

Transporter

Civil Rights Office Newsletter

October—November—December 2007, Volume VII, Issue 3

DBE Payment Review for Project Close-Out

Alaska Department of Transportation and Public Facilities (ADOT&PF) projects funded with federal dollars from the Federal Highway Administration (FHWA), Federal Aviation Administration (FAA), or Federal Transit Administration (FTA) that have subcontracts awarded to Disadvantaged Business Enterprises (DBE) must to be approved for DBE clearance from the Civil Rights Office (CRO) prior to the contract being officially closed and final payment made to the prime contractor. The CRO has developed a comprehensive easy to follow

process that, if used properly, will make for an easy DBE clearance from our office.

Often times we receive requests from ADOT&PF Contracts Staff requesting DBE clearance on projects that have DBE subcontracts. More times than not, the CRO is unable to provide that clearance due to the lack of DBE payment information. Obtaining this information can be tedious and take an inordinate amount of time to retrieve from the prime contractor. Here are a few things to remember when you, as a prime contractor or DBE subcontractor, are working on a project with DBE participation.

- ◆ Reporting the payment information begins at the start of the project.
- ◆ If there is no DBE goal set for the project but there are DBE subcontracts on the project, payment reporting is still required.
- ◆ If the DBE has not started its work on the project monthly payment reporting is required until final payment is made.
- ◆ If there is no DBE participation on the project there is no need to report payment information to the CRO; *however*, if during the course of the project a DBE subcontract is awarded, the contractor must begin

(Continued on page 5)

In This Issue

DBE Payment Review for Project Close-Out	1		4
MOA 2007 Mayor's Diversity Month	2	Tentative ADOT&PF Projects for Quarter	6
Welcome CRO's New DBE Certification Specialist	3	Notes and News About Certification	7
Surety Bond Guarantee E-Application (E-App).....	3	Civil Rights Office—Staff Members	8

It is the policy of the Alaska Department of Transportation to ensure compliance with Title VI of the Civil Rights Act of 1964; related statutes and regulations to the end that no person shall be excluded from participation in or be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance from the U.S. Department of Transportation on the grounds of race, color, sex, age, disability or national origin.



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Civil Rights Office

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Send comments to: beckie_oliva@dot.state.ak.us



Municipality of Anchorage

2007 Mayor's Diversity Month

September 15 thru October 15

In 2004, the Mayor's Office was pleased to launch (an annual community project) Mayor's Diversity Week - a broad-based campaign that brought leaders and representatives from cultural, community, business, civic, religious and school-based organizations together to host events that combat bias and promote a respect for diversity.

The city is pleased to announce this year Mayor's Diversity Week changed to Mayor's Diversity Month, September 15 through October 15. The embracing, educating, and celebrating of diversity is a top priority of the city. Anchorage citizens

are blessed to live in a community that represents a wide diversity of people, cultures, and religions. Our city boasts 95 different languages. We recognize that diversity is not only our strength, but at its core is the essence of all the differences that make each of us valuable.

All events and programs help build positive relationships, partnerships and bridges to encourage acceptance of Anchorage's broad diversity base. The community is again invited to participate in the celebration by hosting a diversity event in conjunction with Mayor's Diversity Month" or to assist with an already scheduled event.



The Mayor's Diversity Appreciation and Awards Dinner is Friday, October 5, 6:30 p.m. at the Sheraton Anchorage Hotel, 401 E. 6th Avenue. Please call 343-4878 or 317-7250 for tickets and sponsorship opportunities.

To view the complete calendar of events or if you or your organization/company is interested in hosting a diversity event, please visit:

www.muni.org/diversity

and complete the events form and fax it to 343-4875.

For more information about Mayor's Diversity Month 2007, please call 343-4878 or email:

AbinalesL@ci.anchorage.ak.us

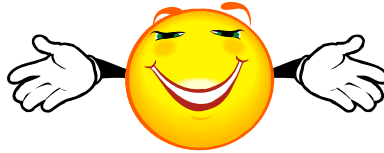
*Contributed by: Municipality of Anchorage
Mayor's Office of Equal Opportunity*

*Pictures from: Anchorage Convention &
Visitor's Bureau*



Welcome CRO's New DBE Certification Specialist

Corlotta Robinson began her employment with the Alaska Department of Transportation and Public Facilities (ADOT&PF) on July 1, 2007. She is a DBE Certification Specialist and the Alaska Unified Certification Program (AUCP) Liaison for



the 28 members of the AUCP. Ms. Robinson assists businesses with navigating the DBE certification process, conducts outreach, validates

applications, and performs re-certifications and annual reviews. Ms. Robinson has over ten years of service with the State of Alaska, previously working for the Alaska Departments of Fish & Game and Health & Social Services. Welcome Corlotta!

