DBE Responsibilities Matrix - Rev 4-30-13

For ECS DBE questions, contact Mayline Wahinepio at mwahinepio@azdot.gov or ext. 7851 or Pat Glasmann at pglasmann@azdot.gov or ext. 4541.

Activity	ADOT Project Manager (PM)	ECS Contract Specialist (CS)	ECS DBE Compliance Specialist (DCS)	Business Engagement and Compliance Office (BECO)	Consultant
I. PRE-ADVERTISEMENT					
PM Initiates Contract	1. Enter contract information into eCMS: *Budget* tab -- Item #, Program FY, TRACS #, Fund Type, Amount (if applicable), Fed ID (if applicable) once federal approval is obtained. 2. Complete Cost Estimate module in eCMS (if project specific contract).	N/A	N/A	N/A	Work on "Good Faith Effort" (GFE) activities to locate DBEs to participate in the project.
Project Specific & On-call Contracts **= Race-conscious** (RC)	1. Complete the *DBE Goal Worksheet;* contact DCS for further assistance. 2. Provide lists of discipline-specific work and corresponding dollar values according to the project or Scope of Work (SOW). 3. Submit completed *DBE Goal Worksheet* to DCS for final BECO submission.	N/A	1. Coordinate w/ the PM to complete the *DBE Goal Worksheet* and send to BECO. 2. Enter date sent to BECO in eCMS' *Contract Dates* tab. 3. Upload worksheet to eCMS *Documents* tab. 4. Upload BECO Goal Response Letter to eCMS' *Documents* tab.	1. Review *DBE Goal Worksheet* to determine DBE goal percentage. 2. Send Goal Response Letter to DCS and PM within **10 business** days of request.	
Supplemental Services / Temp Tech Contracts **= Race neutral** (RN)	No action needed.	N/A	1. Email a copy of the SOW to BECO. 2. Enter date sent to BECO in eCMS' *Contract Dates* tab.	Send Goal Response Letter to DCS and PM within **10 business** days advising contract is deemed RN.	No GFE required.
Contract Language	N/A	Work with DCS to ensure DBE goal and correct DBE contract language (RC or RN) is used in eSOQ Package's sample contract boilerplate.	Confirm DBE language (RC or RN) is used in eSOQ Package's sample contract boilerplate.	N/A	N/A
SOQ Advertisement	N/A	Notify Contract Manager (CM) to upload eSOQ Package and include DBE goal on ECS website.	Enter DBE goal into eCMS.	Assist Consultant(s) in identifying certified DBEs <u>and</u> DBE's activities are DBE-certified disciplines.	Download eSOQ Package. Work on securing DBEs and document GFE activities to secure DBEs. Contact BECO if needed.
Pre-Submittal Meeting	Participate/make presentation at pre-submittal meeting, if needed.	1. Coordinate pre-submittal meeting and explain DBE goal, if needed. 2. Answer SOQ questions via amendments after pre-submittal meeting.	Upload list of Consultants who have expressed interest in a project by downloading eSOQ Package.	N/A	Indicate plans for meeting DBE goals or provide GFEs in SOQ.
II. AFTER CONSULTANT SELECTION					
Contract Negotiation **- Online Cost Proposal** (CP) **- Project Specific Contracts**	Review and negotiate hours.	1. Review and approve Cost Proposal (CP) considering the Pre-Award recommendation. 2. After negotiations conclude, ensure DBE goal is reflected in CP. 3. Complete *DBE Goal Cover Sheet* and send DBE Affidavits/GFEs to DCS.	1. Verify *DBE Goal Cover Sheet,* DBE Affidavits/GFEs calculations and DBE certifications. 2. Email *DBE Goal Cover Sheet* & DBE Affidavits/GFEs to **contractorcompliance@azdot.gov** 3. Use the following naming scheme in the email subject line: **"ECS (CP, TO#__, or CM#__) Affidavit, Contract # 20XX-XXX"**	Review the DBE goal, DBE Affidavits/GFEs and send a Response Letter to CS. **Note:** Refer to Section VI of this matrix (Dispute Process) for any DBE protest.	In eCMS, complete, submit and upload the required Consultant and Subconsultant DBE Affidavits/GFEs with the CP Package.

