



PROJECT DELIVERY ACADEMY

DBE & OJT PROGRAM COMPLIANCE

DBE: DISADVANTAGED BUSINESS ENTERPRISE

OJT: ON - THE - JOB TRAINING

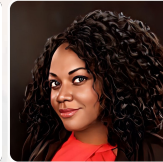
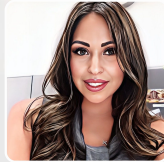
September 11, 2024

Meet the BECO DBE Compliance Technicians

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DBE & OJT Compliance Technician III



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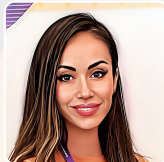
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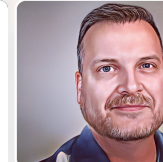
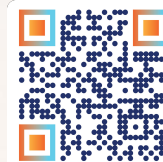
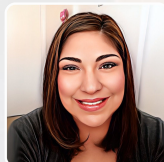
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BECCO

Business Engagement
and Compliance Office



DBE Program Regulatory Authority



DBE Program Overview & Compliance Requirements



OJT Program Regulatory Authority



OJT Program Overview & Compliance Requirements



BECO Connects



Reporting DBE Fraud



Questions & Resources

TOPICS OVERVIEW

DBE PROGRAM REGULATORY AUTHORITY



Title VI

Disadvantaged Business
Program Regulations



US Department of
Transportation



49 CFR 26

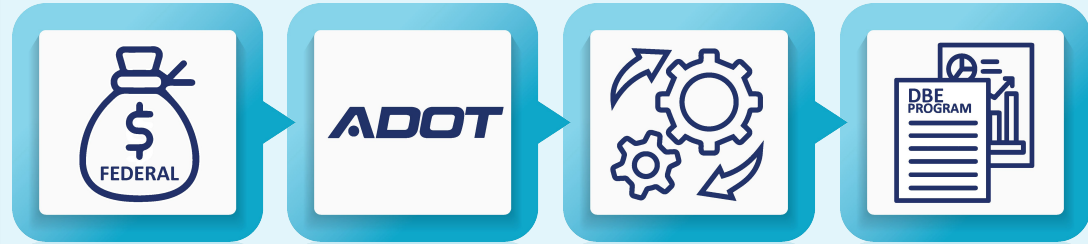
Civil Rights Act
of 1964



CFR

Revised as of April 1, 2015

DBE PROGRAM OVERVIEW



49 CFR 26



ADOT DBE
Program Plan



ADOT DBE Policy
SUP-3.05 DBE



ADOT DBE
Specifications



Ensure
non-discrimination



Create a level
playing field

DBE PROGRAM OBJECTIVES

DBE PROGRAM UTILIZATION

DBE requirements implemented and DBE utilization tracked by:



BECO reports DBE utilization semi-annually to:



ADOT

BECO

FHWA

Field Offices

Sub recipients

FTA

FAA

UTILIZATION

ADOT ANNUAL DBE GOAL

10/1/2021 to 9/30/2024

FHWA



12.55%

FTA



14.51%

FAA



10.69%



The background of the slide is a collage of US dollar bills. On the left side, there are several \$100 bills, including one with the serial number B 278013758 and another with AI 20510181 A. On the right side, there are \$50 bills, including one with the serial number 77001111. The bills are overlapping and slightly out of focus, creating a textured background.

DBE PROGRAM IMPLEMENTATION

Lack of
Implementation of the
DBE Program in Good
Faith may result in.....

... the ultimate
consequence:
Loss of Federal Funding

DBE PROGRAM CONDITIONS



DBE COMPLIANCE REQUIREMENTS



DBE & OJT
Goal
Assessment



AZUTRACS
Registration



DBE
Affidavits/
GFE and
Bidders List



ADOT DBE &
OJT Online
Reporting
System
(DOORS)



Payment
Reporting
and Prompt
Payment



DBE
Termination/
Substitution/
Reduction
(TSR)



Commercially
Useful
Function
(CUF)



Certification
of Final DBE
Payments
(COP)

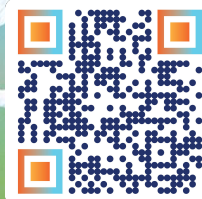


Meeting DBE
& OJT Goal
on the
contract

DBE & OJT GOAL ASSESSMENTS



Mandatory for all
FHWA projects (OJT
for construction only)



ADOT DBE & OJT
Contract Goal
Setting Application



User
Manual for
ADOT



Email
DBE Contract
Goals



AZ UTRACS Registration

Start AZ UTRACS Registration

AZ UTRACS Registration is a business registration required for all firms who wish to work on federally funded transportation projects in Arizona, including Prime Contractors and Prime Consultants, Subcontractors, Subconsultants, Disadvantaged Business Enterprises (DBEs), and Small Business Concerns (SBCs).

