

## Good Faith Effort Request Reference Document

This document is an example of the items that are required when requesting a reduction of the DBE contract goal. This document can be used as a guide by any contractor for both pre-award and post-award goal modifications. Contractors should provide all available documents listed on form 0188 and any additional documents that demonstrate a good faith effort to meet the goal.

For an application to be considered complete each GFE packet must include, all items described on Form 0188 (Contractor Good Faith Effort Application), and the following:

A cover letter addressed to the Good Faith Effort Committee, and should be sent to Patricia Collins, Administrator, Office of Business Development. Letters should include any relevant information explaining the circumstances surrounding the need for a goal modification.

A completed Form 0188 all pages

All subcontractor quotes from DBE and non-DBE contractors, truckers and suppliers for this specific project.

A complete explanation of why each not used DBE quote was not accepted, including an “apples to apples” comparison to clearly show differences in individual unit prices. (sample spreadsheet available upon request)

One or more actual documents showing all DBE firms contacted (copies of request for bids sent to DBE firms with the name of the DBE firms clearly identified; Fax confirmation sheets showing the date, fax number, name of DBE firm, confirmation the fax was sent; list of all DBE firms called time of call, person contacted and response; or email lists with time/day sent clearly indicated etc).

Request for quotes sent, as well as other efforts to contact DBE firms, must show the actual contract items being subcontracted (Cb-Bituminous, B-Concrete Pavement, etc). Item numbers being bid for a specific letting should also be included in the request for quotes. Blanket solicitations to DBE firms in work categories unrelated to the project work, or requests without specific work items are not a demonstration of good faith efforts.

Copies of newspaper, magazine or industry related website advertisements, for DBE Subcontractors. Generic request do not demonstrate a good faith effort. Advertisements must include information about the project(s) being bid, type(s) of work for which quotes are being solicited, and specific contact information.

Copies of all searches for eligible DBE's performed on the Michigan Unified Certification application online directory.

Any responses, or other correspondence of any kind provided by DBE firms regarding the project.

If identifying previous good faith efforts on other MDOT projects, include the actual amount paid to DBE's when calculating goal achievements, not just amount committed at the beginning of the project.

Contact these individuals if you have any questions:

Ebony Alexander  
517-241-4671  
[alexandere@michigan.gov](mailto:alexandere@michigan.gov)

Nick Sundberg  
517-241-4806  
[sundbergn@michigan.gov](mailto:sundbergn@michigan.gov)

This application is for consideration of a waiver or modification of the DBE contract goal. All supporting documentation and evidence of good faith efforts must be clearly labeled and submitted with this application, as specified below. Without such information, the application will be deemed incomplete and returned without review. The Department reserves the right to discuss the contents of the application with the applicant.

**PART A – APPLICANT INFORMATION**

APPLICANT NAME Johnny Johnson Incorporated				
ADDRESS	STREET	CITY	STATE	ZIP CODE
1122 Davison Lane, Suite 200 Farmington Hills, Mi				
PHONE NO. (248) 402-1000	FAX NO. (248) 989-5000	EMAIL ADDRESS jjohnson@johnsonincorporated.com		
CONTACT PERSON Mary Scott		TITLE Manager		

**PART B – PROJECT DESCRIPTION**

LETTING DATE 4-25-08	LETTING ITEM NO. 0804 011	
CONTRACT ID 42091-010101	JOB NO. & FEDERAL ID STP 0977(008)/HH1234	<input checked="" type="checkbox"/> Attach copy of the MDOT Advertisement or eProposal home page for this item.
ANTICIPATED START DATE (based on Progress Schedule) 8/25/08	EXPECTED COMPLETION DATE (based on Progress Schedule) 2/30/09	

**PART C – WAIVER OR MODIFICATION REQUEST INFORMATION**

DESIGNATED DBE GOAL 5.00 %	REQUESTED DBE GOAL 2.79 %	(Type of Request – Check one only) <input checked="" type="checkbox"/> Pre-award <input type="checkbox"/> Post-award
DESIGNATED DBE PARTICIPATION DOLLARS BASED ON ADVERTISED DBE GOAL (Total prime Bid \$ * DBE % Goal) \$46,944.61		

**PART D – PROJECT SUMMARY AMOUNTS**

CURRENT TOTAL PRIME BID	\$	938,892.23
TOTAL DOLLARS COMMITTED TO NON-DBEs (From line 16 below under Non-DBE commitment)	\$	110,697.35
TOTAL DOLLARS COMMITTED TO DBEs (From line 11 below under DBE commitment)	\$	26,139.25
TOTAL DOLLARS NOT COUNTED COMMITTED TO DBE SUPPLIERS (Total paid to DBE suppliers – 60%)	\$	
WORK TO BE PERFORMED BY PRIME (Prime Bid – Non-DBE Dollars – DBE Dollars)	\$	802,055.63
PERCENT OF WORK PERFORMED BY PRIME		85.43%
TOTAL DBE PARTICIPATION REMAINING	\$	20,805.36

**PART E – DBEs COMMITMENTS**

COMMITTED DOLLARS	DBEs COMMITMENTS (List only DBEs who have executed DBE participation forms. Attach MDOT Form 0178 copies)	TYPE OF WORK QUOTED	STATUS	DATE SUBCONTRACT OR P.O. EXECUTED
1 38100.00	Scissors & Sons, Inc.	curb, walks, QA/QC	DBE	6/23/08
2 19000.00	LeMay Enterprise	trucking	DBE	6//28/08
3.			DBE	
4.			DBE	
5.			DBE	

COMMITTED DOLLARS	DBEs COMMITMENTS (List only DBEs who have executed DBE participation forms Attach MDOT Form 0178 copies)	TYPE OF WORK QUOTED	STATUS	DATE SUBCONTRACT OR P.O. EXECUTED
6.			DBE	
7.			DBE	
8.			DBE	
9.			DBE	
10.			DBE	
11.	<b>57100</b>	<b>Total dollars committed to DBEs</b>	DBE	