***If you have a Tidbit or article
You would like to contribute please contact:
Civil Rights Office
907-269-0851 or 1-800-770-6236***

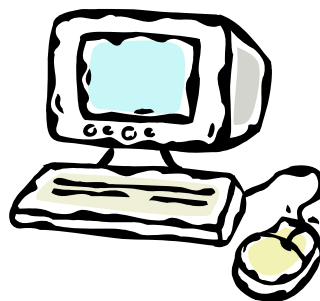


Surety Bond Guarantee E-Application (E-App) System

You can now apply for the Small Business Administration (SBA) surety bond guarantee program electronically. The program is designed to help small construction, service, or supply companies with bonding. The program works with participating surety companies. The program may help a company obtain bonds needed to bid or perform public and private contracts.

SBA works with participating surety companies to provide bid, payment, and performance bonds on contracts with a value of up to \$2 million, by guaranteeing a percentage of

the losses sustained in the event of a default. Corporate surety bonds protect the project owner against financial loss, thus protecting taxpayer dollars if the contractor defaults.



The new E-App system allows small businesses to quickly submit their application for bonding assistance with surety companies that are registered to use the process.

For a list of SBA Surety Companies go online at:

<http://www.sba.gov/osg/>

The new online application, coupled with recent rule changes, combines to make bonding more available to small and emerging businesses, enabling them to access necessary bonds more quickly. The E-App system is available 24 hours a day, seven days a week.

For more information about the Surety Bond Guarantee program and/or access the E-App system go to their website at:

<http://www.sba.gov/eapplication/>

*Contributed by: Beckie M Oliva
CRO Support Services Coordinator*

ALASKA NATIVE CORPORATIONS

Increased Use of Special 8(a) Provisions Calls for Tailored Oversight

Reprinted from

Highlights of GAO-07-1251T, a testimony before the Committee on Natural Resources, House of Representatives

Why GAO Did This Study:

Alaska Native Corporations (ANC) were created to settle land claims with Alaska Natives and foster economic development. In 1986, legislation passed that allowed ANCs to participate in the Small Business Administration's (SBA) 8(a) program. Since then, Congress has extended special procurement advantages to 8(a) ANC firms, such as the ability to receive sole-source contracts for any dollar amount and to own multiple subsidiaries in the 8(a) program. We were asked to testify on an earlier report where we identified (1) trends in the government's 8(a) contracting with ANC firms, (2) the reasons agencies have awarded 8(a) sole-source contracts to ANC firms and the facts and circumstances behind some of these contracts, and (3) how ANCs are using the 8(a) program. GAO also evaluated SBA's oversight of 8(a) ANC firms.

What GAO Found:

While representing a small amount of total federal

procurement spending, obligations for 8(a) contracts to ANC firms increased from \$265 million in fiscal year 2000 to \$1.1 billion in 2004. Over the 5-year period, agencies obligated \$4.6 billion to ANC firms, of which \$2.9 billion, or 63 percent, went through the 8(a) program. During this period, six federal agencies—the departments of Defense, Energy, the Interior, State, and Transportation and the National Aeronautics and Space Administration—accounted for over 85 percent of 8(a) contracting activity. Obligations for 8(a) sole source contracts by these agencies to ANC firms increased from about \$180 million in fiscal year 2000 to about \$876 million in fiscal year 2004.

ANCs use the 8(a) program as one of many tools to generate revenue with the goal of providing benefits to their shareholders. Some ANCs are heavily reliant on the 8(a) program for revenues, while others approach the program as one of many revenue-generating opportunities. GAO found that some ANCs

have increasingly made use of the congressionally authorized advantages afforded to them. One of the key practices is the creation of multiple 8(a) subsidiaries, sometimes in highly diversified lines of business. From fiscal year 1988 to 2005, ANC 8(a) subsidiaries increased from one subsidiary owned by one ANC to 154 subsidiaries owned by 49 ANCs.

In general, acquisition officials at the agencies reviewed told GAO that the option of using ANC firms under the 8(a) program allows them to quickly, easily, and legally award contracts for any value. They also noted that these contracts help them meet small business goals. In reviewing selected large sole-source 8(a) contracts awarded to ANC firms, GAO found that contracting officials had not always complied with certain requirements, such as notifying SBA of contract modifications and monitoring the percentage of work that is subcontracted.