This registration satisfies a federal requirement ([49 CFR Part 26.11\(c\)](#)) that instructs ADOT to maintain a bidder's list to help the agency calculate its overall triennial DBE for FHWA, FTA and FAA funded contracts, as well calculate individual contract goals for FHWA funded contracts.

A benefit associated with completing this registration is that your firm is added to the AZ UTRACS Transportation Business Directory and a comprehensive firm profile is created, at no cost to your firm. This is used to advertise your firm's capabilities to the business community. This allows firms to find one another and partner to complete Arizona Transportation projects. The firm directory, where firm profiles are accessed, also helps firms find DBEs and SBCs needed to meet specific contract requirements.

AZ UTRACS:
Arizona Unified
Transportation Registration
and Certification System

ALL primes and subs, DBE
and non-DBE, must be
registered in AZ UTRACS



The ADOT DBE & OJT Online Reporting System (DOORS) allows firms to report or verify contract payments, monitor contract compliance, report and monitor OJT trainees and hours, and submit or renew DBE Certification applications.

ADOT DBE & OJT Online Reporting System

LOG IN

Account Access

Create an Account/Account Lookup

Forgot Password

DBE Certification & DBE/Firm Directory

Search for Firms in AZ UTRACS

Apply for / Renew DBE Certification

DBE/OJT Contract Compliance

Report & Monitor OJT Participation

Report Monthly Payments

Report & Monitor DBE Participation

Events - DBE & OJT Supportive Services

DBE Supportive Services Events

OJT Supportive Services Events

DOORS CONTRACT MANAGEMENT

All federal contracts are managed for
DBE & OJT compliance

1

Report payments (primes,
primes to all subs)