**PART F – NON-DBE COMMITMENTS**

COMMITTED DOLLARS	NON-DBE COMMITMENTS List all non-DBE Subcontractors, truckers, materials/suppliers & other service providers you will use on this project.	TYPE OF WORK QUOTED	STATUS	DATE SUBCONTRACT OR P.O. EXECUTED
1	43652.79 Pears Contracting	striping	Non-DBE	6/24/09
2.	33480.00 Jackson Contracting	cold milling HMA	Non-DBE	6/24/09
3.	33844.00 Hart Brakes Control Company	traffic control	Non-DBE	6/28/09
4.			Non-DBE	
5.			Non-DBE	
6.			Non-DBE	
7.			Non-DBE	
8.			Non-DBE	
9.			Non-DBE	
10.			Non-DBE	
11.			Non-DBE	
12.			Non-DBE	
13.			Non-DBE	
14.			Non-DBE	
15.			Non-DBE	
16	<b>110976.790000</b>	<b>Total Dollars committed to Non-DBEs</b>	Non-DBE	

**PART G - DBEs QUOTED BUT NOT SELECTED**

QUOTED DOLLARS	DBEs WHO QUOTED, BUT WERE NOT SELECTED	TYPE OF WORK QUOTED	REASON NOT SELECTED
1.	105147.00 Becker Enterprises Of New York, LLC	traffic control devices	<input checked="" type="checkbox"/> Quote too high <input type="checkbox"/> Quote not complete <input type="checkbox"/> Other (Please attach explanation)
2.	44400.00 Charles Benck and Company	cold milling HMA	<input checked="" type="checkbox"/> Quote too high <input type="checkbox"/> Quote not complete <input type="checkbox"/> Other (Please attach explanation)
3.	77991.00 Peace of Mind Construction	struct adjust, curbs, walks	<input checked="" type="checkbox"/> Quote too high <input type="checkbox"/> Quote not complete <input type="checkbox"/> Other (Please attach explanation)



Guidelines for Contractors Submitting a Contract Waiver or Modification

When a Request for Waiver/Modification is submitted, 49 CFR, Part 26, Appendix A, criteria will apply. This regulation can be reviewed on the MDOT DBE Web site at, [www.michigan.gov/mdotdbe](http://www.michigan.gov/mdotdbe). However, contractors submitting a Waiver/Modification request should be prepared to address and discuss the following criteria/questions with the Good Faith Efforts (GFE) Review Committee members. The information below is not intended to be a mandatory list, nor is it intended to be an exclusive or exhaustive list. As is evidenced by Appendix A and these guidelines the quality, quantity and intensity of good faith efforts are important.

Criteria 1: "Offer of Work"

1. Did the prime contractor offer sufficient amount of work to meet the DBE goal?
2. Did the prime contractor offer work in economically feasible units?
3. Did the prime contractor offer work normally performed with bidders own work force?
4. Did the prime contractor notify qualified DBE firms?
5. Were notified DBE firms in close geographic proximity to the project?

Criteria 2: "Timely Notice"

1. Did the prime contractor send timely written (e-mail/fax) solicitation notices to certified DBE firms?
2. Did the solicitation notice include the following:
  - a. Name and location of project
  - b. Bid date
  - c. Scope of work requested
  - d. Location where DBE's can review plans and specifications
  - e. Date and time to submit quote
  - f. Contact name for technical assistance
  - g. Any special requirements

Criteria 3: "Finance and Bonding Outreach"

1. If requested by the DBE, did the prime contractor provide contacts for possible bonding, insurance and lines of credit?
2. If requested by the DBE, did the prime contractor provide technical assistance in these areas?

Criteria 4: "Prime Contractor Follow-Up"

1. Did the contractor maintain a "follow-up log" from the initial solicitation? The log must show:
  - a. Type of contact (fax, telephone, e-mail)
  - b. Name of contact person
  - c. Name of DBE firm
  - d. Date and time of DBE contacted
  - e. Response received
  - f. Reason for DBE not bidding project (if applicable)

Criteria 5: "Prime Contractor DBE Program Outreach and Support"

1. Did the prime contractor host DBE informational workshops, attend Michigan Department of Transportation (MDOT) sponsored DBE events; such as networking sessions, DBE conference, DBE/prime contractor meetings, etc.?
2. Did the prime contractor contact minority business organizations about DBE opportunities?

Note: DBE percentages submitted by the three lowest bidders, at time of bid, will be reviewed by the Good Faith Efforts Review Committee members.

# Johnny Johnson Incorporated

1122 Davison Lane, Suite 200 Farmington Hills, MI

Phone: 248-402-1000

Fax: 248-989-5000

Michigan Department of Transportation  
Murray D. Van Wagoner Building, P.O. Box 30050  
Lansing, MI 48909

Attn: DBE GFE Committee

Re: Request for DBE Modification  
MDOT 42091-010101  
Item No. 0804 011

Dear Ms. Collins,

Johnny Johnson, Inc. respectfully requests the attached modification for the 5% DBE goal established on the above referenced project. We have enclosed our documentation of our company's good faith efforts to meet the DBE contract goal.

The proposal set a DBE goal of 5% for this project. Using our low bid price and contract total of \$938,892.23 results in a DBE participation goal of \$46,944.61.

Our solicitation efforts, as outlined in the attached documentation, provided us with \$26,139.25 or 2.79% DBE participation. We, therefore, request the DBE goal be modified to 2.79%.

Johnny Johnson, Inc. provided a "good faith" effort to solicit DBE contractors prior to the bid has follows

- Actively participant in MDOT's and MITA's DBE conferences and committees to make ourselves available and present to DBE contractors.
- Held an Open House inviting all DBE contractors to attend in which we explained our advertising practices and bidding practices.
- Met with developing DBE firms to discuss subcontracting opportunities, our bidding procedures and standard contract terms.
- Advertised in the Michigan Contractor and Builder & on the MITA Website
- Directed interested contractors to our website so they can reference which projects we are bidding.