(Continued on page 5)

(Continued from page 1)
DBE Payment Review for Project Close-Out

submitting payment information to the CRO the month following the subcontract approval



Reporting DBE Payments

All DBE creditable work performed must be noted on the ADOT&PF Form 25A-336 (336), Monthly Summary of Disadvantaged Business Enterprise Participation, with the appropriate payment amount for each type of work performed. The 336, along

with instructions on how to complete the form, is located on the CRO website under forms at:

<http://www.dot.state.ak.us/cvlrts/forms.shtml>

Send the completed form to the CRO via email, fax, or regular mail.

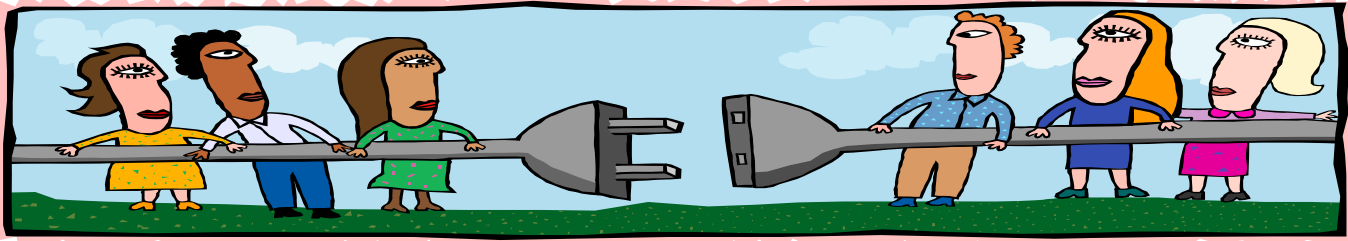
Steps taken by the CRO to provide DBE clearance

- ◆ Review payment information in project file and CRO database
- ◆ Review final work quantities (sent by project engineer/manager/construction staff)

- ◆ Review Commercially Useful Function documentation for each DBE on each project regardless of whether there is a DBE goal or not
- ◆ Provide DBE Clearance – if all payment information is received from the prime contractor and appropriately verified

Contractors or DBE with questions and/or concerns regarding DBE payment reporting should contact the CRO at 269-0851.

*Contributed by: Reneise D Bagsby
CRO Compliance Officer*



(Continued from page 4)
ALASKA NATIVE CORPORATIONS
Increased Use of Special 8(a) Provisions
Calls for Tailored Oversight

SBA, which is primarily responsible for implementing the 8(a) program, had not tailored its policies and practices to account for ANC's unique status and growth in the 8(a) program, even though SBA officials recognized that ANC's enter into more complex business relationships than other 8(a)

participants. Areas where SBA's oversight fell short included determining whether more than one subsidiary of the same ANC was generating a majority of its revenue in the same primary industry, consistently determining whether awards to 8(a) ANC firms had resulted in other small businesses losing contract

opportunities, and ensuring that the partnerships between 8(a) ANC firms and large firms were functioning in the way they were intended

To view the testimony on the web in its entirety go to:

<http://www.gao.gov/new.items/d071251t.pdf>

Tentative ADOT&PF Projects for Next Quarter

For more information on Projects visit web site at: <http://dot.alaska.gov/procurement/index.shtml>

