ATTACHMENT J - FHWA, VDOT FORMS, CERTIFICATIONS

TO ALL BIDDERS:

e following Project code information shall be included as requested on all forms contained in spackage:
C-48 Subcontractor/Supplier Solicitation and Utilization FormC-104 VDOTAffidavitC-105 VDOTAffidavit
C-111 VDOT Minimum DBE Requirements

C-112 VDOT Certification of Binding Agreement with DBE Firms

The lowest responsive and responsible bidder shall submit its properly executed Form C-112, Certification of Binding Agreement, within three (3) business days after the bids are received. DBEs bidding as prime contractors are not required to submit Form C-112 unless they are utilizing other DBEs as subcontractors.

C-49 VDOT DBE Good Faith Efforts Form

If, at the time of submitting its bid, the Bidder knowingly cannot meet or exceed the required DBE contract goal, it shall submit Form C-111 exhibiting the DBE participation it commits to attain as a part of its bid documents. The bidder shall then submit Form C-49, DBE Good Faith Efforts Documentation, within two (2) business days after the bid opening.

COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION SUBCONTRACTOR/SUPPLIER SOLICITATION AND UTILIZATION FORM (ALL BIDDERS)

PROJECT NO.	CONTRACT I.D. NO.
FHWA NO.	DATE SUBMITTED
All bidders, including DBEs bidding as Prime Cor requested in this form within ten (10) business day	ntractors, shall complete and submit the following information as vs after the opening of bids.
	ts its solicitation and utilization or non-utilization, as indicated, of on this contract. The bidder also certifies he/she has had direct on on this project.
BIDDER	SIGNATURE
TITLE	

SUBCONTRACTOR/SUPPLIER SOLICITATION AND UTILIZATION (ALL)

VENDOR	NAME OF CURCONTRACTOR/OURRUER	TELEPHONE	DBE OR	UTILIZED
NUMBER	NAME OF SUBCONTRACTOR/SUPPLIER	NUMBER	NON-DBE	(Y/N)

NOTE: ATTACH ADDITIONAL PAGES, IF NECESSARY.

--DO NOT DETACH--

THIS INFORMATION MUST BE SUBMITTED WITHIN 2 DAYS AFTER BID OPENING IF YOUR BID DOES NOT MEET THE PROJECT DBE REQUIREMENTS, OR WHEN REQUESTED BY VDOT

CONTRACT I.D. NUMBER
PROJECT NUMBER
FHWA NUMBER
DISTRICT
DATE BID SUBMITTED
BIDDER'S NAME
SIGNATURE
TITLE
VENDOR NUMBER
DBE GOAL FROM BID PROPOSAL

COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION

DBE GOOD FAITH EFFORTS DOCUMENTATION

CONTRACT I.D. NODATE SUBMITTED					
REQUESTS THE SUB	IF THE DBE GOAL ESTABLISHED FOR THIS CONTRACT HAS NOT BEEN MET OR VDOT REQUESTS THE SUBMITTAL THEREOF, THE BIDDER IS REQUIRED TO SUBMIT GOOD FAITH EFFORTS AS OUTLINED IN THIS DOCUMENT.				
THE BIDDER ACKNO REPRESENTS THE INI			THIS FORM ACCURATE	LY	
BIDDER	SIGNATUR	E			
TITLE					
ON THIS PROJECT INCLUDE THE ITEMS	OF WORK OFFE	RED AND THE DATES	Y WERE SOLICITED TO E AND METHODS USED FO	OR	
NAMES AND VENDOR NUMBERS OF DBES SOLICITED	DATE OF INITIAL SOLICITATION	ITEM(S) OF WORK	FOLLOW-UP METHODS AND DATES		

NOTE: ATTACH ADDITIONAL PAGES IF NECESSARY

ATTACH COPIES OF SOLICITATIONS, TELEPHONE RECORDS, FAX CONFIRMATIONS, ELECTRONIC INFORMATION, ETC.

