



VT Agency of Transportation

# How to Do Business With



# Vermont Agency of Transportation

David Dill  
Secretary of Transportation

# TABLE OF CONTENTS

1. Introduction.....	2
Useful Contacts.....	2
Useful Web Pages.....	2
2. Agency Vision & Mission .....	3
3. Agency Organization .....	5
Division of Finance and Administration .....	5
Division of Policy and Planning.....	5
Division of Program Development.....	5
Division of Operations .....	6
Department of Motor Vehicles.....	6
4. Contract Types.....	7
Vendor Contracts.....	7
Construction Contracts .....	8
Service Contracts.....	9
Engineering Related Design.....	9
Miscellaneous Service Contracts .....	9
5. Bidding Capital Construction Contracts .....	10
Prequalification.....	10
Types of Bonds.....	10
Invitation for Bids.....	11
Purchasing Plans, Specifications & Proposals .....	11
Purchasing a Standard Specifications Book .....	12
Disadvantaged Business Enterprise Participation Goals.....	12
Bid Openings .....	12
Contract Award.....	13
Checklist For Submitting a Bid .....	14
6. Acquiring Service Contracts .....	15
Services Advertised .....	15
List of Qualified Consultants.....	15
Consultants Short-Listed .....	15
Request for Proposals .....	15
VTrans Form AF38 .....	16
Technical and Cost Proposals.....	16
Evaluation and Ranking of Proposals.....	16
Consultant Selection .....	16
Secretary's Approval.....	16
Helpful Hints .....	17
7. Disadvantaged Business Enterprise Program (DBE Program).....	18
DBE Policy .....	18
DBE Certification.....	18
Supportive Services .....	19
Appendix A: Glossary of Acronyms and Terms .....	20

## 1. Introduction

The purpose of this booklet is to acquaint you with **the Vermont Agency of Transportation (VTrans)** and to provide basic information for doing business with us. There are three ways VTrans does business; they are:

1. Purchasing Materials
2. Contracting for Services  
(including Architect & Engineering contracts)
3. Construction Contracts

VTrans also conducts business activities via grants, leases, client services, etc. This booklet, however, is directed at firms seeking contracting/purchasing opportunities within VTrans.

### ***Useful Contacts***

Audit	828-3506	Operations	828-2709
Aviation	828-2587	Policy & Planning	828-2544
Civil Rights	828-2717	Public Transit	828-2828
Construction	828-2593	Rail	828-2760
Contract Administration	828-2641	Right of Way	828-2570
Environmental Permitting	828-5265	Roadway Design	828-2664
Legal	828-2831	Secretary's Office	828-2657
Local Transportation Facilities	828-2588	Structures	828-2621
Maintenance	828-2709	Technical Support	828-3876
Materials & Research	828-2561	Traffic Operations	828-2603

### ***Useful Web Pages***

VTrans Home Page	<a href="http://www.aot.state.vt.us">www.aot.state.vt.us</a>
Office of Civil Rights and Labor Compliance	<a href="http://www.aot.state.vt.us/civilrights">www.aot.state.vt.us/civilrights</a>
Office of Contract Administration	<a href="http://www.aot.state.vt.us/conadmin">www.aot.state.vt.us/conadmin</a>
Vermont Business Assistance Network (VBAN)	<a href="http://www.thinkvermont.com">www.thinkvermont.com</a>
VT Department of Buildings and General Services	<a href="http://www.bgs.state.vt.us/pca/bids/bids.php">http://www.bgs.state.vt.us/pca/bids/bids.php</a>
VT Secretary of State (business registration)	<a href="http://www.sec.state.vt.us">www.sec.state.vt.us</a>

## 2. Agency Vision & Mission

### VTrans Mission, Vision, & Goals

The Vermont Agency of Transportation's vision is a safe, efficient and fully integrated transportation system that promotes Vermont's quality of life and economic wellbeing.

VTrans' mission is to provide for the movement of people and commerce in a safe, reliable, cost-effective and environmentally responsible manner.

### **GOALS:**

**SAFETY:** Make safety a critical component in the development, implementation and maintenance of the transportation system.

- Objectives:
  1. Reduce employee first reports of accidents and injury from 208 to 175 by 2010.
  2. Reduce the number of annual major highway crashes to 350 or fewer by 2010, and achieve a rate of fatalities occurring in vehicle crashes to a five-year average below 1.0 per 100 million vehicle miles traveled.
  3. Enhance the safety and security of the state's airports, highways, rail system and public transit services.