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Activity	ADOT Project Manager (PM)	ECS Contract Specialist (CS)	ECS DBE Compliance Specialist (DCS)	Business Engagement and Compliance Office (BECO)	Consultant
Contract Advance Notice to Proceed (ANTP)	1. Complete and secure approvals on ANTP; attach Fed authorization. 2. Forward to CS.	1. Review ANTP for completeness and comprehensiveness. Ensure Fed auth is included in the request. 2. If Consultant does not meet DBE goal, forward GFEs and *DBE Goal Cover Sheet* to DCS. 3. Execute ANTP once approved by BECO.	1. Review *DBE Goal Cover Sheet* and DBE Affidavits/GFEs for completeness & comprehensiveness. 2. Forward *DBE Goal Cover Sheet* and DBE Affidavits/GFEs to BECO. 3. Facilitate escalation process, if any.	Review DBE Affidavits/GFEs and send results to CS.	1. Submit GFEs to CS if unable to meet the DBE Goal. 2. Review and sign ANTP letter and return to CS.
III. NOTICE TO PROCEED - POST AWARD					
Create contract in ADOT DBE Management System (DBE System)	N/A	Send a copy of NTP letter to DCS.	1. Create contract in the DBE System. 2. Attach the *DBE User Manual* when emailing Consultant once the contract has been created in the DBE System. Remind Consultant to (a) add their Subconsultants in the DBE System and (b) upload Subconsultant's agreements in the DBE System. 3. Review each Subconsultant's agreement to confirm budget info in eCMS and inclusion of ADOT contract's Uniform Terms and Conditions for compliance in Sub's agreements.	N/A	1. Enter all Subconsultants, DBEs and direct expense vendors including all lower-tier Subconsultants in DBE System before submitting the first payment report (PR). 2. Upload Subconsultant Agreements for all Subconsultants in the contract. 3. Ensure contact information for each firm is accurate to provide immediate response to DBE System-generated audit notifications.
Modifications (Mods): • **Task Order (TO) ANTP** • **Post Design Svcs (PDS)** • **Additional Funding** • **Reduced DBE Award**	1. Complete contract modification/task order ANTP form. 2. Secure ADOT and Consultant approvals. 3. Forward to CS.	1. Review ANTP form for completeness and comprehensiveness. 2. If Consultant does not meet DBE goal, forward *DBE Goal Cover Sheet* and GFEs to DCS. 3. Execute contract Mod/ANTP once approved by BECO.	1. Review *DBE Goal Cover Sheet* and DBE Affidavits/GFEs for completeness & comprehensiveness. 2a. If **goal is met** and Affidavits have been sufficiently and correctly completed, approve and sign the *DBE Goal Cover Sheet* and return to CS for inclusin in backup documents. 2b. If goal is **not** met, and GFE is attached, review the GFE and if GFE is sufficiently and correctly completed, forward the GFE to BECO for review and approval/disapproval. 3. Print BECO's email response, attach it to GFE and *DBE Cover Sheet* and return all documentation to CS. 4. Facilitate escalation process as necessary.	Review DBE Affidavits/GFEs and email results within **10 business** days to DCS.	1. Submit GFEs if unable to meet the DBE goal. 2. Sign ANTP request form.
Throughout life of contract	1. Monitor DBE utilization to ensure compliance with the contract terms and conditions. 2. If Mods are made, ensure DBE percentage usage is maintained.	Submit *DBE Goal Cover Sheet* and GFEs to DCS when a Consultant is unable to meet the DBE goal for contract Mod.	1. Monitor monthly the DBE usage through eCMS and DBE System. 2. Review Subconsultant Agreements with DBEs. 3. Submit *DBE Goal Cover Sheet* and GFEs to BECO when a Consultant is unable to meet the DBE Goal.	1. Review and approve GFEs. 2. Provide guidance to Consultants and DBEs.	Required to meet DBE goals listed in final CP (RC or RN). • For RC, required to submit subcontract agreements with DBEs. • Provide GFEs when unable to meet the DBE goal.