- Identified subcontracting work items available for each project and possible separation of work items to encourage DBE participation.
- Fax / Emailed solicitation notices detailing the projects we intended on bidding and our desires for the DBE to contact and I or quote us.
- Conduct Pre-Bid Phone calls to DBEs that have already been e-mailed and those in which we do not have an e-mail address.
- Discuss with our major subcontractors during pre-bid conversations and our need and desire for them to provide DBE participation within their quoted work items and/or let us separate out work items they may normally include, thus allowing for more DBE opportunities.
- Review quotes received, if a DBE contractor's quote was not low but close to the low quote, follow up with that contractor and clarify scope to see if a negotiated contract could be reached without breaching ethical standards.

Johnny Johnson, Inc. has defined 12 separate work categories on this project identified from the cost summary provided on MDOT's DBE website. After a search on MDOT's MUCP website there are 56 DBE's willing to do this type of work in Keweenaw County. Referencing the data included will further demonstrate that we received no quotes from DBE's within 6 of the 12 work categories.

Thanks You,

Mary Scott

DBE Staking Company  
 123 Anywhere St.  
 Detroit, MI 48825

Contact Name: Peter Smith  
 Phone: 313-555-1212  
 Email: peter@dbestake.net

**Contractor Staking Quote**

Item # 021

Letting 9/3/2009

**Project Description:**

0.15 mi of removal of merge lane, construction of a new median crossover, converting the existing intersection into a conventional signalized intersection, and bridge deck repairs on I-275 northbound off ramp to the 6 mile road intersection in the city of Livonia, Wayne County

Line No	Description	Bid Quantity	Unit	MDOT Number	Unit Price	Extension
0020	Contractor Staking	1	LS	1040001	\$2,850.00	\$2,850.00
0030	Staking Plan Errors and Extras, One Person	3	HR	1040020	\$0.03	\$0.09
0040	Staking Plan Errors and Extras, Two Person	1	HR	1040021	\$100.00	\$100.00
0050	Staking Plan Errors and Extras, Three Person	2	HR	1040022	\$0.03	\$0.06
1020	Monument Preservation Special	1	EA	8210011	\$750.00	\$750.00
<b>Quote Total</b>						<b>\$3,800.15</b>

**Notes:**

DBE Staking Company is MDOT DBE Certified

Amount of DBE Participation in this quote is 100% -

**\$3,800.15**

Johnny Johnson, Inc.  
1122 Davison Lane  
Suite 200  
Farmington Hills, MI

# Fax

**To:** ABC Concrete, Inc. **From:** Seth Peters  
**Fax:** 517-555-1213 **Pages:** 1  
**Phone:** **Date:** 7/2/2007  
**Re:** July Letting - Item 0707-256 **CC:**  
 Urgent  For Review  Please Comment  Please Reply  Please Recycle

We would appreciate receiving a quotation from you for Item 0707-256 from the July MDOT Letting. We are looking for quotations on the following items of work.

- Grading/Drainage Structures
- Crushing & Shaping
- Hot Mix Asphalt
- Signs & Barricades
- Pavement Marking
- Concrete Work

Please indicate on this form whether you plan on providing a quotation and fax back to 906-428-2823 immediately upon receipt of this fax.

- YES, we plan on sending you a quotation for the above-mentioned project.
- NO, we are not interested in quoting this project. (Please state reason for not quoting)

We are also seeking truckers willing to haul bituminous asphalt material. Please indicate below if you are interested in hauling material for us on this project and fax back upon receipt.

- YES, we are willing to provide trucking services on this project.
- NO, we are not interested in trucking on this project. (Please state reason)

Please fax your quotations to the same number by Thursday, July 5<sup>th</sup> 2007, 12:00 noon.

Fax would not go through.  
mailed certified mail 7/2/07

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Sample Fax Solicitation

**From:** icadmin  
**Sent:** Wednesday, October 14, 2009 11:43 AM  
**To:**  
**Subject:** Fax Successfully Sent to 3LK Construction  
**Attachments:** FAX451279149.I3F

Fax was successfully sent  
Remote Name: 3LK Construction  
Remote TN: 1 (313) 493-9091  
Fax Device: FaxDevice\_5\_3  
Transmission Rate: 14400  
Sender:

[ID: 2001053126]

Sample

Sample Fax Solicitation Failure Notice

**From:** icadmin  
**Sent:** Wednesday, October 14, 2009 12:48 PM  
**To:**  
**Subject:** IC Fax: Fax Send Failure to 2486852176  
**Attachments:** Fax.I3F

10/14/09 12:28:42: Fax Queued for Send  
10/14/09 12:28:43: Station Not Active  
10/14/09 12:29:32: Station Not Active  
10/14/09 12:30:32: Station Not Active  
10/14/09 12:31:07: Station Not Active  
10/14/09 12:31:50: Station Not Active  
10/14/09 12:32:38: Station Not Active  
10/14/09 12:33:09: Station Not Active  
10/14/09 12:33:48: Station Not Active  
10/14/09 12:34:20: Station Not Active  
10/14/09 12:34:52: Station Not Active  
10/14/09 12:35:53: Station Not Active  
10/14/09 12:36:26: Station Not Active  
10/14/09 12:37:21: Station Not Active  
10/14/09 12:37:53: Station Not Active  
10/14/09 12:38:25: Station Not Active  
10/14/09 12:39:34: Sending Fax to 73743529 On Fax Station FaxDevice\_5\_2 with callid 2001053323  
10/14/09 12:39:34: No Circuit Available  
10/14/09 12:40:42: Sending Fax to 73743529 On Fax Station FaxDevice\_5\_4 with callid 2001053329  
10/14/09 12:40:42: No Circuit Available  
10/14/09 12:41:23: Sending Fax to 73743529 On Fax Station FaxDevice\_5\_3 with callid 2001053331  
10/14/09 12:41:23: No Circuit Available  
10/14/09 12:42:17: Station Not Active  
10/14/09 12:43:03: Station Not Active  
10/14/09 12:43:50: Station Not Active  
10/14/09 12:44:33: Station Not Active  
10/14/09 12:45:19: Station Not Active  
10/14/09 12:45:55: Station Not Active  
10/14/09 12:46:36: Station Not Active  
10/14/09 12:47:46: Sending Fax to 73743529 On Fax Station FaxDevice\_5\_1 with callid 2001053367  
10/14/09 12:47:46: No Circuit Available  
10/14/09 12:47:46: No more retries on this fax