**EXCELLENCE:** Cultivate and continually pursue excellence in financial stewardship, performance accountability, and customer service.

- Objectives:
  1. Deliver projects and services on time and on budget by:
    - a. Reducing the five-year average number of construction projects exceeding the original contract completion date to less than 15 percent by 2010.
    - b. Reducing the five-year average number of construction projects exceeding 105 percent of the original contract amount for construction to 25 percent by 2010.
  2. Improve the Agency's cash flow and utilization of funds through timely authorizations, billings and payments.

3. Design a comprehensive workforce development plan for implementation during 2009.
4. Continue to improve the service level the Agency provides its customers.

**PLANNING:** Optimize the future movement of people and goods through corridor management, environmental stewardship, balanced modal alternatives, and sustainable financing.

- Objectives:
  1. Inventory and assess by 2010 the condition of all transportation assets.
  2. For assets that are inventoried, align asset management target performance levels with the necessary financial resources described in the four-year Statewide Transportation Improvement Plan and develop by 2008 a five-year capital program.
  3. Plan, design, construct and maintain all projects in compliance with federal and state environmental laws, adhere to the Agency's environmental stewardship policy, and collaborate with other Vermont agencies and entities to develop effective and efficient ways to protect or enhance the environment.

**PRESERVATION:** Protect the state's investment in its transportation system.

- Objective:
  1. Maintain the state transportation system to the highest practicable physical condition.
  2. Annually develop a strategy that preserves the safety of and the mobility within all transportation modes.
  3. Increase utilization of alternative transportation modes such as aviation, rail, public transit and bike/pedestrian.

The Agency is currently developing Strategies that will help achieve these Objectives.

### **3. Agency Organization**

In 1975 four existing departments -- Highway, Motor Vehicle, Aeronautics, and Public Transit -- were combined by legislative action to form the Vermont Agency of Transportation (VTrans). The Vermont transportation system includes many elements: automobile and truck traffic, overnight express designed for business, vans for the disabled, public and private busing, air and rail passenger, freight, data collection and analysis, and extensive maintenance and refurbishing programs. The system has four major components: highways, railroads, airports, and public transportation facilities. The Secretary's Office oversees all activities of the Agency's Divisions: Finance and Administration, Policy and Planning, Program Development, Operations, and the Department of Motor Vehicles. The Agency's website is available at: [www.aot.state.vt.us](http://www.aot.state.vt.us).

#### ***Division of Finance and Administration***

The Division of Finance and Administration is comprised of: Audit, Information Technology, Budget and Financial Operations, Contract Administration, and Human Resources.

#### ***Division of Policy and Planning***

The Division of Policy and Planning is comprised of: Statewide Planning, Regional Planning, Long Range Planning, Traffic Research, Highway Research, Mapping and Policy Analysis. These offices provide comprehensive, coordinated transportation planning for improvements to our highways, airports, railroads, and other alternative transportation systems. This Division also includes the Office of Civil Rights and Labor Compliance which is responsible for ensuring compliance with all federal and state EEO/AA and labor requirements within the Agency and on all Department of Transportation funded projects. The Agency's goal of creating workforce diversity and a workplace free from harassment, intimidation, and discrimination is pursued through the development and administration of numerous programs and initiatives.

#### ***Division of Program Development***

The Division of Program Development is comprised of: Roadway Design, Structures Design, Construction, Pavement Management, Roadway, Traffic and Safety, Engineering, Local Transportation Facilities, Technical Services, Right of Way, Plan Support, Environmental Permitting, and Materials and Research. This Division purchases consulting assistance to supplement their staff activities.

These offices are responsible for:

- Project development, from the initial scoping through construction;
- Technical support to VTrans, twelve Regional Planning Commissions, Act 250 Commissions, town governments, and Vermont citizens; and
- Right of way, survey, utility coordination, traffic data, research, and environmental permitting.