CONTRACT I.D. NO	DATE SUBMITTED
	THIS CONTRACT HAS NOT BEEN MET OR VDOT F, THE BIDDER IS REQUIRED TO SUBMIT GOOD DOCUMENT.
THE BIDDER ACKNOWLEDGES AND REPRESENTS THE INFORMATION CON	CERTIFIES THAT THIS FORM ACCURATELY TAINED HEREIN.
BIDDER	_SIGNATURE
TITLE	

TELEPHONE LOG

DBE(s) CALLED	TELEPHONE NUMBER	DATE CALLED	TIME CALLED	CONTACT PERSON OR VOICE MAIL STATUS
DDE(3) CALLED	NONDEK	CALLED	UALLED	VOICE WAIL STATUS

NOTE: ATTACH ADDITIONAL PAGES IF NECESSARY

CONTRACT I.D.	NO	DATE SU	IBMITTED			
REQUESTS THE	AL ESTABLISHED SUBMITTAL THE AS OUTLINED IN	REOF, THE B	IDDER IS RI			
	ACKNOWLEDGES HE INFORMATION	_	_	THIS FO	ORM ACCU	RATELY
BIDDER	SIGNA	TURE				
TITLE						

ITEM(S) OF WORK THAT THE BIDDER MADE AVAILABLE TO DBE FIRMS

IDENTIFY THOSE ITEM(S) OF WORK THAT THE BIDDER MADE AVAILABLE TO DBE FIRMS OR THOSE ITEM(S) THE BIDDER IDENTIFIED AND DETERMINED TO SUBDIVIDE INTO ECONOMICALLY FEASIBLE UNITS TO FACILITATE DBE PARTICIPATION. FOR EACH ITEM LISTED, SHOW THE DOLLAR VALUE AND PERCENTAGE OF THE TOTAL CONTRACT AMOUNT. IT IS THE BIDDER'S RESPONSIBILITY TO DEMONSTRATE THAT SUFFICIENT WORK TO MEET THE GOAL WAS MADE AVAILABLE TO DBE FIRMS.

ITEM(S) OF WORK MADE AVAILABLE	BIDDER NORMALLY PERFORMS ITEM(S) (Y/N)	ITEM(S) BROKEN DOWN TO FACILITATE PARTICIPATION (Y/N)	AMOUNT IN DOLLARS	PERCENTAGE OF CONTRACT

NOTE: INFORMATION REQUIRED FOR THIS SECTION CONTINUED ON SHEET 5
ATTACH ADDITIONAL PAGES IF NECESSARY

CONTRACT I.D. NO	DATE SUBMITTED
	SHED FOR THIS CONTRACT HAS NOT BEEN MET OR VDOT THEREOF, THE BIDDER IS REQUIRED TO SUBMIT GOOD D IN THIS DOCUMENT.
THE BIDDER ACKNOWLEDG REPRESENTS THE INFORMAT	GES AND CERTIFIES THAT THIS FORM ACCURATELY TION CONTAINED HEREIN.
BIDDER	SIGNATURE
TITLE	

ADDITIONAL INFORMATION REGARDING_ITEM(S) OF WORK_THAT THE BIDDER MADE AVAILABLE TO DBE FIRMS (Continued From Sheet 4)

ITEM(S) OF WORK MADE AVAILABLE, NAMES OF SELECTED FIRMS AND DBE STATUS, DBES THAT PROVIDED QUOTES, PRICE QUOTE FOR EACH FIRM, AND THE PRICE DIFFERENCE FOR EACH DBE IF THE SELECTED FIRM IS NOT A DBE.

ITEM(S) OF WORK MADE AVAILABLE(CONT.)	NAME OF SELECTED FIRM AND VENDOR NUMBER	DBE OR NON-DBE	NAME OF REJECTED FIRM(S)	QUOTE IN DOLLARS	PRICE DIFFERENCE IN DOLLARS

NOTE: ATTACH ADDITIONAL PAGES IF NECESSARY.

IF THE FIRM SELECTED FOR THE ITEM IS NOT A DBE, PROVIDE THE REASON(S) FOR THE SELECTION ON A SEPARATE PAGE AND ATTACH.

PROVIDE NAMES, ADDRESSES, AND TELEPHONE NUMBERS FOR THE FIRMS LISTED ABOVE.

CONTRACT I.D. NO._____DATE SUBMITTED__

IF THE DBE GOAL ESTABLISHED FOR THIS CONTRACT HAS NOT BEEN MET OR VDOT REQUESTS THE SUBMITTAL THEREOF, THE BIDDER IS REQUIRED TO SUBMIT GOOD FAITH EFFORTS AS OUTLINED IN THIS DOCUMENT.			
THE BIDDER ACKNOWLEDGES AND CERTIFIES THAT THIS FORM ACCURATELY REPRESENTS THE INFORMATION CONTAINED HEREIN.			
BIDDERSIGNATURE TITLE			
ADVERTISEMENTS OR PROOFS OF PU			
NAMES AND DATES OF EACH PUBLICATION IN WHO PARTICIPATION FOR THE PROJECT WAS PLACED BY THE B PUBLISHED ADVERTISEMENTS OR PROOFS OF PUBLICATION	IDDER. ATTACH COPIES OF		
PUBLICATIONS	DATES OF ADVERTISEMENT		

