

Addendum #3

Park City Municipal Corporation (PCMC)

Traffic Signal Preemption & Priority Control System RFP #613119

Date Issued: July 18th, 2017

The attached language and forms amends the DBE certification requirements and replaces the form in CER 7.6 DBE Approval Certification. Completion of each page of this certification is required to be submitted with all proposals.

Certified DBE firms can be located in the Utah Unified Certification Program (UUCP) Disadvantaged Business Enterprise (DBE) Directory on the Utah Department of Transportation website, or by following the link below. DBE firms must appear on this list in order to be counted as qualified DBE participants.

<https://www.udot.utah.gov/main/uconowner.gf?n=28520322600679367>

Proposals are due by 5:00 p.m., Friday, July 21, 2017.

CER 7.6 DISADVANTAGED BUSINESS ENTERPRISE (DBE) CERTIFICATION (1 of 3)

- a. This contract is subject to the requirements of Title 49, Code of Federal Regulations, Part 26, *Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs*. The national goal for participation of Disadvantaged Business Enterprises (DBE) is 10%. The agency's overall goal for DBE participation is **3.0%**. **A separate contract goal of 3.0% DBE participation has been established for this procurement.**
- b. The contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of this DOT-assisted contract. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy PCMC or UDOT deems appropriate. Each subcontract the contractor signs with a subcontractor must include the assurance in this paragraph (see 49 CFR 26.13(b)).
- c. Bidders/offerors are required to document sufficient DBE participation to meet these goals or, alternatively, document adequate good faith efforts to do so, as provided for in 49 CFR 26.53. Award of this contract is conditioned on submission of the following concurrent with and accompanying sealed bid:
 1. The names and addresses of DBE firms that will participate in this contract;
 2. A description of the work each DBE will perform;
 3. The dollar amount of the participation of each DBE firm participating;
 4. Written documentation of the bidder/offeror's commitment to use a DBE subcontractor whose participation it submits to meet the contract goal;
 5. Written confirmation from the DBE that it is participating in the contract as provided in the prime contractor's commitment; and
 6. If the contract goal is not met, evidence of good faith efforts to do so.

Bidders must present the information required above with initial proposals (see 49 CFR 26.53(3)).

- d. The contractor is required to pay its subcontractors performing work related to this contract for satisfactory performance of that work no later than 30 days after the contractor's receipt of payment for that work from PCMC. In addition, the service provider is required to return any retainage payments to those subcontractors within 30 days after incremental acceptance of the subcontractor's work by the PCMC and contractor's receipt of the partial retainage payment related to the subcontractor's work.
- e. The contractor must promptly notify PCMC, whenever a DBE subcontractor performing work related to this contract is terminated or fails to complete its work, and must make good faith efforts to engage another DBE subcontractor to perform at least the same amount of work. The contractor may not terminate any DBE subcontractor and perform that work through its own forces or those of an affiliate without prior written consent of PCMC.

CER 7.6 DISADVANTAGED BUSINESS ENTERPRISE (DBE) CERTIFICATION (2 of 3)

This Contract is subject to the requirements of Title 49, Code of Federal Regulations, Part 26, Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs.

The Contractor shall maintain compliance with “DBE Approval Certification” throughout the period of Contract performance.

The Contractor shall not discriminate on the basis of race, color, national origin or sex in the performance of this Contract. The Contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of this DOT-assisted Contract. Failure by the Contractor to carry out these requirements is a material breach of this Contract, which may result in the termination of this Contract or such other remedy as Park City Municipal Corporation deems appropriate. Each subcontract the Contractor signs with a Subcontractor must include the assurance in this paragraph (see 49 CFR 26.13(b)).

Proposals that are not accompanied by a properly signed and executed DBE Approval certification are subject to rejection as nonresponsive.

I hereby certify that the Proposer has complied with the requirements of 49 CFR 26, Participation by Disadvantaged Business Enterprises in DOT Programs, and that its goals have not been disapproved by the Federal Transit Administration.

I hereby certify that the Proposer has complied with the requirements of 49 CFR §26.49, Participation by Disadvantaged Business Enterprises in DOT Programs, and that its goals have not been disapproved by the Federal Transit Administration.

Authorized signature

Date

Name & Title of Proposer’s Authorized signature

CER 7.6 DISADVANTAGED BUSINESS ENTERPRISE (DBE) CERTIFICATION (3 of 3)

Please complete the following form detailing DBE participation with this proposal. If the DBE contract goal is not met please provide detailed evidence of good faith efforts used (include with proposal).

Names and addresses of DBE firms that will participate in this contract:

A description of the work each DBE will perform:

The estimated dollar amount of DBE participation shall be: \$

Bidder's commitment

Bidder's Name & Title: _____

Signature: _____

Date: _____

Participating DBE Commitment Confirmation

DBE's Name & Title: _____

Signature: _____

Date: _____

Please attach copy of UUCP DBE certificate with proposal (provided by participating DBE)