### ***Division of Operations***

The Operations Division is made up of: Nine Maintenance Districts, Maintenance Programs, Maintenance Systems Management, Hazardous Waste and Materials Management, Agency Safety Office, Agency Landscape Coordination, Public Transit Program, Rail Program, Aviation Program, Central Garage, and Traffic Shop. This Division maintains State-owned transportation facilities by patching, plowing, sanding, repairing traffic signals, replacing signs, etc. to keep our facilities safe and efficient. It oversees expansion and repair of airports. The Division oversees operation, development, expansion and repair of the State's railroads, and administers leases for people and businesses that occupy and use Agency-managed properties.

### ***Department of Motor Vehicles***

The Department of Motor Vehicles is primarily responsible for vehicle registrations, driver licensing and examinations, and highway safety programs. Driver improvement activities include: the issuance of suspensions/reinstatements, enforcement of trucking regulations, and collection of motor fuel related revenues.

## 4. Contract Types

The Vermont Agency of Transportation is the largest contracting agency in State government, with an annual budget in excess of \$350 million dollars. More than one-half of the Agency's budget is expended in the form of outside contracts.

The three ways you can do business with the agency are through *vendor, construction, and service contracts*. Statewide responsibility for advertising and awarding all VTrans construction and service contracts are assigned to the Office of Contract Administration, while vendor contracts are administered by the Department of Buildings and General Services.

### **Vendor Contracts**

These contracts provide for the acquisition of the equipment, materials and supplies that the Agency (and all of State government) requires. Generally, vendor contracts are evaluated by a low bid process.

Vermont Statutes Annotated requires that the Commissioner of General Services contract for and make all purchases of material, equipment and supplies for the agencies of State government. The same statutes permit the commissioner to clarify certain types of purchases when the "best interests of the State" will be served.

The Agency Secretaries or Department Commissioners have the authority to make direct purchases from suppliers in amounts not to exceed \$1,000. The General Services Department, through its Division of Purchasing, competitively bids purchases of materials, equipment, and supplies costing in excess of \$1,000. Solicitations are sent to pre-registered vendors.

Businesses interested in providing products or services should contact:

Department of Buildings and General Services  
Purchasing and Contract Administration Division  
2 Governor Aiken Avenue  
Montpelier, VT 05633  
Tel: (802) 828-2210 or Fax (802) 828-2222  
**[www.bgs.state.vt.us/pca/bids/php](http://www.bgs.state.vt.us/pca/bids/php)**

## **Construction Contracts**

The Agency is responsible for contracts to construct, improve, repair, and maintain State highways, bridges, airports, railroads, and other transportation facilities. The Agency also administers contracts involving certain improvements to town and municipally-owned facilities. Projects vary in size, scope, and duration, and can range from preventive maintenance work valued in the tens of thousands of dollars to multiple-year projects valued in the millions of dollars. The Agency uses a sealed bid process, resulting in award of formal contracts to the lowest responsible bidder. Bidders must be prequalified to receive proposals. Bids must be submitted electronically. Contact the Agency's Office of Contract Administration. [www.aot.state.vt.us/conadmin](http://www.aot.state.vt.us/conadmin) for guidance.

The prime contractor on any project is required to perform at least 50 percent of the proposed work with its own forces (excluding specialty items of work). Work must be performed within the time constraints identified in the contract.

The Agency assigns a Resident Engineer (RE) to each project. The Resident Engineer is the Agency representative responsible for managing inspection activities to ensure that work is performed in accordance with the contract plans and specifications.

A contractor cannot be authorized to perform work outside the limits of the contract without a formal signed change order to the contract. The RE works with the contractor to resolve problems that arise and will recommend appropriate actions to be taken to advance the project. This may include the initiation of a change order when the need is justifiable.

The RE initiates progress payments based upon acceptable work performed. This is done on a bi-weekly basis. Partial payment for certain materials may be made prior to their incorporation into the project, as identified in the Agency's Standard Specifications under stockpiling of materials. Final payment is authorized after all work is completed, formally accepted by the Agency, and the contractor's submission of all required documentation.

## **Service Contracts**

Service contracts are used to acquire a variety of services (excluding construction contracts) which can be broken down into the two broad categories: 1) Engineering-related design; and 2) Miscellaneous. The need for a service contract is established when the Agency experiences lack of sufficient staffing or appropriate expertise. Depending on the type of service being solicited, consultants can compete for advertised work via the Request for Proposals (RFP) or competitive bid process. Service contracts are available at the Vermont Business Assistance Network (VBAN) at [www.thinkvermont.com](http://www.thinkvermont.com), or the Agency's Office of Contract Administration, [www.aot.state.vt.us/conadmin](http://www.aot.state.vt.us/conadmin).