NOTE: ATTACH ADDITIONAL PAGES IF NECESSARY

CONTRACT I.D. NO	DATE SUBMITTED	
	LISHED FOR THIS CONTRACT HAS NOT BEEN MET OR V AL THEREOF, THE BIDDER IS REQUIRED TO SUBMIT GO NED IN THIS DOCUMENT.	_
	EDGES AND CERTIFIES THAT THIS FORM ACCURAT NATION CONTAINED HEREIN.	ELY
BIDDER	SIGNATURE	_
TITLE		_

NAMES OF AGENCIES CONTACTED TO PROVIDE ASSISTANCE

NAMES OF AGENCIES (SEE SPECIAL PROVISION FOR 107.15) AND THE DATES THESE AGENCIES WERE CONTACTED TO PROVIDE ASSISTANCE IN CONTACTING, RECRUITING, AND USING DBE FIRMS. IF THE AGENCIES WERE CONTACTED IN WRITING, ATTACH COPIES OF SUPPORTING DOCUMENTS.

NAME OF AGENCY	METHOD AND DATE OF CONTACT	RESULTS

NOTE: ATTACH ADDITIONAL PAGES IF NECESSARY.

CONTRACT I.D. NO	DATE SUBMITT	ED
	AL THEREOF, THE BIDDER	CT HAS NOT BEEN MET OR VDOT IS REQUIRED TO SUBMIT GOOD
	EDGES AND CERTIFIES T MATION CONTAINED HEREIN	THAT THIS FORM ACCURATELY I.
BIDDER	SIGNATURE	
TITLE		
TECHNICAL ASSISTA	NCE AND INFORMATIO	N PROVIDED TO DBEs
ABOUT THE PLANS, SPEC		WITH ADEQUATE INFORMATION IMENTS OF THE BID DOCUMENTS TION.
	SISTED, THE INFORMATION ES OF SUPPORTING DOCUM	PROVIDED, AND THE DATE OF ENTS.
DBEs ASSISTED	INFORMATION PROVIDED	DATE OF CONTACT

NOTE: ATTACH ADDITIONAL PAGES IF NECESSARY.

CONTRACT I.D. NO	DATE SUBMITT	ED
	AL THEREOF, THE BIDDER	CT HAS NOT BEEN MET OR VDOT IS REQUIRED TO SUBMIT GOOD
	GES AND CERTIFIES THAT T NATION CONTAINED HEREIN	
BIDDER	SIGNATURE	
TITLE		
EFFORTS MADE TO PROV	INSURANCE, ETC.	ONDING, LINES OF CREDIT, OBTAINING BONDING, LINES OF PLIES, MATERIALS, OR RELATED
ASSISTANCE OR SERV	ICES, EXCLUDING SUP	PLIES AND EQUIPMENT THE
SUBCONTRACTOR PURCH AFFILIATES.	IASES OR LEASES FROM 1	THE PRIME CONTRACTOR OR ITS
		OFFERED, AND THE DATES OF SOF SUPPORTING DOCUMENTS.
DBEs ASSISTED	ASSISTANCE OFFERED	DATES SERVICES OFFERED AND/OR PROVIDED

AND/OK PROVIDED

NOTE: ATTACH ADDITIONAL PAGES IF NECESSARY.

CONTRACT I.D. NO	DATE SUBMITTED	
	LISHED FOR THIS CONTRACT HAS NOT BEEN MET OR VD AL THEREOF, THE BIDDER IS REQUIRED TO SUBMIT GO NED IN THIS DOCUMENT.	
	EDGES AND CERTIFIES THAT THIS FORM ACCURATE MATION CONTAINED HEREIN.	ELY
BIDDER	SIGNATURE	
TITLE		
	O SUPPORT DEMONSTRATION OF GOOD FAITH EFFORTS	
ADDITIONAL DAT	A TO SUFFORT DEMINISTRATION OF GOOD FAITH EFFORTS	

NOTE: ATTACH ADDITIONAL PAGES, IF NECESSARY

Form C-104 Rev. 7-13-05

COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION

	DEPARTMENT OF	IKANSPUK
PROJECT:		

FHWA:

This form must be completed, signed and returned with bid; and failure to do so may result in the rejection of your bid. THE CONTRACTOR SHALL AFFIRM THE FOLLOWING STATEMENT <u>EITHER</u> BY SIGNING THE AFFIDAVIT AND HA VING IT NOTARIZED <u>OR</u> BY SIGNING THE UNSWORN DECLARATION UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES. A SEPARATE FORM MUST BE SUBMITTED BY EACH PRINCIPAL OF A JOINT VENTURE BID.

