



Central 70 Small Business Series Webinar #4- August 9, 2016

Prior Webinars & Today's Topic

- Webinar #1 - Project Summary and Timeline
- Webinar #2/Roundtable - Project Update & Discussion of Potential Obstacles for Small Businesses
- Webinar #3 - Project Update & RFP Outline/Highlights
- Webinar #4 - Project & RFP Update/Supportive Services Discussion



- Rebecca White, *Central 70 Communications and Government Affairs Manager*
- Erik Lacayo, *Central 70 Civil Rights Specialist*
- Katherine Williams, *CDOT Small Business Program Manager*
- Cathy Kramer, *Connect2DOT Program Manager*
- Project Website: <https://central70.codot.gov>

Project Status

- Four shortlisted developer teams responding to Request for Proposals (RFP)
- Third draft of RFP issued June 2015
 - Posted online
- Final RFP issued after Record of Decision on environmental study (EIS)
- Likely construction start ~ Spring 2018

Shortlisted Teams

Team	Equity Members	Lead Contractors	Lead Engineers	Lead Operators
Front Range Mobility Group				
Kiewit/Meridiam Partners				
5280 Connectors				
I-70 Mile High Partners				

RFP Draft #3: Project Agreement Overview

- <https://codot.gov/programs/high-performance-transportation-enterprise-hpte/projects/i-70/i-70-east-1/request-for-proposals-rfp>
- Project Agreement Section 17.5: Prompt Payment of Subcontractors
- Schedule 15: Federal and State Requirements
 - Appendix A: DBE/ESB requirements for the Construction Period
 - Appendix C: DBE/ESB requirements for the Operating Period
- Schedule 16: Mandatory Terms (for Subcontracts)



RFP Draft #3: Project Goals

	Disadvantaged Business Enterprise	Emerging Small Business	On-the-Job-Training	Local Hiring
Construction Period				
Design Services	11.6%	3%	N/A	760,000 total employment hours with [TBD] employment hours performed by new hires
Other Construction Work	12.5%	3%	200,000 employment hours	
Routine Maintenance	N/A		N/A	
Operating Period				
Routine Maintenance	N/A	\$850,000 (indexed) every five Contract Year period	N/A	N/A
Renewal Work	% to be established for each five Contract Year period	N/A	Number of employment hours to be established for each Contract Year	N/A

RFP Draft #3: Overview of Schedule 15, Appendix A

Appendix A: Construction Work Small Business Goals, Compliance and Plan Requirements

- Part I: Small Business and Disadvantaged Business Participation Plan
- Part II: Good Faith Efforts, Commitments and Counting
- Part III: Reporting Requirements

RFP Draft #3: Construction Period Commitments

- All commitments NOT required at beginning of the project
- At beginning of each contract year, developer must submit annual participation plan and commitments sufficient to meet annual participation goals.
- Developer may submit additional commitments throughout the year (no later than the 10th day of each month and no earlier than 90 days prior to the firm commencing work).
- Developer must obtain permission from CDOT to modify or terminate any existing DBE or ESB commitment.
- Exploring options for trucking firms.

RFP Draft #3: Good Faith Efforts (Construction Period)

- Various touchpoints during the Construction Period for the Developer to demonstrate and document to CDOT its good faith efforts.
 - Small and Disadvantaged Business Participation Plan (SDBPP) due prior to start of the Construction Period
 - Yearly DBE/ESB commitments
 - Monthly reports and monthly meetings
 - Self-assessments (semi-annual)
 - Final report at the end of the Construction Period
 - Yearly CDOT GFE evaluations
- If any goal not met, final GFE determination to be made by CDOT at the end of the Construction Period.
- Developer assessed a financial penalty if any goal is not met and has not demonstrated good faith efforts.

RFP Draft #3: Prompt Payment

- Under Revision:
- Ensure regular payments are made to small businesses
- Adopting software to track/monitor prompt pay and allow business to confirm payment

RFP Draft #3: Mandatory Terms - Dispute Resolution

- Subcontracts must contain a provision requiring binding arbitration for prompt payment disputes.
- Arbitration must be conducted in accordance with the American Arbitration Association's Construction Industry Arbitration Rules and Mediation Procedures.
- Arbitrator must be mutually agreed upon by the parties.
- Prevailing party shall be awarded costs. Arbitrator has discretion to split costs if there is no clear prevailing party.



Questions?

Developer Contract Requirements to Assist and Provide Information to Small Businesses:

- Team members dedicated to small business programs;
- Strategic plan for meeting small business goals which must be updated annually;
- Good faith efforts to meet all of the small business goals (solicitations, unbundling, etc.);
- Transparent reporting, prompt pay and dispute resolution procedures;
- Regular updates at CDOT Collaborative Forums
- Regular reports of upcoming subcontracting opportunities;
- Outreach event prior to construction;
- Collaboration in Connect2DOT LeadingEdge program; and
- Distribution of notices through Connect2DOT Newsletter.

Competitive Selection Process - Plan must address the following:

- Prompt payment measures that go above and beyond minimum requirements;
- Efforts to help with bonding and insurance;
- Innovative approaches to procurement/creating opportunities for small businesses;
- Other approaches/activities to aid small business development.

Supportive Services - CDOT's Connect2DOT Program

- Increase stakeholder awareness of CDOT's small business programs to increase participation and effective utilization of program resources.
- Increase the pool of ready, willing, and able certified firms through one-on-one consulting, strategic recruitment, and industry events.
- Improve business-related skills of certified firms to ensure that certified firms increase capacity.
- Improve DBE/ESB access to CDOT and subrecipient projects through technical assistance and training.

Supportive Services

- Connect2DOT Trainings & One on One Consultation
- Central 70 Small Business Development Series:
 - Leading Edge Curriculum (4-5 Weeks)
 - Bonding Education Program Curriculum (4-5 weeks)
 - Developer Specific Curriculum (4 weeks)

Supportive Services

What is Leading Edge?

Business development course designed to help emerging and disadvantaged firms determine the best growth strategy for their business and successfully perform on CDOT and other USDOT-funded projects.

Participants create an actionable business development plan and gain knowledge of strategic planning, financial management, targeted marketing and networking, estimating and bidding, and government contracting.

When will it occur? Fall 2016

Supportive Services

What is Bonding Education Program (BEP)?

Hands-on, multi-component program designed to address what businesses need to do to become bond-ready, as well as one-on-one sessions with local surety bonding professionals to help in assembling the materials necessary for a complete bond application.

When will it occur? Early to Mid 2017

Supportive Services

What will be in the Developer Series?

This is to be determined. It may include:

- How to find out about ongoing or new subcontracting opportunities.
- How to ensure prompt payment and request release of retainage.
 - Explanation of insurance and bonding requirements.
 - Other special contract requirements and processes.

We welcome suggestions for this series.

When will it occur? After Selection (Mid to late 2017)



Questions?



Next Steps: We want to hear from you!

Please complete the survey when you exit the webinar.