### *Engineering Related Design*

These include all contracts for professional services such as design contracts for highways, bridges, airports, rail, survey, environmental, and other related services.

### *Miscellaneous Service Contracts*

These contracts typically involve janitorial services, hazardous waste removal, management studies, computer services, audit services, and training.

Once a service contract is awarded, it is assigned to a project manager who oversees the contract. The project manager reviews all work performed by the consultant, reviews and approves monthly billing invoices, approves contract amendments, and monitors work completion to ensure that work is delivered on time. All questions and correspondence regarding a service contract should be addressed to the project manager.

Always check with the project manager before doing any work not covered in the contract scope of services. Failure to do so may result in no reimbursement by the State.

The Agency also enters into a number of rental agreements each year for specialized equipment. These rental agreements are administered by the Agency's Operations Division.

## 5. Bidding Capital Construction Contracts

### *Prequalification*

Bid proposals are issued only to *prequalified bidders*. Prime Contractors must complete a questionnaire and confidential financial statement at least ten (10) days prior to bid deadline. Subcontractors are not required to be prequalified. **All Contractors and Subcontractors doing business in the State of Vermont must be registered with The Secretary of State's Office** (see [www.sec.state.vt.us](http://www.sec.state.vt.us), 802-828-2363).

### *Types of Bonds*

#### *Bid Bonds*

Bid proposals are not read unless accompanied by *a certified check or a bid bond* on forms furnished by the Agency. A bid bond on forms not furnished by the Agency will not be acceptable. The certified check or bid bond is in the amount of 5 percent of the contractor's bid, not to exceed \$50,000.

In lieu of a bid bond, a certified check may be submitted. The Agency requires that a **certified or bank cashiers check** in the amount specified in the bid announcement be submitted. **Personal or company checks are not acceptable.** The check should be made payable to Treasurer, State of Vermont.

#### *Labor and Materials Bond and Compliance Bond*

The successful bidder entering into a contract for any portion of work will be required to furnish the State sureties in the form of a labor and materials bond and a compliance bond, each equal to 100 percent of the contract awarded. The form of bond is described in the bid announcement and must be procured from an insurance company registered and licensed to do business in the State of Vermont. The bonds must guarantee the execution, faithful performance, completion of the contract, and the payment in full of all bills and accounts for material and labor used in the work.

### ***Invitation for Bids***

Invitation for Bids includes the following information: name and location of project, type of work, project completion date, bid closing date, bonding requirements, availability of plans, prequalification requirements, and contact for additional information. Generally, VTrans advertises construction projects weekly via a e-mass mailing to prime contractors, subcontractors, and suppliers. Contractors who would like to be placed on this mailing list to receive the *Invitation for Bids* as well as the *Results of Bids* (identifies winning bidders), should send their request to:

VTrans Office of Contract Administration  
National Life Building, Drawer 33  
Montpelier, VT 05633  
(802) 828-2641 or Fax (802) 828-5545  
**[www.aot.state.vt.us/conadmin](http://www.aot.state.vt.us/conadmin)**

The *Invitation for Bids* also appears in local and regional publications, Vermont Business Assistance Network, Department of Economic Development, (802) 828-5240 (**[www.thinkvermont.com](http://www.thinkvermont.com)**), and Construction Industries of Massachusetts, Inc., 1500 Providence Highway, Suite 14, PO Box 667, Norwood, MA 02062, (718) 551-0182, **[www.cimass.org](http://www.cimass.org)**.

### ***Purchasing Plans, Specifications & Proposals***

Construction bid plans, specifications, and proposal forms may be viewed and obtained through the VTrans' Office of Contract Administration. Their office is located at the North Lobby Entrance of the National Life Building and upon arrival, you will need to sign in and ask the front desk to notify Contract Administration. Prime Contractors must be prequalified by completing a *Request for Proposal and/or Plans*. There is a nominal, non-refundable fee for obtaining plans. Plans are available from:

VTrans Office of Contract Administration  
National Life Building, Drawer 33  
Montpelier, VT 05633  
(802) 828-2641  
**[www.aot.state.vt.us/conadmin](http://www.aot.state.vt.us/conadmin)**