STATEMENT. In preparation and submission of this bid, I, the firm, corporation or officers, agents or employees thereof did not, either directly or indirectly, enter into any combination or arrangement with any persons, firm or corporation or enter into any agreement, participate in any collusion, or otherwise take any action in the restraint of free, competitive bidding in violation of the Sherman Act (15 U.S.C. Section 1) or Article 1.1 or Chapter 12 of Title 18.2 (Virginia Governmental Frauds Act), Sections 59.1-9.1 through 59.1-9.17 or Sections 59.1-68.6 through 59.1-68.8 of the Code of Virginia.

AFFIDAVIT

The undersigned is duly authorized by the bidder to make the foregoing statement to be filed with bids submitted on behalf of the bidder for contracts to be let by the Commonwealth Transportation Board.

Signed at	, this	day of	, 20
County (City), STATE			
By:			
(Name of Firm)	(Signat	ture)	Title (print)
STATE of	COUNTY (CIT		
То	-wit:		
	, a	Notary Public in	n and for the State and
County(City) aforesaid, hereby certify that this day			
personally appeared before me and made oath that he and that such statements are true and correct.	is duly author	ized to make th	e above statements
Subscribed and sworn to before me this	_ day of		, 20
	_ My Commi	ssion expires	
Notary Public	_		
JUNION CENTRAL	=	•	
UNSWORN DE	CLARATION	I	
The undersigned is duly authorized by the bidder to submitted on behalf of the bidder for contracts to be let			
Signed at County (City), STATE	, this	_ day of	, 20
By:			
(Name of Firm)	(Signat	ure)	Title (print)

ORDER NO.: CONTRACT ID. NO.:

Form C-105 Rev. 7-13-05

COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION AFFIDAVIT

PROJECT:		
FHWA:		
	be completed, signed, notarized and retroid bid. A separate form must be submitted	urned with bid; and failure to do so, may result in the d by each principal of a joint venture bid.
1.	indirectly entered into any combination or entered into any agreement, particip in restraint of free competitive bidding in	nts or employees thereof have neither directly nor or arrangement with any person, firm or corporation ated in any collusion, or otherwise taken any action n connection with such contract, the effect of which ne cost of construction or maintenance of roads or
		(we) have been a member of the following Highway in Section 33.2-1106 of the Code of Virginia. (If
	NAME	Location of Principal Office
-		
-		
2.	subject to the equal opportunity clause 11246, and that I/We have, have the Director of the Office of Feder contracting or administering agency,	participated in a previous contract or subcontract, as required by Executive Orders 10925, 11114, or not, filed with the joint Reporting Committee, al Contract Compliance, a Federal Government or the former President's Committee on Equal e under the applicable filing requirements.
	Regulations of the Secretary of Labor bidders and proposed subcontractors which are subject to the equal opportu	required by the Equal Employment Opportunity [41 CFR 60-1.7(b)(1)], and must be submitted by only in connection with contracts and subcontracts nity clause. Contracts and subcontracts which are use are set forth in 41 CFR 60-1.5. (Generally only under are exempt.)
	Currently, Standard Form 100 (EEO-1) or their implementing regulations.	is the only report required by the Executive Orders
Propose	ed prime contractors and subcontract	ors who have participated in a previous

Proposed prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note that 41 CFR 60-1.7(b) (1) prevents the award of contract and subcontract unless such contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

(Continued)

ORDER NO.: CONTRACT ID. NO.:

Form C-105 page 2

- 3. The bidder certifies to the best of its knowledge and belief, that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) Have not within a three year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offence in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated above; and
 - (d) Where the bidders is unable to certify to any of the statements in this certification, the bidder shall show an explanation below.

Explanations will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any explanation noted, indicate below to whom it applies, initiating agency, and dates of action. Providing false information may result in federal criminal prosecution or administration sanctions. The bidder shall provide immediate written notice to the Department if at any time the bidder learns that its certification was erroneous when submitted or has become erroneous by reason of change circumstances.

The undersigned is duly authorized by the bidder to make the foregoing statements to be filed with bids submitted on behalf of the bidder for contracts to be let by the Commonwealth Transportation Board.