E-Mail Distribution List	
3LK Construction, LLC	<a href="mailto:lorenzo@3lkconstruction.com">lorenzo@3lkconstruction.com</a>
5 Star Engineering, PC	<a href="mailto:dave@5se.biz">dave@5se.biz</a>
A & B Trucking, Inc.	<a href="mailto:peggy.wolfe@smartservices.com">peggy.wolfe@smartservices.com</a>
Accurate Property Management of MI, Inc.	<a href="mailto:pmosesofapm@gmail.com">pmosesofapm@gmail.com</a>
Ace Steel Erection, Inc.	<a href="mailto:rpou@aol.com">rpou@aol.com</a>
Advanced Underground, LLC	<a href="mailto:sheila_aui@yahoo.com">sheila_aui@yahoo.com</a>
Al's Utility Contracting, Inc.	<a href="mailto:als.utility@sbcglobal.net">als.utility@sbcglobal.net</a>
Alexander Transport, inc.	<a href="mailto:alextransp@aol.com">alextransp@aol.com</a>
American Dream Trucking, LLC	<a href="mailto:americandreamtrk@yahoo.com">americandreamtrk@yahoo.com</a>
Angelos Excavating, Inc.	<a href="mailto:angelosexcavating@yahoo.com">angelosexcavating@yahoo.com</a>
Arrow Construction	<a href="mailto:arrowcon@chartermi.net">arrowcon@chartermi.net</a>
Ashley Trucking, Inc.	<a href="mailto:ashleytruckinnq55@aol.com">ashleytruckinnq55@aol.com</a>
BBF Engineering Services, P.C.	<a href="mailto:bbfoster@bbfes.com">bbfoster@bbfes.com</a>
BaBa's trucking, LLC	<a href="mailto:babastrucking@yahoo.com">babastrucking@yahoo.com</a>
Bankston Construction, Inc.	<a href="mailto:bankston1981@aol.com">bankston1981@aol.com</a>
Big Foot Construction, LLC	<a href="mailto:richelle.jones@comcast.net">richelle.jones@comcast.net</a>
Blaze Contracting, LLC	<a href="mailto:kerlin@blazecontracting.net">kerlin@blazecontracting.net</a>
Britton & Associates, LLC	<a href="mailto:oscarbritton@sbcglobal.net">oscarbritton@sbcglobal.net</a>
C and S Carriers, Inc.	<a href="mailto:candsoffice@charterinternet.com">candsoffice@charterinternet.com</a>
CJ's Excavating & Septic Service, Inc.	<a href="mailto:cjs_excavating@hotmail.com">cjs_excavating@hotmail.com</a>
CTI and Associates, Inc.	<a href="mailto:msubbarayan@cticompanies.com">msubbarayan@cticompanies.com</a>
Caasti Contracting Services, Inc.	<a href="mailto:ctaylorinc@yahoo.com">ctaylorinc@yahoo.com</a> , <a href="mailto:lindajackson.caasti@yahoo.com">lindajackson.caasti@yahoo.com</a>
Cherry Hill Concrete, Inc	<a href="mailto:cherryhillconcrete@yahoo.com">cherryhillconcrete@yahoo.com</a>
Cobblestone Pavers, LLC	<a href="mailto:cobblestone1195@sbcglobal.net">cobblestone1195@sbcglobal.net</a>
Coleman Equipment, Inc	<a href="mailto:calvin.coleman@comcast.net">calvin.coleman@comcast.net</a>
Commerce Construction and Landscaping, Inc	<a href="mailto:donnayaroach@comcast.net">donnayaroach@comcast.net</a>
Commercial Construction, Inc.	<a href="mailto:rgarcia@cci-rigging.com">rgarcia@cci-rigging.com</a>
Cowper Construction, Inc.	<a href="mailto:kmcowp@comcast.net">kmcowp@comcast.net</a>
D. Garcia Construction, LLC	<a href="mailto:garcia-const@sbcglobal.net">garcia-const@sbcglobal.net</a>
DLF, Inc.	<a href="mailto:dlftrucking@yahoo.com">dlftrucking@yahoo.com</a>
Diane Dukes, Inc.	<a href="mailto:ddukes@tucker-usa.com">ddukes@tucker-usa.com</a>
Dolson, Inc.	<a href="mailto:ann@dolsoninc.com">ann@dolsoninc.com</a>
Don Meeks Construction, LLC	<a href="mailto:donsf@donmeeksconst.comcastbiz.net">donsf@donmeeksconst.comcastbiz.net</a>
Dynamic Currents Corp	<a href="mailto:davecoronado@dynamiccurrents.com">davecoronado@dynamiccurrents.com</a>
E.J. Chris Contracting, Inc.	<a href="mailto:cmoutzalias27@aol.com">cmoutzalias27@aol.com</a>
EJD Transport, Inc.	<a href="mailto:evshaffer@msn.com">evshaffer@msn.com</a>
Ebony Construction Company, Inc.	<a href="mailto:AmyL@ebonyco.com">AmyL@ebonyco.com</a>
Expo Landscaping, Inc.	<a href="mailto:foger@expolandscaping.com">foger@expolandscaping.com</a>
F & M Construction, LLC	<a href="mailto:fok@broadstripe.net">fok@broadstripe.net</a>
Fairfield Trucking	<a href="mailto:dun7bar@hotmail.com">dun7bar@hotmail.com</a>
Fisher Electric	<a href="mailto:fisher803@aol.com">fisher803@aol.com</a>
Fort Wayne Contracting, inc	<a href="mailto:chris@fortwaynecontracting.com">chris@fortwaynecontracting.com</a>
Foundations, LLC	<a href="mailto:foundllc@sbcglobal.net">foundllc@sbcglobal.net</a>
GM & Sons	<a href="mailto:karl@gmandsons.com">karl@gmandsons.com</a>
Genesis sand & Gravel, Inc.	<a href="mailto:genesisi1014@sbcglobal.net">genesisi1014@sbcglobal.net</a>
Gipson Bros Trucking, Inc.	<a href="mailto:gipsonsbros@aol.com">gipsonsbros@aol.com</a>
Gus Matonek, Inc.	<a href="mailto:gusmatonek@gmail.com">gusmatonek@gmail.com</a>
Haataja Truck'n, LLC	<a href="mailto:dhaataja@up.net">dhaataja@up.net</a>
Hamlin Trucking, Inc.	<a href="mailto:lhamlin1@att.net">lhamlin1@att.net</a>
Haynes Enterprise	<a href="mailto:haynesenterprise@yahoo.com">haynesenterprise@yahoo.com</a>
Highway Service Co., Inc.	<a href="mailto:pswap@hscmi.com">pswap@hscmi.com</a>
Hodges Trucking	<a href="mailto:hodgesandhodges@yahoo.com">hodgesandhodges@yahoo.com</a>
Industrial Fence & Landscaping	<a href="mailto:jofulmer@sbcglobal.net">jofulmer@sbcglobal.net</a>
Industrial Maintenance Services, Inc.	<a href="mailto:bsoper@imscontracting.com">bsoper@imscontracting.com</a>
Interstate Sealant & Concrete, Inc.	<a href="mailto:csment@interstatesealant.com">csment@interstatesealant.com</a>
JMD Contracting, Inc.	<a href="mailto:stines681@aol.com">stines681@aol.com</a>