Bid plans are available for **viewing** at the following locations:

Works in Progress, Inc.  
20 Farrell Street  
South Burlington, VT 05403  
(802) 658-3797 / (800) 286-3633 / **[www.worksinprog.com](http://www.worksinprog.com)**

Construction Industries of Massachusetts, Inc.  
1500 Providence Highway, P. O. Box 667  
Norwood, MA 02062  
(718) 551-0182 / [www.cimass.org](http://www.cimass.org)

AGC of New Hampshire  
48 Grandview Road  
Bow, NH 03304  
(603) 225-2701 / [www.agcnh.org](http://www.agcnh.org)

FW Dodge Plan Room  
880 Second Street  
Manchester, NH 03102  
(603) 645-6714 / <http://dodge.construction.com>

### ***Purchasing a Standard Specifications Book***

Project plans and specifications are used in conjunction with the Agency's current edition of the *Standard Specifications for Construction*. The latest edition may be purchased from the Office of Contract Administration.

### ***Disadvantaged Business Enterprise Participation Goals***

In FY 2008, the VT Agency of Transportation intends to expend 5.2 percent of the Federal financial assistance received from the Federal Highway Administration (FHWA), and 4.11 percent of the federal financial assistance received from the Federal Transit Administration (FTA), under the Transportation Efficiency Act (TEA-21) with small business concerns owned and controlled by socially and economically disadvantaged individuals (DBEs). It is the intent of the VT Agency of Transportation that this expenditure be obtained through a race and gender neutral program. However, if a project has a specified DBE goal, the Agency will only award the contract to the bidder who makes a good faith effort to meet it.

If you are interested in bidding for a project that has a specified Disadvantaged Business Enterprise (DBE) goal, be prepared to meet the goal or document your good faith efforts to achieve the goal on forms provided in the bid proposal package. Efforts toward goal attainment must be included with the submission of your bid. For further information or assistance, call the Office of Civil Rights and Labor Compliance (802-828-2715, [www.aot.state.vt.us/civilrights/dbe.htm](http://www.aot.state.vt.us/civilrights/dbe.htm)).

### ***Bid Openings***

Unless otherwise specified in the *Invitation for Bids*, sealed bids are received until 11:00 AM in the Contract Administration Office located at the National Life Building in Montpelier, and are opened shortly thereafter in the VTrans Boardroom at the same address. Contractors are invited to attend all bid openings.

**Contract Award**

Award of contract will be to the lowest **responsible** bidder whose proposal complies with all the provisions required to render it formal. No award will be made until all necessary investigations are made as to the responsibility of the low bidder.

The right is reserved to reject any or all proposals, to waive technicalities or to advertise for new proposals, if in the judgment of the awarding authority the best interests of the Agency will be promoted thereby.

## ***Checklist For Submitting a Bid***

- [ ] Is your full name, full address, federal identification number, and contract/project number on the outside of the sealed bid envelope?
- [ ] Double-check your computations, both numeric and written words. Every year we lose apparent low bids due to mathematical errors. Make sure your figures reflect your intent, and check your decimal points.
- [ ] Is your bid deposit (bid bond or certified check) attached to the front of your proposal cover sheet?
- [ ] Is your bid signed and notarized?
- [ ] Is your company name on the bid bond or certified check?
- [ ] Is your company name that you bid, the same name that is on the bid bond?
- [ ] Has bid bond information been provided on Agency forms? Note: Your bid will be rejected if bid bond is not on Agency of Transportation form.
- [ ] Verify that your bid deposit check is in the proper amount.
- [ ] If bidding on multiple projects, insure proposals are in the correct envelopes.
- [ ] Has the entire proposal and addendum been submitted as required? Check your plans and proposals to make sure they are complete and all pages are legible. In the event that any pages are missing or are illegible, replacements will be furnished free of charge by the Agency upon request.
- [ ] Have you acknowledged receipt of addenda on front of bid envelope?
- [ ] Do not change quantities unless directed to do so by addendum. Unauthorized alterations could lead to the rejection of your bid.
- [ ] Make sure that you have entered a bid on all items. If you intend to bid "0," use numeric and written symbols. If the items indicate a quantity, make sure you place the written words and numeric figure of your bid amount for each, then enter the amount of the extension (the product of the bid quantity times your unit bid price) in the total amount bid column. Leaving blank spaces can lead to rejection of your bid.
- [ ] If appropriate, has DBE participation information been provided on Agency forms?

