



WisDOT DBE Reporter

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AN E-NEWSLETTER FROM THE WISCONSIN DEPARTMENT OF TRANSPORTATION
OFFICE OF BUSINESS OPPORTUNITY AND EQUITY COMPLIANCE

Transportation Bill (MAP 21) passed for two years: The DBE Program continues

In July, Congress passed a new transportation bill for the next two years. The previous bill called SAFETEA-LU expired in September 2009 and now the new bill called Moving Ahead for Progress in the 21st Century Act (MAP-21) extends current law (SAFETEA-LU) for the remainder of FFY 2012, with new provisions for FFY 2013 and beyond taking effect on October 1, 2012. Funding levels are maintained at FFY 2012 levels, plus minor adjustments for inflation – \$40.4 billion from the Highway Trust Fund (HTF) for FFY 2013, and \$41.0 billion for FFY 2014.

MAP-21 creates a streamlined, performance-based, and multimodal program to address the many challenges facing the U.S. transportation system. These challenges include improving safety, maintaining infrastructure condition, reducing traffic congestion, improving efficiency of the system and freight movement, protecting the environment, and reducing delays in project delivery.

MAP-21 has a new approach to core formula program funding, authorizing a lump sum total instead of individual authorizations for each program. Once each state's share of the total is calculated, it is divided up by program within the state.

MAP-21 authorizes \$82 billion in federal funding for FFYs 2013 and 2014. For the State of Wisconsin the estimated apportionment for FFY 2013 is \$715, 259,547 and for FFY 2014 WisDOT will receive \$725,423,678 in federal funding.

WisDOT's overall annual goal is 11.9% which is set only on projects that have federal funding. The 11.9% overall Disadvantaged Business Enterprise (DBE) goal established in 2012 is set for three federal fiscal years, 2012 to 2014. The DBE Office plans to negotiate a new DBE overall goal for FFYs 2015 to 2018 in August 2014.

MAP-21 will continue without change funding two discretionary programs, the Disadvantaged Business Enterprise Supportive Services and On-the-Job Training Supportive Services, with more than \$200,000 awarded to WisDOT for FFY 2013. WisDOT will continue to use apportioned funds for small business concerns owned and controlled by socially and economically disadvantaged individuals and Transportation Alliance for New Solutions (TrANS), a surface transportation workforce development program.

MAP-21 continues to acknowledge the importance of access to federal and tribal lands with the creation of a unified program for federal lands transportation facilities, federal lands access transportation facilities, and tribal transportation facilities. MAP-21 also authorized another new discretionary program–Tribal High Priority Projects Program created for tribes that receive insufficient funding to carry out their highest priority project.

For more information on the Highway Transportation Bill MAP-21 go to www.fhwa.dot.gov/map21/summaryinfo.cfm

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Mission Statement: The Office of Business Opportunity and Equity Compliance (OBOEC) is dedicated to the assurance of civil rights and labor compliance, affirmative action, equal employment opportunity, and services for disadvantaged business enterprises for the Wisconsin Department of Transportation. It is the policy of WisDOT to support the fullest possible participation of firms owned and controlled by disadvantaged individuals in federal aid and state highway contracts within the state of Wisconsin. This includes assisting disadvantaged business enterprises throughout the life of contracts in which they participate.

WisDOT Disadvantaged Business Enterprise Additional Special Provision 3 Approved: What are the expectations?

Additional Special Provision 3 (ASP 3) Disadvantaged Business Enterprise Program spells out the requirements for implementation of the DBE program according to federal regulations 49 CFR Part 26. It is a practical guide that clarifies expectations established by FHWA. Effective January 2013 ASP 3 will be in all WisDOT highway work proposals and is currently a 14 page document that includes five appendixes. The appendixes provide additional clarification and guidance to contractors who are required to meet DBE goals and/or who request a Good Faith Effort Waiver. The appendixes are as follows:

- Appendix A: Sample Contractor Solicitation Letter
- Appendix B: Best Practices for Prime Contractor & DBE Subcontractor Good Faith Effort
- Appendix C: Types of Efforts considered in determining Good Faith Effort
- Appendix D: Good Faith Effort Evaluation Guidance
- Appendix E: Small Business Network (SBN) Overview

The main document has 18 sections providing detailed steps when engaging a DBE as a subcontractor. Although the entire document should be read carefully the following are major sections highlighted for this report: DBE Percentage at Bid Submission, the Department's DBE Evaluation Process (what to do if you meet the goal or if you do not meet the goal), Department's Criteria for Good Faith Effort, Counting DBE Participation, Commercially Useful Function, Trucking, and DBE replacement. The document also includes websites and contact numbers for further clarification and information.

The Office of Business Opportunity and Equity Compliance would like to thank the members of the TRANS-AC committee and ASP 3 subcommittee for their commitment to the completion of this document. To obtain a copy of the DBE ASP 3 document contact the DBE Office at (414) 438-4583 or (608) 266-6961.