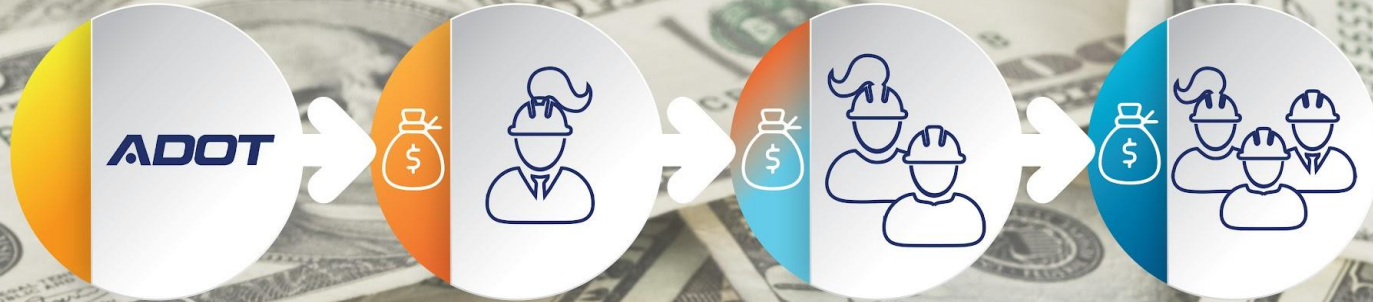
2

Monitor for prompt
payment compliance

3

Track utilization

PROMPT PAYMENT



Pay on Time



PAYMENT REPORTING

CONTRACTORS



DOORS



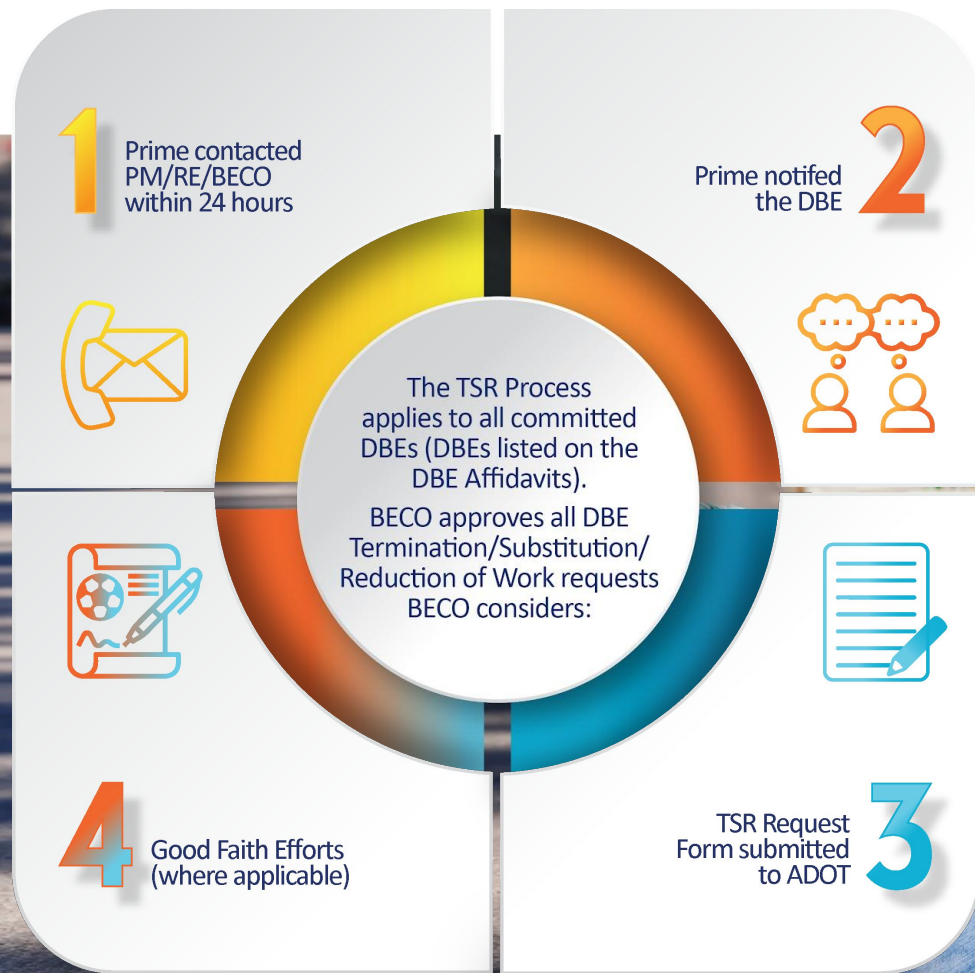
15th

SUBCONTRACTORS



45 days





CUF

DBE credit applied only
when it is determined
that the DBE is
performing a CUF

Only work performed by
the DBE counts toward
DBE participation

Work subcontracted to
non-DBE firms does not
count towards DBE
participation (except
trucking services)



CUF



BECO conducts all
CUF reviews:

- Construction
- Planning
- Engineering/
Design



All CUF
Determinations
are recorded
in
DOORS

COP

1

The COP certifies that the amount paid to the DBE counts towards DBE participation

2

A completed and signed COP for each DBE submitted by the contractor no later than 30 days after final payment to DBE

3

The COPs for each DBE are required for contract closeout

ARIZONA DEPARTMENT OF TRANSPORTATION

CONSTRUCTION CERTIFICATION OF FINAL DISADVANTAGED BUSINESS ENTERPRISE (DBE) PAYMENTS (Submit form for each DBE working on the contract)

The undersigned Contractor on TRACS No. _____ hereby, certifies that full payment was made, to the firm indicated for material and/or work performed under this project's contract as follows:

DBE FIRM AZ UTRACS Registration # _____

Name of DBE Firm _____ was paid the amount of _____

This certificate is made under Federal and State Laws concerning false statement. Supporting documentation for this payment is subject to audit and should be retained for a minimum of three years from project acceptance date. In the event the DBE was not paid in accordance with affidavits submitted by the prime contractor, all documentation supporting the contractor's position should be submitted.

I DECLARE UNDER PENALTY OF PERJURY IN THE SECOND DEGREE, AND ANY OTHER APPLICABLE STATE OR FEDERAL LAWS, THAT THE STATEMENTS MADE ON THIS DOCUMENT ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

Contractor Company Name: _____

Check One: ☐ Prime Contractor ☐ Subcontractor

Name: _____

Title: _____

Signature: _____

Date: _____

The undersigned subcontractor/supplier/manufacturer for the above named project hereby certified that payments were received and/or justification by the contractor is correct.