Sample Email Solicitation

**From:**  
**Sent:** Wednesday, October 14, 2009 9:54 AM  
**To:**  
**Subject:** MDOT Special Letting 10-16-09 DBE Solicitation - Item 0910 601

The C.A. Hull Company will be bidding the following MDOT Item 0910 601: I-75 & M-84 in Bay County and is seeking DBE quotations for subcontract work for the following MDOT work classifications:

J – Barrier (Misc Concrete)  
Cb – Bituminous  
N4 – Bridge Painting  
N2 – Clearing  
cagc – Concrete QA/QC  
B – Concrete Pavement  
Ea – Earthwork  
K – Sewer/Watermain  
N9-4B – Drainage Structure Inspection  
L – Electrical  
N9-2C – Erosion Control  
N9-6M – Fence  
N9-6L – Guardrail  
H – Landscape  
I – Seeding/Sodding/Turf Establishment  
N9-3A – Milling  
J – Misc Concrete  
N3 – Pavement Markings  
N9-3G – Paving Joints  
N6 – Permanent Signs  
N9-6C – Resteel  
N7 – Sealer  
Fb – Steel Erection  
Fb – Studs  
– Traffic Control  
RJ – Trucking  
N9-2B – Underdrain  
N7 – Waterproofing

The DBE goal for this project is 10%.  
The Engineers Estimate for this project is \$32,440,000

Plans and proposals for this project are available at:  
<http://mdotwas1.mdot.state.mi.us/public/bids/>

Submit quotes by fax to 248-363-2399 or by email to [quotes@cahull.com](mailto:quotes@cahull.com). Please clearly note on quote the seven digit bid item number and project description.

Quotes are due by Thursday October 15<sup>th</sup> at 6pm. Quotes received after 8am on bid day may not be accepted.

If you have any questions or wish to discuss this project further please contact Dave Turner at 248-694-8032.



**C.A. Hull Co., Inc is soliciting quotes from MUCP/MBE/WBE/DBE Subcontractors and suppliers for MDOT projects.**

**C.A. Hull Co., Inc., Walled Lake, MI**

For a current project list and specific Estimator contact Information, please visit [www.cahull.com](http://www.cahull.com) and click on current bid list.

\*Quotes are due the day before bid letting by 6:00 p.m.

Interested MBE/WBE/DBE Subcontractors and Suppliers should contact:

**C.A. Hull Co., Inc. / Dave Turner**

8177 Goldie, Walled Lake, MI 48390

Email: [quotes@cahull.com](mailto:quotes@cahull.com)

Website: [www.cahull.com](http://www.cahull.com)

Phone: 248-694-8032 / Fax: 248-363-2399

Project info is available on MDOT's website. [Click here for more information.](#)

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Sample

**BID OPPORTUNITIES**

**Southeast Michigan  
Attention: DBE/MBE/WBE  
Subcontractors & Suppliers**

Barrett Paving Materials Inc. is continually soliciting bids from DBE, MBE & WBE Subcontractors and Suppliers for various projects throughout Southeast Michigan (MDOT). Interested Subcontractors and Suppliers should contact us at:

Barrett Paving Materials Inc.  
5800 Cherry Hill Road  
Ypsilanti, MI 48198  
Phone: 734-483-4775  
Fax: 734-483-4774  
www.barrett paving.com  
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**ATTENTION DBE/MBE/WBE  
Subcontractors & Suppliers**

Shaw Contracting Co. frequently solicits bids from DBE/MBE/WBE subcontractors & suppliers for various road construction and underground utility projects in Michigan, including local municipal and the Michigan Department of Transportation Bid Letting of **March 6, 2009**. Interested subcontractors and suppliers should contact:

**SHAW CONTRACTING CO.**

P.O. Box 41  
Kawkawlin, MI 48631  
Phone: (989) 684-0014 • Fax: (989) 667-5758

**ATTENTION MBE/WBE/DBE  
SUBCONTRACTORS & SUPPLIERS**

**CORDES EXCAVATING, INC.  
OF HILLMAN, MICHIGAN**

is soliciting quotes from MBE/DBE/WBE Subcontractors and Suppliers for MDOT bid letting on March 6, 2008. Interested Subcontractors and Suppliers should contact:

**CORDES EXCAVATING, INC.**

704 East Progress Street, Hillman, MI 49746  
Telephone (989) 742-4531 • Fax (989) 742-4802  
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**ATTENTION DBE/MBE/WBE  
Subcontractors & Suppliers**