Partnering for Employment Workshop (PFEW)

PFEW workshops provide information and materials on the Federal Highway Administration's Title VI/Nondiscrimination Program and WisDOT Equal Employment Opportunity Review Process. Both programs enable contractors to employ and retain employees, including those underutilized in the highway construction work force.

Registration will begin in March 2013

WisDOT Tribal Affairs staff receive service award

(MADISON) – The Wisconsin Department of Transportation (WisDOT) announces that staff of WisDOT's Tribal Affairs program received the 2012 AICCW Service to Wisconsin Indian Country Award from the American Indian Chamber of Commerce of Wisconsin (AICCW).

State Tribal Liaisons Kelly Jackson and Danielle Yancey were selected to receive the Wisconsin Indian Country award in late July, for their contributions to advancing WisDOT employment opportunities for American Indian construction workers and Native American Disadvantaged Business Enterprise access to support services.

The Tribal Affairs program at WisDOT represents the agency's continued commitment to Executive Order 39 and the Partnership Agreement between the agency and Wisconsin tribes. The state tribal liaisons work with regional tribal liaison staff and support WisDOT's Office of Business Opportunity and Equity Compliance involvement in the Tribal Affairs program.

The work of the Tribal Affairs program addresses areas ranging from cultural resource protection and historic preservation, business and labor development, to transportation safety.

For more information about WisDOT's Tribal Affairs, contact Tribal Liaison Kelly Jackson at (608) 266-3761 or visit the web site at www.dot.wisconsin.gov/local/aid/tribal-affairs.htm.



I-94 North-South Freeway Project Update (Milwaukee, Racine and Kenosha Counties)

DBE Contracts as of July 31, 2012	Construction Contracts	Design Engineering	Construction Management
Total Contracted Amount	\$571,685,772	\$102,738,621	\$57,791,186
DBE Contracted Amount	\$101,519,066	\$29,017,472	\$15,850,429
DBE Share	17.80%	28.24%	27.40%
Total Paid Amounts	\$491,557,629	\$99,453,133	\$41,703,508
DBE Paid Amounts	\$89,967,155	\$27,886,544	\$11,124,813
DBE Share Paid	18.30%	28.04%	26.68%



Verona Road Contracting Update (Dane County)

Design Contracts as of July 31, 2012

Total Contracted Amount	\$17,074,874
DBE Contracted Amount	\$3,452,010
DBE Share	20.2%
Total Paid Amounts	\$6,195,075
DBE Paid Amounts	\$1,447,702
DBE Share Paid	23.4%



I-39/90 Contracting Update (Dane County and Rock County)

Design Contracts as of July 31, 2012

Total Contracted Amount	\$32,063,036
DBE Contracted Amount	\$6,315,330
DBE Share	19.7%
Total Paid Amounts	\$6,594,200
DBE Paid Amounts	\$1,078,268
DBE Share Paid	16.4%



US 41 Corridor Expansion Project Update (Brown County and Winnebago County)

DBE Contracts as of July 31, 2012	Construction Contracts	Design Engineering	Construction Management
Total Contracted Amount	\$483,038,212	\$84,041,802	\$59,033,153
DBE Contracted Amount	\$40,952,013	\$18,738,139	\$27,836,988
DBE Share	8.50%	22.30%	47.20%
Total Paid Amounts	\$377,882,413	\$73,546,147	\$31,581,947
DBE Paid Amounts	\$32,251,048	\$14,956,682	\$16,491,475
DBE Share Paid	8.50%	20.30%	52.20%

WisDOT DBE Construction Summary Report

Federal Contracts DBE Overall Annual Goal 11.9%

Construction Projects (FFY November 2011 - August 2012)

Estimated FFY 2012 Federal Funds	\$514,981,721
FFY 2012 DBE Projections	\$61,282,825
Awarded Contracts Amount	\$921,713,699
Federal Contract Amount	\$514,981,721
Total DBE Committed	\$67,359,419
Total DBE Percent Committed	13.08%

SAVE THE DATES

**WisDOT Annual Tribal
Transportation Conference**

**December 11th & 12th
2012**

Lake of the Torches Resort Casino
510 Old Abe Road
Lac du Flambeau, Wisconsin

**27TH Annual Secretary's Golden
Shovel Awards and DBE Workshops**

**Friday, December 14th
2012**

Country Springs Hotel &
Conference Center
Waukesha, Wisconsin

In November 2012 look for separate Constant Contact[®] emails to register for these events.

WisDOT Mega Projects Construction Workforce Labor Hours

I-94 North/South Freeway Work Hours

Work Hours Update as of July 31, 2012

Total Hours Worked	2,307,256
Total Minority Hours Worked	426,164
Minority Share	18.47%
Total Female Hours Worked	57,906
Female Share	2.51%

US 41 Corridor Expansion Project Work Hours

Work Hours Update as of July 31, 2012

Total Hours Worked	1,590,894
Total Minority Hours Worked	88,492
Minority Share	5.6%
Total Female Hours	38,306
Female Share	2.4%