## **6. Acquiring Service Contracts**

VTrans routinely solicits technical proposals from engineering firms for transportation capital expansion programs and existing facility modifications for highway, bridge, airport, rail facilities, bike/pedestrian paths, etc. The Agency sends out annual solicitation of consultant interest to firms wishing to compete for these design contracts. These services include design, survey, construction inspection, environmental, and other related services. As needed, the Agency also advertises for non-engineering services such as management studies, supportive services, planning, computer services, financial/auditing services, etc.

### ***Services Advertised***

In accordance with various state and federal regulations, the Agency advertises all opportunities for consultant services on the Vermont Business Assistance Network (VBAN) at [www.thinkvermont.com](http://www.thinkvermont.com). Advertisements for consultant services are also found on Contract Administration's web site at [www.aot.state.vt.us/conadmin](http://www.aot.state.vt.us/conadmin).

### ***List of Qualified Consultants***

The Office of Contract Administration maintains a list of qualified consulting firms, categorized by area of expertise. In order to be included on this list, submit Standard Form SF-330.

### ***Consultants Short-Listed***

After a scope of work is prepared, the Agency's Project Manager will prepare a recommended short list of firms to be sent a *Request for Proposal* (RFP). If there are insufficient qualified consultants, a field of consultants may be identified by other means (such as response to a Request for Qualifications or Letter of Interest).

### ***Request for Proposals***

Contract Administration, in conjunction with the Project Manager, prepares an RFP package that is mailed to firms on the short list and advertised. During the advertising period, any firm not short-listed, may also request an RFP package.

### ***VTrans Form AF38***

All firms submitting proposals must provide financial information. Typically, this is accomplished by completing VTrans Form AF38. Required information must comply with *48 CFR 31, Federal Acquisition Regulations, Contract Cost Principles and Procedures*.

### ***Technical and Cost Proposals***

The Agency generally requires the submittal of separate technical and cost proposals. Technical Proposals (only) are distributed to the Consultant Selection Committee (CSC). Cost proposals and other required cost information are sent to the Agency's Audit Section.

### ***Evaluation and Ranking of Proposals***

Technical Proposals are reviewed and evaluated by each member of the CSC separately. The proposals are reviewed in relation to the evaluation criteria outlined in the RFP, with a numerical assessment made for each firm.

The CSC meets and members present their assessment of each firm. The rankings, as determined by each committee member, are added together to form a compiled score for each proposal. The compiled highest score determines the CSC's final ranking of the technical proposal.

### ***Consultant Selection***

After both the technical rankings and cost evaluations have been taken into account, the CSC will recommend which proposal to accept. Individual CSC member responses are documented for this decision (the procedure for evaluating and ranking proposals may differ slightly depending on Federal Agency funding guidelines).

If a Qualification Based Selection (QBS) process is utilized then VTrans will negotiate cost with the highest ranked firm.

### ***Secretary's Approval***

Minutes of the CSC meeting, including an award recommendation, are prepared and forwarded to the Secretary of Transportation for approval.

Upon approval, Contract Administration notifies all firms of the Agency's decision and a contract agreement is prepared with the selected firm.

## ***Helpful Hints***

- [ ] Check with the Office of Contract Administration and make sure your firm is on the listing of qualified consultants.
- [ ] For those consultant firms who wish to compete for Agency contracts and who do not have a previous work record with the Agency, it will be necessary to “get your foot in the door.” This can be accomplished by contacting the Office of Contract Administration, who will direct you to the appropriate Agency Project Manager who should be aware of your firm’s expertise and capabilities. Also, the Agency holds occasional consultant information meetings.
- [ ] Firms who have been short-listed and asked to submit proposals should be responsive to DBE participation requirements.
- [ ] If your firm is not short-listed for a project which you feel qualified to perform, you can request an RFP by contacting the Office of Contract Administration.
- [ ] If your firm is awarded a service contract, you are required to be registered with the Vermont Secretary of State’s Office (**[www.sec.state.vt.us](http://www.sec.state.vt.us)**, 802-828-2363). Contracts will not be written until proof of registration is submitted.