Kalin Construction Co. Inc., Sodus, MI, is continually soliciting quotes from DBE, MBE & WBE subcontractors & suppliers for the MDOT bid letting of **March 6, 2009** and various municipal projects. Interested companies should contact Bob Marvin at:

Kalin Construction Co. Inc.  
2663 Yore Ave. • Sodus, MI 49126  
Phone: (269) 925-2746 • Fax: (269) 925-4920  
E-mail: bmarvinkcci@comcast.net  
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**ATTENTION DBE/MBE/WBE  
Subcontractors and Suppliers  
John Carlo, Inc.**

is continually soliciting bids from DBE/MBE/WBE subcontractors and suppliers for various projects in the state of Michigan, including various municipal and MDOT projects. Interested subcontractors and suppliers may contact our office:



**John Carlo, Inc.**

Phone: (586) 416-4500 • Fax: (586) 226-5664  
Complete pre-qualification form at  
www.carlocompanies.com

Click on the Carlo logo; business opportunities then "Subcontractor/Supplier Pre-qualification" An Equal Opportunity Employer

**Shelby Township, MI  
ATTENTION: MBE/DBE/WBE**

Subcontractors & Suppliers Posen Construction, Inc. is soliciting Bids from MBE/DBE/WBE Suppliers and Subcontractors for various Projects in the State of Michigan including MDOT Projects. Interested, please contact:

**Posen Construction, Inc.**

Attn: Steve Funck  
50500 Design Lane  
Shelby Twp., MI 48315  
(586) 731-8442  
Fax (586) 731-2690

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**ATTENTION  
MBE/DBE/WBE**

**Subcontractors and Suppliers**

Musson Bros. Inc. will be submitting bids on various Michigan DOT projects in the **March 6, 2009** highway letting. If interested in quoting on this work, please contact our office for information regarding specific jobs and any assistance you may need.

**Musson Bros. Inc.**

P.O. Box 638  
Rhinelander, WI 54501  
Phone (715) 365-4700  
EEO Employer

**Gladstone, MI  
ATTENTION: DBE/MBE/DBE  
GAYLORD & GLADSTONE, MI**

Subcontractors & Suppliers Payne & Dolan, Inc. is continually soliciting bids from DBE/MBE/WBE subcontractors and suppliers for the **March 6, 2009** bid letting.

- 03 Schoolcraft County
- 02 Marquette County
- 02 Mackinac County
- 47oughton County

Interested subcontractors & suppliers may contact our office at:

**Payne & Dolan, Inc.**

P.O. Box 351 • Gladstone, MI 49837  
Phone: (906) 428-1008 • Fax: (906) 428-2823  
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**Allegan, MI  
Attention: DBE/WBE/MBE**

**Subcontractors and Suppliers**

Milbocker & Sons, Inc. is soliciting bids from DBE/MBE/WBE subcontractors and suppliers for multiple MDOT projects. Interested subcontractors and suppliers should contact:

**Milbocker & Sons, Inc.**

1256 29th Street  
Allegan, MI 49010  
Phone: (269) 673-2195 • Fax: (269) 673-3144  
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**ATTENTION MBE/WBE/DBE  
Subcontractors & Suppliers  
DAN'S Excavating, Inc.**

DAN'S Excavating, Inc. continually solicits bids from MBE/WBE/DBE subcontractors and suppliers for various road, underground, airport and municipal projects including MDOT projects.

For a project list, please visit  
www.dansexc.com  
and click on current bid list.

Please contact:

**DAN'S Excavating, Inc.**

12955 23 Mile Road  
Shelby Township, MI 48315  
Phone: (586) 254-2040  
Fax: (586) 254-5840

**CANTON, MI  
ATTENTION DBE/MBE/WBE  
SUBCONTRACTORS & SUPPLIERS**

Cadillac Asphalt L.L.C. is soliciting quotations from DBE/MBE/WBE Subcontractors & Suppliers for various projects in Southeast Michigan and S.E. Michigan MDOT projects.

- 2 East Sibley, Livingston County
- 3 12 Mile Road, Macomb County
- 4 Hoover Road, Macomb County
- 6 Hewitt Road, Washtenaw County
- 7 Ridge Rd, Wayne County
- 9 7 Mile Road, Wayne County
- 10 Stewart Street, Genesee County

Bids due March 6, 2009.

Interested Subcontractors and Suppliers should contact:

**CADILLAC ASPHALT L.L.C.**

11620 Whitmore Lake Rd. • Whitmore Lake, MI 48189  
Telephone: (248) 380-3642 • Fax: (734) 449-8488

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**ATTENTION MBE/WBE/DBE**

**Subcontractors & Suppliers**

**E.T. MacKenzie Co.  
Grand Ledge, Michigan**

E.T. MacKenzie Company is continually soliciting bids from MBE/WBE/DBE subcontractors and suppliers for the **March 6, 2009** bid letting.

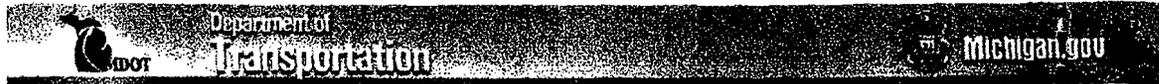
- 002 – Livingston County
- 005 – Lenawee County
- 006 – Washtenaw County
- 011 – Newaygo County

Interested parties may contact our office by mail, fax or e-mail at:

**E.T. MacKenzie Co.**

4248 W. Saginaw Hwy.  
Grand Ledge, MI 48837  
Phone: (517) 627-8408

Fax: (517) 627-4470  
www.mackenzieco.com  
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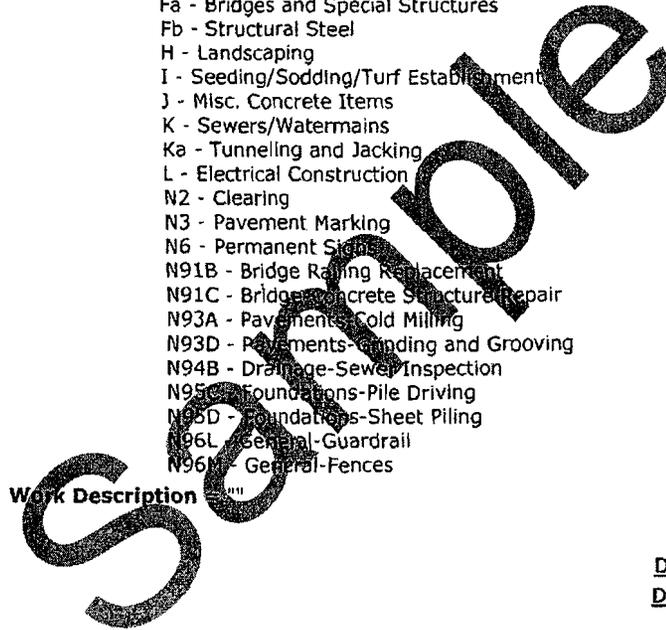
Business Type = "all"

Work Location Counties = "BAY"

MDOT Codes =B - Concrete Pavement

- Ba - Concrete Pavement-Patching/Widening
- Cb - Plant-Mix/Hot Mix Asph/Bituminous Paving
- Ea - Grading/Drainage Struct/Aggreg.Const.
- Fa - Bridges and Special Structures
- Fb - Structural Steel
- H - Landscaping
- I - Seeding/Sodding/Turf Establishment
- J - Misc. Concrete Items
- K - Sewers/Watermains
- Ka - Tunneling and Jacking
- L - Electrical Construction
- N2 - Clearing
- N3 - Pavement Marking
- N6 - Permanent Signs
- N91B - Bridge Railing Replacement
- N91C - Bridge Concrete Structure Repair
- N93A - Pavements-Cold Milling
- N93D - Pavements-Grinding and Grooving
- N94B - Drainage-Sewer Inspection
- N95 - Foundations-Pile Driving
- N95D - Foundations-Sheet Piling
- N96L - General-Guardrail
- N96M - General-Fences

Work Description = ""



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##### 3LK Construction, LLC

Business Types: Airport Concessionaire, Construction

NAICS Codes: 236220, 238320, 238330, 238390

Erecting Structural Steel, Tile/Marble/Terrazzo. Floor laying, scraping, finishing and refinishing, commercial building construction, painting (except roof) contractors, wall covering or removal contractors, ceiling metal installation. Building construction cleanup. Bridge - Concrete structure repair, concrete bridge railing. MDOT vendor #08876

Lorenzo Walker

Phone: 313-493-9101; Fax: 313-493-9091; Email: [lorenzo@3lkconstruction.com](mailto:lorenzo@3lkconstruction.com)

Website:

18401 Weaver

Detroit, Michigan 48228



























## DBE Program Regulation 49 CFR Part 26

### *Sections on Good Faith Efforts*

**§ 26.53** What are the good faith efforts procedures recipients follow in situations where there are contract goals?

(a) When you have established a **DBE** contract goal, you must award the contract only to a bidder/offeror who makes good faith efforts to meet it. You must determine that a bidder/offeror has made good faith efforts if the bidder/offeror does either of the following things:

(1) Documents that it has obtained enough **DBE** participation to meet the goal; or

(2) Documents that it made adequate good faith efforts to meet the goal, even though it did not succeed in obtaining enough **DBE** participation to do so. If the bidder/offeror does document adequate good faith efforts, you must not deny award of the contract on the basis that the bidder/offeror failed to meet the goal. See Appendix A of this part for guidance in determining the adequacy of a bidder/offeror's good faith efforts.

(b) In your solicitations for DOT-assisted contracts for which a contract goal has been established, you must require the following:

(1) Award of the contract will be conditioned on meeting the requirements of this section;

(2) All bidders/offerors will be required to submit the following information to the recipient, at the time provided in paragraph (b)(3) of this section:

(i) The names and addresses of **DBE** firms that will participate in the contract;

(ii) A description of the work that each **DBE** will perform;

(iii) The dollar amount of the participation of each **DBE** firm participating;

(iv) Written documentation of the bidder/offeror's commitment to use a **DBE** subcontractor whose participation it submits to meet a contract goal;

(v) Written confirmation from the **DBE** that it is participating in the contract as provided in the prime contractor's commitment; and

(vi) If the contract goal is not met, evidence of good faith efforts (see Appendix A of this part); and

(3) At your discretion, the bidder/offeror must present the information required by paragraph (b)(2) of this section—

(i) Under sealed bid procedures, as a matter of responsiveness, or with initial proposals, under contract negotiation procedures; or

(ii) At any time before you commit yourself to the performance of the contract by the bidder/offeror, as a matter of responsibility.

(c) You must make sure all information is complete and accurate and adequately documents the bidder/offeror's good faith efforts before committing yourself to the performance of the contract by the bidder/offeror.

(d) If you determine that the apparent successful bidder/offeror has failed to meet the requirements of paragraph (a) of this section, you must, before awarding the contract, provide the bidder/offeror an opportunity for administrative reconsideration.

(1) As part of this reconsideration, the bidder/offeror must have the opportunity to provide written documentation or argument concerning the issue of whether it met the goal or made adequate good faith efforts to do so.

(2) Your decision on reconsideration must be made by an official who did not take part in the original determination that the bidder/offeror failed to meet the goal or make adequate good faith efforts to do so.

(3) The bidder/offeror must have the opportunity to meet in person with your reconsideration official to discuss the issue of whether it met the goal or made adequate good faith efforts to do so.

(4) You must send the bidder/offeror a written decision on reconsideration, explaining the basis for finding that the bidder did or did not meet the goal or make adequate good faith efforts to do so.

(5) The result of the reconsideration process is not administratively appealable to the Department of Transportation.

(e) In a "design-build" or "turnkey" contracting situation, in which the recipient lets a master contract to a contractor, who in turn lets subsequent subcontracts for the work of the project, a recipient may establish a goal for the project. The master contractor then establishes contract goals, as appropriate, for the subcontracts it lets. Recipients must maintain oversight of the master contractor's activities to ensure that they are conducted consistent with the requirements of this part.

