

# DBE Transporter Newsletter



January 4, 2016 : Issue 4, Quarter 4

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## IMPORTANT DATES

2016 DBE Bidder's  
Registrations due  
January 1  
2016 DBE  
Conference  
March 1-2  
Alaska Construction  
Career Day, Palmer

 Join Our  
Mailing List

## Happy New Year!



On behalf of the ADOT&PF Civil Rights Office team, we would like to wish you and your business a Happy New Year! We look forward to working with you again in 2016 and administering another year of success in the DBE program.

Sincerely,  
The Civil Rights Office

## REMINDER: DBE Bidders Registration Annual Renewal

The Civil Rights Office would like to remind DBEs that are bidding on FHWA let projects in 2016 will need to renew their Bidders Registration. This is due on January 1 each year.

To register:

1. Visit [www.dotcivilrights.alaska.gov](http://www.dotcivilrights.alaska.gov).
2. Find the "Bidding Information" tab and scroll down and click "Bidders Registration".
3. Click Bidder Registration Form 25D-6.
4. Fill-in the form and submit to the CRO office. Instructions are on the form for submittal.

The ADOT&PF Bidders Registration List is updated at the beginning of each business week. For additional information, please call Adam Marks (907-269-0846). This list is neither an endorsement nor guarantee of the capability, dependability, or availability of any firm listed.

## Prompt Payment



April 19-20

Alaska Construction  
Career Day, Soldotna  
April 27-28

#### WEBSITE QUICK LINKS

[DOT Home Page](#)  
[CRO Home Page](#)  
[CRO Staff](#)  
[DBE](#)  
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How to become a  
DBE?

[DBE Application](#)

[Personal Net Worth  
Statement](#)

[DBE Brochure](#)

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(907) 269-4812

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#### NEW DBEs

All Wire Electric



Prompt payment and return of retainage is a topic of interest for all contractors. From prime contractors to subcontractors, both DBE and non-DBE alike, getting paid is very important. The importance of prompt payment and return of retainage is magnified for small businesses that tend to have tighter cash flow and less capital than larger firms. Additionally, DBE subcontractors are significantly - and, to the extent that they tend to be smaller than non-DBEs, disproportionately - affected by late payments from prime contractors. Late payment has the potential to create a barrier to the ability of DBEs to compete in the marketplace, and because of this and other reasons, it is a topic specifically addressed by state and federal regulations.

The definition of prompt payment, as it applies to the payment of subcontractors, is dependent on prompt payment from ADOT&PF to prime contractors. Alaska Statute (AS) 36.90.200(a) details payment deadlines and interest applicable to payments from ADOT&PF to prime contractors on federally funded construction contracts[1]. In most instances, ADOT&PF is required to pay prime contractors within 21 calendar days of the date that the Department receives a payment request that complies with the contract. The result of a failure by ADOT&PF to pay prime contractors promptly is detailed in AS.36.90.200(b), which requires interest to be paid to the prime contractor on the unpaid amount of a required payment[2].

49 CFR Part 26.29 details prompt payment mechanisms that ADOT&PF must have in place as a recipient of USDOT funds. To comply with federal regulations, USDOT funds recipients must include a contract clause requiring prime contractors to pay subcontractors (both DBE and non-DBE) for satisfactory performance of their contracts no later than 30 days from receipt of payment from ADOT&PF. State regulations have more stringent requirements than those provided for under federal regulations. AS 36.90.210(a)(1) requires that prime contractors pay subcontractors (both DBE and non-DBE) for satisfactory performance under their subcontracts within 8 working days after receiving payment from which subcontractors are to be paid. Additionally, AS 36.90.210 (a)(3) requires prime contractors to pay subcontractors interest on amounts that are not paid in accordance with AS 36.90.210(a)(1)[3].