## 7. Disadvantaged Business Enterprise Program (DBE Program)

### **DBE Policy**

VTrans provides the opportunity for maximum, equitable participation in the award of contracts to traditionally socially and economically disadvantaged businesses, including women and minority owned businesses.

VTrans requires, through contractual provisions, that all of its contractors, subcontractors, consultants, cities, towns, and all other recipients and sub-recipients of federal-aid funds administered by the Agency, ensure that disadvantaged business enterprises (DBEs) have the maximum opportunity to participate in the performance of contracts and subcontracts. In this regard, the Agency endorses a **Disadvantaged Business Enterprise Program**, as an affirmative means to fulfill the philosophy that all businesses, regardless of ownership, be allowed equal freedom and opportunity to compete for all contracts.

In brief, a “Disadvantaged Business Enterprise” (DBE) is defined as a small business concern which is at least 51 percent owned and controlled by one or more socially and economically disadvantaged individuals; The definition of “socially and economically disadvantaged individuals” and other related information is available at [www.aot.state.vt.us/civilrights/DBE.htm](http://www.aot.state.vt.us/civilrights/DBE.htm).

### **DBE Certification**

To participate as a DBE on federal contracts under the United States Department of Transportation DBE Program requirements, firms must first be certified by VTrans. Any firm providing transportation services that is eligible to be certified as a Disadvantaged Business Enterprise should download the application available on the website or contact:

Colleen Montague, DBE Program Manager  
VTrans Office of Civil Rights and Labor Compliance  
1 National Life Drive  
Montpelier, VT 05633  
(802) 828-2715 or (800) 356-1965 or Fax (802) 828-1047  
[www.aot.state.vt.us/civilrights/DBE.htm](http://www.aot.state.vt.us/civilrights/DBE.htm)

Once DBE certification is obtained, you will be counted toward meeting the Agency’s overall DBE participation goal on all federally funded contracts. These contracts offer a variety of opportunities and can benefit your firm financially. In addition, your firm will be listed in *VTrans’ DBE Directory*

A searchable DBE Directory is available on the VTrans web site and is also published in hard copy. It receives wide distribution throughout the State and the Region. It is included in all Agency bid proposals and is an excellent marketing tool for certified DBEs.

Other benefits of certification include:

- Reciprocity with other certification programs, including the Small Business Administration (SBA)
- Technical and management assistance and training
- Networking opportunities
- Other business development opportunities

### **Supportive Services**

The Office of Civil Rights and Labor Compliance provides technical and management assistance to certified Vermont-based DBEs. These services are available to eligible DBEs at nominal or no cost.

To request assistance under the DBE Supportive Services Program or to request further information, please contact:

Colleen Montague  
DBE Program Manager  
VTrans Office of Civil Rights and Labor Compliance  
1 National Life Drive  
Montpelier, VT 05633  
(802) 828-2715 or (800) 356-1965  
[www.aot.state.vt.us/civilrights/dbe.htm](http://www.aot.state.vt.us/civilrights/dbe.htm)

This booklet is intended to provide a brief overview of how VTrans administers its contracted services. If you have any specific questions, they should be directed to the Office of Contract Administration.

Again, we thank you for taking the time to read this booklet and hope it helps you to understand the basics of our contracting procedures. Please send us your comments, as we will be updating this document on a regular basis.

Revised January 2008

1/31/08

## **Appendix A: Glossary of Acronyms and Terms**

### **Acronyms**

BGS	Vermont Department of Buildings and General Services
CSC	Consultant Selection Committee
DBE	Disadvantaged Business Enterprise
RE	Resident Engineer
RFP	Request for Proposals
RFQ	Request for Qualifications
VTrans	Vermont Agency of Transportation

### **Terms**

**Bid Bonds** Bid proposals are not read unless accompanied by a certified check or a bid bond on forms furnished by the Agency. A bid bond on forms not furnished by the Agency will not be acceptable. The certified check or bid bond is in the amount of 5 percent of the contractor's bid, not to exceed \$50,000.

**Bid Openings** Unless otherwise specified in the Invitation for Bids, sealed bids are received until 11:00 AM in the Contract Administration Office located at the National Life Building in Montpelier, and are opened shortly thereafter in the VTrans Boardroom at the same address. Contractors are invited to attend all bid openings.

**Bonds** Insurance that covers losses sustained by a government agency if a contractor defaults.

**Buildings and General Services (BGS)** The Vermont department that makes all purchases of material, equipment, and supplies for all agencies of state government.