(f)(1) You must require that a prime contractor not terminate for convenience a **DBE** subcontractor listed in response to paragraph (b)(2) of this section (or an approved substitute **DBE** firm) and then perform the work of the terminated subcontract with its own forces or those of an affiliate, without your prior written consent.

(2) When a **DBE** subcontractor is terminated, or fails to complete its work on the contract for any reason, you must require the prime contractor to make good faith efforts to find another **DBE** subcontractor to substitute for the original **DBE**. These good faith efforts shall be directed at finding another **DBE** to perform at least the same amount of work under the contract as the **DBE** that was terminated, to the extent needed to meet the contract goal you established for the procurement.

(3) You must include in each prime contract a provision for appropriate administrative remedies that you will invoke if the prime contractor fails to comply with the requirements of this section.

(g) You must apply the requirements of this section to **DBE** bidders/offerors for prime contracts. In determining whether a **DBE** bidder/offeror for a prime contract has met a contract goal, you count the work the **DBE** has committed to performing with its own forces as well as the work that it has committed to be performed by **DBE** subcontractors and **DBE** suppliers.

#### **Appendix A to Part 26—Guidance Concerning Good Faith Efforts**

I. When, as a recipient, you establish a contract goal on a DOT-assisted contract, a bidder must, in order to be responsible and/or responsive, make good faith efforts to meet the goal. The bidder can meet this requirement in either of two ways. First, the bidder can meet the goal, documenting commitments for participation by **DBE** firms sufficient for this purpose. Second, even if it doesn't meet the goal, the bidder can document adequate good faith efforts. This means that the bidder must show that it took all necessary and reasonable steps to achieve a **DBE** goal or other requirement of this part which, by their scope, intensity, and appropriateness to the objective, could reasonably be expected to obtain sufficient **DBE** participation, even if they were not fully successful.

II. In any situation in which you have established a contract goal, part 26 requires you to use the good faith efforts mechanism of this part. As a recipient, it is up to you to make a fair and reasonable judgment whether a bidder that did not meet the goal made adequate good faith efforts. It is important for you to consider the quality, quantity, and intensity of the different kinds of efforts that the bidder has made. The efforts employed by the bidder should be those that one could reasonably expect a bidder to take if the bidder were actively and aggressively trying to obtain **DBE** participation sufficient to meet the **DBE** contract goal. Mere *pro forma* efforts are not good faith efforts to meet the **DBE** contract requirements. We emphasize, however, that your determination concerning the sufficiency of the firm's good faith efforts is a judgment call: meeting quantitative formulas is not required.

III. The Department also strongly cautions you against requiring that a bidder meet a contract goal ( *i.e.* , obtain a specified amount of **DBE** participation) in order to be awarded a contract, even though the bidder makes an adequate good faith efforts showing. This rule specifically prohibits you from ignoring *bona fide* good faith efforts.

IV. The following is a list of types of actions which you should consider as part of the bidder's good faith efforts to obtain **DBE** participation. It is not intended to be a mandatory checklist, nor is it intended to be exclusive or exhaustive. Other factors or types of efforts may be relevant in appropriate cases.

A. Soliciting through all reasonable and available means (e.g. attendance at pre-bid meetings, advertising and/or written notices) the interest of all certified **DBEs** who have the capability to perform the work of the contract. The bidder must solicit this interest within sufficient time to allow the **DBEs** to respond to the solicitation. The bidder must determine with certainty if the **DBEs** are interested by taking appropriate steps to follow up initial solicitations.

B. Selecting portions of the work to be performed by **DBEs** in order to increase the likelihood that the **DBE** goals will be achieved. This includes, where appropriate, breaking out contract

work items into economically feasible units to facilitate **DBE** participation, even when the prime contractor might otherwise prefer to perform these work items with its own forces.

C. Providing interested DBEs with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation.

D. (1) Negotiating in good faith with interested DBEs. It is the bidder's responsibility to make a portion of the work available to **DBE** subcontractors and suppliers and to select those portions of the work or material needs consistent with the available **DBE** subcontractors and suppliers, so as to facilitate **DBE** participation. Evidence of such negotiation includes the names, addresses, and telephone numbers of DBEs that were considered; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and evidence as to why additional agreements could not be reached for DBEs to perform the work.

(2) A bidder using good business judgment would consider a number of factors in negotiating with subcontractors, including **DBE** subcontractors, and would take a firm's price and capabilities as well as contract goals into consideration. However, the fact that there may be some additional costs involved in finding and using DBEs is not in itself sufficient reason for a bidder's failure to meet the contract **DBE** goal, as long as such costs are reasonable. Also, the ability or desire of a prime contractor to perform the work of a contract with its own organization does not relieve the bidder of the responsibility to make good faith efforts. Prime contractors are not, however, required to accept higher quotes from DBEs if the price difference is excessive or unreasonable.

E. Not rejecting DBEs as being unqualified without sound reasons based on a thorough investigation of their capabilities. The contractor's standing within its industry, membership in specific groups, organizations, or associations and political or social affiliations (for example union vs. non-union employee status) are not legitimate causes for the rejection or non-solicitation of bids in the contractor's efforts to meet the project goal.

F. Making efforts to assist interested DBEs in obtaining bonding, lines of credit, or insurance as required by the recipient or contractor.

G. Making efforts to assist interested DBEs in obtaining necessary equipment, supplies, materials, or related assistance or services.

H. Effectively using the services of available minority/women community organizations; minority/women contractors' groups; local, state, and Federal minority/women business assistance offices; and other organizations as allowed on a case-by-case basis to provide assistance in the recruitment and placement of DBEs.

V. In determining whether a bidder has made good faith efforts, you may take into account the performance of other bidders in meeting the contract. For example, when the apparent successful bidder fails to meet the contract goal, but others meet it, you may reasonably raise the question of whether, with additional reasonable efforts, the apparent successful bidder could have met the goal. If the apparent successful bidder fails to meet the goal, but meets or exceeds the average **DBE** participation obtained by other bidders, you may view this, in conjunction with other factors, as evidence of the apparent successful bidder having made good faith efforts.