Signed atCounty (City), STATE	, this day of	, 20
2 , 2,	Ву:	
(Name of Firm)	(Signature)	Title (print)
STATE of	COUNTY (CITY) of	
	To-wit:	
I	, a Notary Public	c in and for the State and
County(City) aforesaid, hereby certify that this	day	
personally appeared before me and made oath and that such statements are true and correct.		the above statements
Subscribed and sworn to before me this	day of	, 20
	My Commission expires	
Notary Public		

COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION MINIMUM DBE REQUIREMENTS

PROJECT NO.			
FHWA NO.			_
	* * * INSTRUCTI	ONS * * *	
THIS FORM CAN BE USED BY THE CONTRACT CONTRACTOR SHALL INDICATE THE DESCRIP PERFORM AND THE ALLOWABLE CREDIT PER ATTACHED IF NECESSARY. PLEASE NOTE: TO THE MATERIALS OR SUPPLIES OBTAINED A CONTRACTOR MAY COUNT 100% OF THE FIPROJECT SITE, BUT NOT FOR THE COST OF T	TION OF THE CATEGORY R ITEM(S). ADDITIONAL S HE AMOUNT OF ALLOWAE AND 100% FOR A DBE MA EES PAID TO A DBE HAUL	(S, M, SP or H) AND THE TYPE OF WORK HEETS TO SHOW THE ALLOWABLE CRE BLE CREDIT FOR A DBE SUPPLIER IS 60% ANUFACTURER OF THE MATERIALS AND ER FOR THE DELIVERY OF MATERIALS A	THAT EACH DBE WILL DIT PER ITEM MAY BE 6 OF THE TOTAL COST SUPPLIES OBTAINED.
DBE REQUIREMENT	%		
PERCENT ATTAINED BY BIDDER	%		
NAMES(S) AND CERTIFICATION NO. OF DBE(S) TO BE USED	USED AS SUBCONTR. (S) MFG. (M) SUPPLIER (SP) HAULER (H)	TYPE OF WORK AND ITEM NO(S)	\$ AMOUNT OF ALLOWABLE CREDIT PER ITEM
		TOTAL	\$
TOTAL CONTRACT VALUE _\$_	x	REQUIRED DBE %	=_\$
I/WE CERTIFY THAT THE PROPOSED DBE(S) S DURING THE LIFE OF THE CONTRACT. I/WE W DEPARTMENT.	UBMITTED WILL BE USED IILL MEET OR EXCEED TH	ON THIS CONTRACT AS STATED HEREO E PARTICIPATION ESTABLISHED HEREON	N AND ASSURE THAT N BY THE
	BY		
BIDDER		SIGNATURE	
TITLE	BY	DATE	

COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION CERTIFICATION OF BINDING AGREEMENT WITH DISADVANTAGED BUSINESS ENTERPRISE FIRMS

Dr_{C}	iect	NIA	

Federal Project No.:

This form is to be submitted in accordance with the Department's Special Provision for Section 107.15.

It is hereby certified by the below signed Contractors that there exists a written quote, acceptable to the parties involved preliminary to a binding subcontract agreement stating the details concerning the work to be performed and the price which will be paid for the aforementioned work. This document is not intended to, nor should it be construed to, contain the entire text of the agreement between the contracting parties. This document does not take the place of, nor may it be substituted for, an official subcontracting agreement in those situations that may require such an agreement. A copy of the fully executed *subcontract agreement* shall be submitted to the Engineer within fourteen (14) business days after contract execution.

It is further certified that the aforementioned mutually acceptable quote and fully executed subcontract agreement represent the entire agreement between the parties involved and that no conversations, verbal agreements, or other forms of non-written representations shall serve to add to, delete, or modify the terms as stated.

The prime Contractor further represents that the aforementioned mutually acceptable quote and fully executed subcontract agreement shall remain on file for a period of not less than one year following completion of the prime's contract with the Department or for such longer period as provisions of governing Federal or State law or regulations may require. For purposes of this form, the term Prime Contractor shall refer to any Contractor utilizing a DBE subcontractor, regardless of tier, in which they are claiming DBE credit toward the contract goal.

Contractors further jointly and severally represent that said binding agreement is for the performance of a "commercially useful function" as that term is employed in 49 C.F.R. Part 26.55 (c), (d).

TO BE SIGNED BY THE SUBCONTRACTOR TO THE PRIME CONTRACTOR, AND ANY LOWER TIER SUBCONTRACTORS HAVING A CONTRACT WITH THE BELOW NAMED DBE FIRM

Prime Contractor					
	Ву:				
		Signature		Title	
			Date:		
First Tier Subcontractor if Applicable					
	Ву:				
	- , ·	Signature		Title	
			Date:		

Second Tier Subcontractor if Applicable					
	Ву:	Signature	 Date:	Title	
Third Tier Subcontractor if Applicable					
	Ву:	Signature	 Date:	Title	
DBE Contractor					
	Ву:	Signature		Title	