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Activity	ADOT Project Manager (PM)	ECS Contract Specialist (CS)	ECS DBE Compliance Specialist (DCS)	Business Engagement and Compliance Office (BECO)	Consultant
Add or Remove Subconsultant Request: ▪ **Remove DBE** ▪ **Add DBE (Affidavits required)** ▪ **If unable to meet DBE goal, GFEs required**	Sign the *Add or Remove Subconsultant Request Form* and send to CS **prior** to making **any** changes affecting DBEs.	1. Send completed *Add Or Remove Subconsultant Request Form* to DCS. 2. If Consultant is unable to meet DBE goal or plan to remove a DBE, send *DBE Goal Cover Sheet* and GFEs to DCS. 3. Enter Subconsultant in eCMS contract once approved.	1. Review the completed *Add Or Remove Subconsultant Request Form* for **negative** DBE impact. 2. If a negative impact is found, send *DBE Goal Cover Sheet* and GFE to BECO for review and approval. 3. After securing BECO's approval, send to ECS Manager for final approval. 4. If no negative impact is found, send *Add Or Remove Subconsultant Request Form* to ECS Manager for final approval. 5. Return processed form to CS.	1. Approve DBE Affidavits/GFEs. 2. Assist Consultants in connecting with other DBE firms.	1. Complete *Add Or Remove Subconsultant Request Form* and send to PM for approval prior to making any changes. 2. Submit DBE Affidavits for new DBEs 3. Submit GFEs if unable to meet DBE goal or if removing DBEs 4. Add Subconsultant into DBE System. 5. Upload subcontract agreement once approved by ADOT.
Payment Reports (PRs)	1. Review and approve PRs and ensure all Subconsultants' (DBE and non-DBEs) payments are listed by firm. 2. Return to Consultants if Subconsultants' PRs are not listed separately.	1. Review and approve payment reports. 2. Enter all payment information in eCMS (Subconsultants, DBEs, etc.). 3. Upload PRs into eCMS *Documents* tab.	Monitor monthly the DBE usage (percentage) in eCMS. If DBE usage is lagging, check if there are GFEs and/or contact Consultant or Subconsultant and fully document the DBE monitoring activities undertaken. **Note:** Each month all eCMS payment reports "Executed to Accounting" and all Mods executed is imported to the DBE System. A list of contracts with '*new value*' and '*new end date*' will show up on the dashboard for all Mods. '*Payment Audits*' will show up on the dashboard for all payment reports. Go to each one individually and check payment and Mod amounts for accuracy and prompt payment compliance to Subs. Contact the Consultants on any discrepancies or late payments. For Mods, go into each one and confirm against info in eCMS; accept the *new value* or *new end date* amount and enter all budget amounts for Consultants and Supconsultants; list the Mod number it falls under and its execution date.	1. Work with DBEs to confirm Subconsultants' payments on DBE System. **Note:** Follow up with DBEs and Consultant as needed and advise DCS.	1. Submit payment reports (PRs) to ADOT **w/in 30 days** of receipt from Subconsultants' invoices (DBEs and non-DBEs). 2. Submit PRs monthly and identify all Subconsultant (DBE and non-DBE) payments made to vendors even if the Consultant payments or PRs is **zero** ($0.00). 3. Pay all Subconsultants (DBEs and non-DBEs) **w/in 7 days** in accordance with Arizona Prompt Payment Law (A.R.S. §28-411). 4. Send PRs directly to PM (list all Subconsultants invoices separately [DBEs and non-DBEs]). 5. Respond to DBE System audit notifications by logging on to the system and identifying payments made to all Subconsultants, lower-tier Subconsultants and direct expenses vendors. 6. Respond to any messages or prompts from the DBE System. **All Subconsultants (DBEs and non-DBEs):** 1. Respond to DBE System audit notifications by logging on to system to confirm payments received from Consultants. 2. Synchronize with Consultant's billing timeframe to ensure monthly invoicing and follow up regularly.

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Activity	ADOT Project Manager (PM)	ECS Contract Specialist (CS)	ECS DBE Compliance Specialist (DCS)	Business Engagement and Compliance Office (BECO)	Consultant
Payment Reports (PRs)	1. Review and approve PRs and ensure all Subconsultants' (DBE and non-DBEs) payments are listed by firm. 2. Return to Consultants if Subconsultants' PRs are not listed separately.	1. Review and approve payment reports. 2. Enter all payment information in eCMS (Subconsultants, DBEs, etc.). 3. Upload PRs into eCMS *Documents* tab.		1. Work with DBEs to confirm Subconsultants' payments on DBE System. 2. Follow up with DBEs and Consultant as needed and advise DCS.	1. Submit payment reports (PRs) to ADOT **w/in 30 days** of receipt from Subconsultants' invoices (DBEs and non-DBEs). 2. Submit PRs monthly and identify all Subconsultant (DBE and non-DBE) payments made to vendors even if the Consultant payments or PRs is **zero** ($0.00). 3. Pay all Subconsultants (DBEs and non-DBEs) **w/in 7 days** in accordance with Arizona Prompt Payment Law (A.R.S. §28-411). 4. Send PRs directly to PM (list all Subconsultants invoices separately [DBEs and non-DBEs]). 5. Respond to DBE System audit notifications by logging on to the system and identifying payments made to all Subconsultants, lower-tier Subconsultants and direct expenses vendors. 6. Respond to any messages or prompts from the DBE System. **All Subconsultants (DBEs and non-DBEs):** 1. Respond to DBE System audit notifications by logging on to system to confirm payments received from Consultants. 2. Synchronize with Consultant's billing timeframe to ensure monthly invoicing and follow up regularly.