Incentives to promote prompt payment exist, above and beyond interest charges on late payments to subcontractors. In accordance with state and federal regulations, ADOT&PF Standard Specifications for Highway Construction 109-1.06 identifies a prime contractor's failure to comply with prompt payment provisions as unsatisfactory performance, which may result in the withholding of payment. Additional mechanisms are in place, such as payment bonds, that provide a measure of security for contractors participating on federal aid contracts.

While enforcement mechanisms are in place, small businesses still face difficult decisions in deciding whether or not to take formal action against unresponsive prime contractors, for risk of jeopardizing future subcontracting opportunities. Open communication between subcontractors, prime contractors, and ADOT&PF project personnel can, and often does, help to resolve questions regarding prompt payment, while allowing subcontractors and prime contractors to maintain strong professional relationships.

Though multiple mechanisms are in place to promote prompt payment, situations may still occur that do not violate prompt payment provisions, but nonetheless delay payments to subcontractors beyond the norm. In situations such as these, adequate access to capital is very important, and various financing programs may be beneficial.

For more information about prompt payment, including information regarding available financing programs, please contact the ADOT&PF Civil Rights Office Support Services Section.

#### **2015 Alaska Construction Career Day (Ketchikan)**

On October 16, 2015, the Civil Rights Office and Vigor Marine hosted Alaska Construction Career Days: Maritime Trades at the Vigor shipyard in Ketchikan, AK. There were a total of 180 students from 4 school districts and 9 schools who participated in the event. The students learned a variety

Eagle River Drafting

G&S Management

Huddle AK

Hunter Creek Contract.

Innoko Gov. Services

Shadowman Trucking

Swanson & Associates

Swift River ENV.

of trades at ACCD to expose them to the growing maritime industry in Alaska. The students' favorite station was welding and electrical followed by the tour of the shipyard and M/V Taku.

The purpose of these Construction Career Days events are to expose under represented student populations to the trades in Alaska to help build a diverse workforce. We have received plenty of positive feedback for ACCD and the CRO looks forward to hosting this function again in FY17. Additionally, we encourage DBEs and other businesses to donate for these events. Donations can be made in the form of checks and sent to:

ADOT& PF Civil Rights Office  
PO Box 195900  
Anchorage, AK 99519-6900

The CRO would like to thank all vendors and volunteers involved to make this event happen; Alaska Marine Highway System, Alaska Commercial Diving, Federal Highway Administration, IBEW, Ketchikan Job Center, University of Alaska Southeast - Ketchikan, and Vigor Shipyard.

If you have any questions about Alaska Construction Career Day, please contact Matt deLaBruere at 907-269-0850 or [matt.delabruere@alaska.gov](mailto:matt.delabruere@alaska.gov) or learn more about the program by visiting, [www.alaskaconstructioncareerdays.org](http://www.alaskaconstructioncareerdays.org).



### 2015 Regional Directors Lunch Series

In November, the Civil Rights Office concluded their Regional Director meetings for both the Northern Region and South Coast Region. Plenty of participants attended and there was great dialogue concerning the DBE program updates. For more information on future meetings, please visit the CRO website.

The Regional Directors Lunch Series is a platform the CRO uses for DBEs to meet with key ADOT&PF staff and leadership. This allows DBEs to ask questions regarding regional construction forecasts, procurement processes, bidding, or any questions about how DOT conducts business. It also allows for discussion between DBEs and primes that attend. If you were not able to attend and would like to see the content that was presented, please find attached the [Power Point presentation](#) that was used for the events. The Power point details DBE program updates and other important information for DBEs planning to bid on FHWA let projects.

The CRO would like to thank all those who attended and would also like to give a special thank you to AGC for letting the CRO use their facility to host the Directors Luncheon in Fairbanks.



