY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_PHONE NUMBER: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Attachment D

MINORITY BUSINESS

DISABLED VETERAN-OWNED BUSINESS

PARTICIPATION REPORT

Wisconsin Department of Transportation

DT1230 8/2006 s.16.75 (3m) Wis. Stats.

Instructions: Complete and submit to Wisconsin Department of Transportation by the 20th of each month.

|  |  |
| --- | --- |
| Return via FAX to:ORReturn via e-mail to: | 608-267-3609, ATTN: Purchasing Minority Business CoordinatorDOTTIPSCOrrespond@dot.wi.gov |

|  |  |  |  |
| --- | --- | --- | --- |
| Report Date | Contract / Purchase Order #  | Time Period Covered by Report |  |
|       |       | [ ]  Monthly: |       | through |       |
|  |  |  |  |  |  |
| Project Name / Contract Title      |
| Prime Vendor / Contractor Name      | Federal Employer Identification Number – FEIN      |

|  |  |  |  |
| --- | --- | --- | --- |
| Contractor Name, Address and Telephone NumberIndicate if MBE or DVB | Product / ServicePurchased | Subcontract$ Amount | Second Tier$ Amount |
|       |       |       |        |
|       |       |       |        |
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If no business was awarded to Minority Business Enterprises (MBE) or Disabled Veteran-owned Business (DVB) for this period, please describe the efforts made to encourage their business participation. If you have questions, please call the WisDOT Minority Business Program Specialist, 608-267-2886.

I certify that the information contained on this report is true and correct.

I also certify that I am an authorized representative of the above-identified Prime Vendor / Contractor.

|  |  |  |
| --- | --- | --- |
|  |  |       |
|  |  | (Prime Vendor/Contractor Authorized Representative Name)      |
|  |  | (Title) |

**Attachment E Numbering will change with each final version**

BIDDER RESPONSE SHEET

NOTE: THIS FORM SHOULD BE RETURNED WITH YOUR BID RESPONSE SECTION NUMBERS IDENTIFIED CORRESPOND TO THOSE SHOWN IN THE SPECIAL CONDITIONS OF BID.

 YES NO

2.1 Bidder has provided references as required.

* 1. Bidder will honor manufacturer’s warranty.
	2. Bidder will provide Certificate of Insurance if awarded the contract.
	3. Bidder will comply with terms on subcontracting.
	4. Bidder understands and agrees to the confidentiality clauses.
	5. Bidder agrees to terms regarding liquidated damages.
	6. Bidder will hold pricing firm the required term.
	7. Bidder understands invoice requirements.

* 1. Bidder agrees to terms regarding audit requirements.
	2. Bidder has completed and returned all forms required.
	3. Bidder agrees to terms regarding contract cancellation.

 6.6 Bidder must provide proof of, and will maintain current certificates, permits,

and licenses.

 Company Name (print or type) Bidder's name & title (print or type)

 Bidder’s Signature Date