IV. TASK ORDER PROCESSING OF DBE AFFIDAVITS/GFE

Activity	ADOT Project Manager (PM)	ECS Contract Specialist (CS)	ECS DBE Compliance Specialist (DCS)	Business Engagement and Compliance Office (BECO)	Consultant

TO Review and Approval	1. Negotiate final cost and approve each task order [TO]; keep in mind of the contract's DBE goal and ensure required DBE Affidavits are attached.
	2. Send all TO documents to CS.
	   - *TO by Contract Modification*
	   - Scope of Work
	   - Cost Proposal
	   - DBE Consultant & Sub Affidavits and/or GFE Form
		1. Review TO documents for accuracy and completeness to ensure they meet the contract requirements.
		2. Complete *DBE Goal Cover Sheet*.
		3. Send the *DBE Goal Cover Sheet* & DBE Affidavits/GFE to DCS.
			1. Verify *DBE Goal Cover Sheet,* DBE Affidavits/GFEs calculations and DBE certifications.
			2. Email *DBE Goal Cover Sheet* & DBE Affidavits/GFEs to **contractorcompliance@azdot.gov**
			3. Use the following naming scheme in the email subject line: "**ECS (CP, TO#__, or CM#__) Affidavit, Contract # 20XX-XXX**"
				Approve DBE goal, DBE Affidavits/GFEs and send a Response Letter to CS.
				Note: Refer to Section VI of this matrix (Dispute Process) for any DBE protest.
					Complete and submit required documents and DBE Affidavits/GFEs to PM.

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BECO Review and Approval	N/A	1. Notify PM once BECO's approval is received for TO. 2. Request Finance to set aside funding, obtain signature and execute the TO. 3. Notify PM and Consultant of TO approval.	N/A	Send review response to CS.	N/A
V. DISPUTE PROCESS					
BECO Disapproval (Affidavits and GFEs)	N/A	Notify PM and Consultant of BECO disapproval.	N/A	Send disapproval cover letter to CS.	Three (3) options after receipt of disapproval notification: 1) Make the required changes per BECO. 2) Withdraw TO or contract Mod. 3) Request dispute escalation, in writing, to DCS **within five (5) days** from ECS notification. Consultant has the burden of proof to provide documentation that they met GFEs.
Dispute Escalation (Four (4) possible levels)	Attend dispute escalation meeting.	N/A	Schedule and facilitate dispute escalation meeting.	Attend every level of dispute escalation meetings.	Attend dispute escalation meeting.
Dispute Escalation Meeting Decision (Approval or Disapproval)	Options if BECO disapproved: 1) Negotiate with the next highest ranked firm. 2) Await decision of next dispute escalation decision (if applicable) or await for final resolution.	1. Process TO or contract modification once approved by BECO. 2. Do <u>not</u> process TO or contract modification if BECO disapproves.	Schedule and facilitate dispute escalation meeting.	Make decision and notify Consultant, PM, CS and DCS **within five (5)** days.	Three (3) options after receipt of disapproval notification: 1) Make the required changes per BECO. 2) Withdraw TO or contract Mod. 3) Request dispute escalation, in writing, to DCS **within five (5)** days from ECS notification. Consultant has the burden of proof to provide documentation that they met GFEs.
VI. CONTRACT CLOSEOUT					
Final Payment and *Certification of Payments to DBE Firms*	Review and approve final payment.	1. Review final payment and *Certification of Payments to DBE Firms* form. 2. Return payment to Consultant if form is missing or incomplete. 3. Forward form to DCS.	1. Review form for completeness and comprehensiveness. 2. Reconcile payments in eCMS and DBE System. 3. Forward to BECO.	1. Review and comment for DBE final payment compliance. 2. Forward to CS and cc DCS.	Complete and submit final payment and *Certification of Payments to DBE Firms* form for **each** DBE with final payment to PM.
Initial Closeout Letter (ICL)	Confirm work is complete to the satisfaction of the State by completing the *Contract Status Form* (CSF) (3rd box of the form is checked).	1. Initiate final Consultant Evaluation in eCMS. 2. **After** Consultant's completion of **final** evaluation and upon receipt of BECO's DBE final payment compliance notification, generate and send *Initial Closeout Letter* (**ICL**) to Consultant.	1. Confirm and document DBE usage in eCMS. 2. Send all *Certification of Payments to DBE Firms* forms to BECO.	N/A	1. Send ICL response to ECS Compliance Branch with completed *Certification of Payments to DBE* form for **each** DBE firm. 2. Receive negative consultant evaluation score(s) if Consultant does not meet DBE goal requirement.