### **Future Connections Networking Social**

On December 7, 2015, the Civil Rights Office in partnership with Associated General Contractors (AGC) hosted its Future Connections event: a Disadvantaged Business Enterprise (DBE) & Contractor Networking Social. This two-fold event provided opportunities for DBEs to network one-on-one with Primes in efforts to foster future working relationships and recognize our industry partners who support the CRO DBE Program. Additionally, we recognized the Contractor of the Year and PSA Contractor of the Year. This year's winners are Granite Construction and DOWL. Thank you to all who participated and we look forward to seeing you there next year.





### Great Work! DBE Overall Goal

A BIG KUDOS to the following Prime Contractors who met, exceeded, or have come close to the Department's overall DBE Goal of 8.46% on contracts awarded since July 1, 2015  
**Central Region**

52797 & 53728 - HSIP: Anchorage Flashing Yellow Arrow Project  
Value of Award: \$4,631,344.00  
Contractor: NPC ENERGY SERVICES, LLC.  
DBE Commitment: 16.86% or \$781,000.00

Z509940000 - Glenn Hwy MP 49  
Value of Award: \$2,836,369.83  
Contractor: GRANITE CONSTRUCTION COMPANY  
DBE Commitment: 10.73% or \$304,445.00

57419 - Hooper Bay Airport Improvements  
Value of Award: \$25,767,875.00  
Contractor: KNIK CONSTRUCTION CO., INC.  
DBE Commitment: 6.18% or \$1,593,716.00

56727 & 58760 - Raspberry Rd, Jewel Lake to Minnesota Pavement Preservation & HSIP: Jewel Lake Rd at Raspberry Rd  
Value of Award: \$6,769,856.00  
Contractor: GRANITE CONSTRUCTION COMPANY  
DBE Commitment: 6.10% or \$413,010.00

**Northern Region:**

NFHwy00008 - Denali Hwy MP 120 River Encroachment  
Value of Award: \$382,202.00  
Contractor: SCARSELLA BROS. INC  
DBE Commitment: 10.47% or \$40,000.00

62125 - Richardson Hwy MP 2 Improvements  
Value of Award: \$961,509.50  
Contractor: HARRIS SAND & GRAVEL INC  
DBE Commitment: 9.09% or \$87,375.00

**Southcoast Region:**

69500 - JNU Glacier Hwy Multi-Use Separated Path to UAS  
Value of Award: \$2,092,727.00  
Contractor: SECON INC  
DBE Commitment: 17.72% or \$370,743.00

80665 - SGY Mine Mnt Repeater Power System Upgrade  
Value of Award: \$265,487.00  
Contractor: CHATHAM ELECTRIC INC  
DBE Commitment: 10.68% or \$28,350.00

Thank you for your continued support to the DBE Program.

**CRO FAQ**

**Q: Where in the contract language does it state about submitting your DBE Monthly Required Reporting?**

A: Statewide Special Provision 120-3.04(4) Monthly Required Reporting. On a monthly basis, the Contractor shall submit the Monthly Summary of DBE Participation, Form 25A-336, to the Engineer. Reports are due by the 15th of the following month. Also attach copies of canceled checks or bank statements that identify payer, payee, and amount of transfer to verify payment information shown on the form.

Inquiries or Questions please contact: Winnie Cichosz, [winnie.cichosz@alaska.gov](mailto:winnie.cichosz@alaska.gov) or Sarah Starzec, [sarah.starzec@alaska.gov](mailto:sarah.starzec@alaska.gov).

**SAVE THE DATE!**



**13th Annual DBE Conference**

**March 1-2, 2015**

Crowne Plaza, Anchorage

109 W. International Airport Road

Anchorage, AK 99518

RSVPs will be sent out in the first week of February. We look forward to seeing you there!

The ADOT&PF operates Federal Programs without regard to race, color, national origin, sex, age, or disability. Full Title VI Nondiscrimination Policy: [dot.alaska.gov/tvi\\_statement.shtml](http://dot.alaska.gov/tvi_statement.shtml). To file a complaint go to: [dot.alaska.gov/cvlrts/titlevi.shtml](http://dot.alaska.gov/cvlrts/titlevi.shtml)