I DECLARE UNDER PENALTY OF PERJURY IN THE SECOND DEGREE, AND ANY OTHER APPLICABLE STATE OR FEDERAL LAWS, THAT THE STATEMENTS MADE ON THIS DOCUMENT ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

DBE Firm Name: _____

Check One: ☐ Subcontractor/Supplier/Manufacturer ☐ Lower-tier Subcontractor/Supplier/Manufacturer

Name: _____

Title: _____

Signature: _____

Date: _____

MEETING THE DBE GOAL



Only payments made to race-conscious DBE(s) (DBEs on the DBE Affidavits) count towards the DBE Goal



GFE is considered when determining if DBE Goal was met



BECO will confer with PM/RE if recommendation for sanctions are applicable

OJT PROGRAM REGULATORY AUTHORITY



US Department of
Transportation
Federal Highway Administration



23 CFR 230

23 CFR Part 230



ADOT OJT
Program Plan

ADOT OJT PROGRAM

Applicable to all
ADOT FHWA funded
construction
projects

All FHWA projects
must be assessed
for an OJT Goal
(not applicable to
LPA projects at this
time)

FHWA requires
that all OJT
results are
reported annually

ADOT's annual OJT Goal for 2022 is set at
3,000 OJT hours with 64 trainees

OJT PROGRAM OBJECTIVES

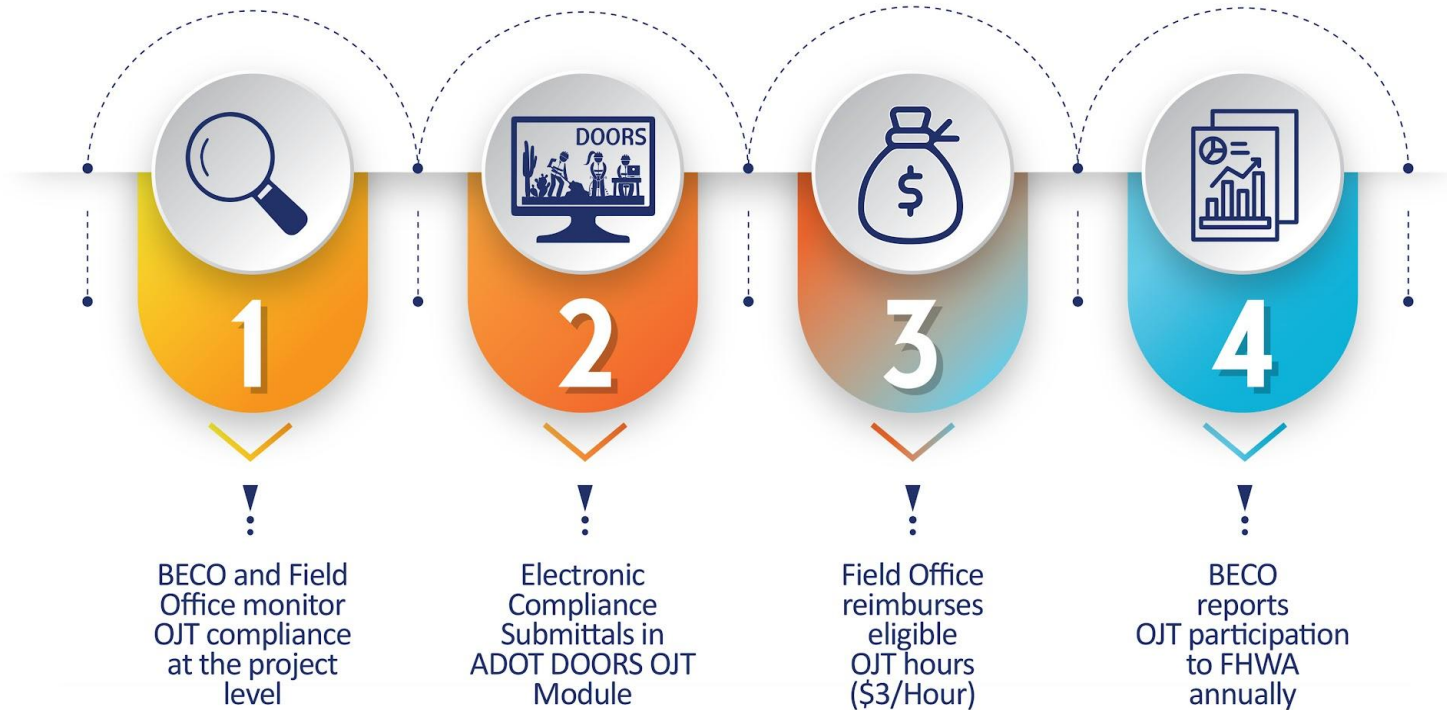


To offer equal opportunity for the training and upgrading of minorities, women, and disadvantaged persons toward journeyman status in the highway construction trades.