**Construction Contracts** The Agency is responsible for contracts to construct, improve, repair, and maintain State highways, bridges, airports, railroads, and other transportation facilities. The Agency also administers contracts involving certain improvements to town and municipally-owned facilities. Projects vary in size, scope, and duration, and can range from preventive maintenance work valued in the tens of thousands of dollars to multiple year projects valued in the millions of dollars. The Agency uses a sealed bid process, resulting in award of formal contracts to the lowest responsible bidder. Bidders must be prequalified to receive proposals.

**Consultants Short-Listed** After a scope of work is prepared, the Agency's Project Manager will prepare a recommended short list of firms to be sent a Request for Proposal (RFP). If there are insufficient qualified consultants, a field of consultants may be identified by other means (such as response to a Request for Qualifications or Letter of Interest).

**Contracts** Three types of contracts are let by VTrans: vendor, construction, and service.

**Department of Motor Vehicles (DMV)** The VTrans Department of Motor Vehicles is primarily responsible for vehicle registrations, driver licensing and examinations, and highway safety programs.

**Disadvantaged Business Enterprise (DBE)** Small business concern: (a) which is at least 51 percent owned by one or more socially and economically disadvantaged individuals, or, in the case of any publicly-owned business, at least 51 percent of the stock of which is owned by one or more socially and economically disadvantaged individuals; and (b) whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it. The definition of "socially and economically disadvantaged individuals" and other related information is available at [www.aot.state.vt.us/civilrights/default.htm](http://www.aot.state.vt.us/civilrights/default.htm).

**Disadvantaged Business Enterprise Program (DBE Program)** Certification and technical assistance to small business concerns owned and controlled by socially and economically disadvantaged persons. Administered by the VTrans Office of Civil Rights and Labor Compliance.

**Invitation for Bids** Generally, the Agency advertises construction projects weekly via a mass mailing to prime contractors, subcontractors, and suppliers.

**Labor and Materials Bond and Compliance Bond** The successful bidder entering into a contract for any portion of work will be required to furnish the State sureties in the form of a labor and materials bond and a compliance bond, each equal to 100 percent of the contract awarded.

**List of Qualified Consultants** The Office of Contract Administration maintains a list of qualified consulting service firms, categorized by area of expertise. In order to be included on this list, submit Standard Form SF-254.

**Prequalification** For construction contracts, bid proposals are issued only to prequalified bidders. Prime Contractors must complete a questionnaire and confidential financial statement at least five (5) days prior to bid deadline. Subcontractors are not required to be prequalified.

**Request for Proposals (RFP)** The Office of Contract Administration, in conjunction with the Project Manager, prepares an RFP package that is mailed to firms on the short list and advertised. During the advertising period, any firm not short-listed, but who is on the Agency's listing of qualified consultants for the type of work being advertised, may also request an RFP package.

**Request for Qualifications (RFQ)** A method of determining qualified bidders.

**Resident Engineer (RE)** VTrans representative responsible for managing inspection activities to ensure that work is performed in accordance with contract plans and specifications.

**Service Contracts** These are used to acquire a variety of services (excluding construction) which can be broken down into the two broad categories: 1) Engineering-related design; and 2) Miscellaneous. Depending on the type of service being solicited, consultants can compete for advertised work via the Request for Proposals (RFP) or competitive bid process.

**Standard Form 254** Complete this form in order to be placed on the list of qualified consulting firms.

**Standard Form AF38** All firms submitting proposals must provide financial information. Typically this is accomplished by completing VTrans Form AF38. Required information must comply with 48 CFR 31, Federal Acquisition Regulations, Contract Cost Principles and Procedures.

**Standard Specifications Book** Project plans and specifications are used in conjunction with the Agency's current edition of the Standard Specifications for Construction, available from the VTrans Office of Contract Administration.

**Technical and Cost Proposals** The Agency generally requires the submittal of separate technical and cost proposals. Technical proposals (only) are distributed to the Consultant Selection Committee (CSC). Cost proposals and other required cost information are sent to the Agency's Audit Section.

**Vendor Contracts** These provide for the acquisition of the equipment, materials, and supplies that the Agency (and all of State Government) requires. Generally, vendor contracts are evaluated by a low bid process.