To improve the skills of the available workforce for Arizona's Federally-funded highway construction projects.

OJT COMPLIANCE REQUIREMENTS



FALSE, FRAUDULENT OR DISHONEST CONDUCT



Any appearance of fraud
or dishonest conduct in
working with DBEs must
be reported

Contact the OIG Hotline

Call: 1-800-424-9071
*(can be anonymous and/or
confidential)*

Email: hotline@oig.dot.gov



USDOT DBE/ACDBE FINAL RULES

Effective May 9, 2024



UPDATE

Ongoing training and guidance from BECO will be coming soon!

Please reach out with any questions you might have in the meantime.

ADOT DBE Program Updates:

[Presentation](#) on the USDOT DBE/ACDBE Final Rule Updates

[Recording](#): ADOT's Q2 DBE Task Force Workshop 7/4/2024

USDOT DBE/ACDBE Final Rule:

Link to the [Website](#) for updates
[USDOT Training Sessions](#) (Recordings)

Stay
Connected
with

BECO
CONNECTS



Brought to you by **ADOT**

Stay Connected with BECO Connects

BECO wants to connect with you! Fill out the form with your contact information and identify topics you are interested in learning more or questions related to DBE Supportive Services, DBE Compliance, OJT Supportive Services, OJT Compliance, or BECO Technology Team will connect with you within two business days from receiving the request.

 Switch account

* Required

Email *

Your email

Company Name

Your answer

Project No./TRACS# (if applicable)

Your answer

Stay connected with

BECO
CONNECTS



RESOURCES



AZUTRACS



ADOT DBE
Program Website



DOORS



ADOT DBE
Program Plan



49 CFR Part 26



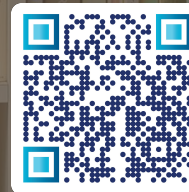
History of the
DOT Program



Federal Aid
Essentials Video
Library



USDOT Disadvantaged
Business Enterprise
Program



DBE Affidavit
Training

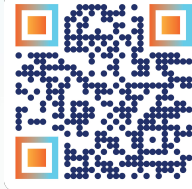
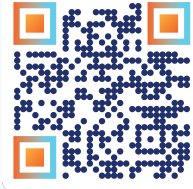


DBE and Payment
Compliance
Overview

CONTACT INFORMATION

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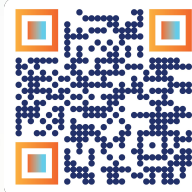


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DBE Compliance
Program Manager

Steve Haley

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Alternative Delivery
Projects Manager



Melanie Peterson

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Local Public Agencies/Sub-
Recipients Program Manager

BECO Compliance Mailbox

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BECO LPA Compliance Mailbox

LPAcontractorcompliance@azdot.gov

ADOT'S NONDISCRIMINATION NOTICE TO THE PUBLIC

The Arizona Department of Transportation (ADOT) hereby gives public notice that it is the Agency's policy to assure full compliance with Title VI of the Civil Rights Act of 1964, Title II of the Americans with Disabilities Act of 1990 (ADA), and other related authorities in all of its programs and activities. ADOT's Title VI and ADA Programs require that no person shall, on the grounds of race, color, national origin, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. Any person, who believes his/her Title VI or ADA rights have been violated, may file a complaint. Any such complaint must be in writing and filed with the ADOT Civil Rights Office within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. For additional information about ADOT's Civil Rights programs and the procedures to file a complaint contact ADOT Civil Rights Office via the information listed below:

KRYSTAL SMITH ADA/TITLE VI NONDISCRIMINATION PROGRAM COORDINATOR
KSMITH2@AZDOT.GOV

ADOT Civil Rights Office
206 S 17th Avenue, Mail Drop 155-A, Phoenix, AZ 85007
(602) 712-8946 azdot.gov CivilRightsOffice@azdot.gov