State Proj.#	Project Name	Est. \$ Range	Tent.Date Advertise
<i>Central Region</i>			
58800	GLENN HWY: GAMBELL ST TO AIRPORT HEIGHTS	\$10-20M	Oct-07
54290	AMATS: POTTER MARSH TRAILHEAD ACCESS, PHASE II	\$1-2.5M	Oct-07
58111	BETHEL CHIEF EDDIE HOFFMAN HWY, WATSON'S CNR (3RD BROWN) AK141	\$2.5-5M	Oct-07
53936	AMATS: EAGLE RIVER LP RD REHAB: O.GLENN-EAGLE RIVER RD	\$5-10M	Oct-07
60008	MAT-SU: PAVEMENT REHABILITATION PROGRAM, 2007	\$5-10M	Oct-07
51651	WILLIAMSPORT TO PILE BAY RD SPOT REPAIRS AK128 115/1702/3044		Nov-07
59759	FALSE PASS LANDFILL ACCESS ROAD AK074	\$1-2.5M	Nov-07
<i>Northern Region</i>			
60661	NOME STORM ER PERMANENT REPAIRS—2004/2005	\$2.5-5M	Oct-07
62168	SELAWIK BOARDWALK & LANDFILL ROAD	\$2.5-5M	Oct-07
60502	ALASKA HWY MP 1267-1314 REHABILITATION	\$20-30M	Oct-07
62856	FAIRBANKS ACTIVE ADVANCE WARNING FLASHERS (HSIP)	\$500K-1M	Oct-07
66649	SHAKTOOLIK LANDFILL ROAD	\$500K-1M	Oct-07
60434	FAIRBANKS COWLES STREET UPGRADE	\$2.5-5M	Nov-07
61447	DEADHORSE AIRPORT ARFF BAY ADDITION W/SAND STORAGE	\$2.5-5M	Dec-07
60692	NOR REG SCHOOL ZONE UPGRADES (STIP)	\$500K-1M	Dec-07
62850	FAIRBANKS SCHOOL ZONE UPGRADES (HSIP)	\$500K-1M	Dec-07
<i>Southeast Region</i>			
68897	WRG AIRPORT MITIGATION—FISH LADDER IMPROVEMENTS	\$100-250K	Oct-07
67763	JNU AUKE BAY FAST VEHICLE FERRY SUPPORT FACILITY	\$2.5-5M	Oct-07
69211	ELFIN COVE BOARDWALK REPAIRS (DENALI COMMISSION)	\$100-250K	Nov-07
69236	SEA NOVEMBER 2005 STORM PERMANENT REPAIRS	\$1-2.5M	Nov-07
68187	SITKA AIRPORT ACCESS IMPROVEMENTS	\$2.5-5M	Nov-07
67786	JNU AUKE BAY FAST VEHICLE FERRY UTILITIES	\$250-500K	Nov-07
68473	JUNEAU-WHITTIER & WILLOUGHBY TRAFFIC IMPROVEMENTS	\$500K-1M	Nov-07
68345	YAKUTAT AREAWIDE PAVING	\$1-2.5M	Dec-07
68790	SIT JAPONSKI ISLAND UTILITY & RD IMPROVEMENTS #AK023	\$1-2.5M	Dec-07
68943	SITKA SAWMILL CREEK RD/HALIBUT PT RD ROUNDABOUT	\$1-2.5M	Dec-07
69208	SITKA INDIAN RIVER ROAD IMPROVMENTS AK143	\$2.5-5M	Dec-07
67519	SOUTH MITKOF ISLAND TERMINAL ACCESS ROAD/ PARKING AREA PAVING	\$250-500K	Dec-07
68905	KTN THIRD AVE DRAINAGE IMPROVEMENTS (TREMONT ST)	\$500K-1M	Dec-07
68646	PETERSBURG MITKOFF HIGHWAY UPGRADE	\$5-1M	Dec-07



Notes & News About Certification



Newly Certified Firms

➤ **Anderson Law Group**
Anchorage, Alaska

Line of Work:

Consultant: Non-Construction



➤ **Durainey's Crane Services**
Nikiski, Alaska

Line of Work:

Construction: Metal Buildings Erection; Mobilization/Demobilization; Piledriving; and Steel Erection—Bridges & Buildings

➤ **Marshall's Electric Inc**
Anchorage, Alaska

Line of Work:

Construction: Electrical—Buildings, Highway Signals & Illumination, and Underground Power/Cable

➤ **North Star Paving & Construction Inc**
Soldotna, Alaska

Line of Work:

Construction: Asphalt Paving—Bike Paths, Parking Lots/Patching/Crack Repair, Roadways, and Rotomilling; Campground/Roadside/Trail Appurtenances; Clearing (Manual); Clearing/Grubbing (Mechanical); Demolition of Structures; Earthwork—Excavation & Embankment, and Site Work; Erosion Control—Armor Mat, and Rip Rap; Fencing; Guardrail; Landscaping; Mobilization/Demobilization; and Underground—Sewer/Water Line Installation

Supplier: Aggregates, Asphalt

➤ **Skan & Associates LLC**
Klawock, Alaska

Line of Work:

Consultant: Business Service

Recertified Firms

➤ **Alaska Traffic Signal Supply Inc**
Eagle River, Alaska

➤ **Albrights Commercial Floors Inc**
Anchorage, Alaska

➤ **Becker Trucking**
Fairbanks, Alaska

➤ **Bering Shai Construction**
Anchorage, Alaska

➤ **Chemtrak Environmental Sciences**
Anchorage, Alaska

➤ **CLI Construction Inc**
Cantwell, Alaska

➤ **Environmental Compliance Consultants Inc**
Anchorage, Alaska

➤ **Glacier Painting & Decorating of Alaska Inc**
Anchorage, Alaska

➤ **Guido Perla & Associates Inc**
Seattle, Washington

➤ **Harai & Associates Inc**
Petersburg, Alaska

➤ **Jolt Construction & Traffic Maintenance Inc**
Big Lake, Alaska

➤ **Northern Dame Construction Inc**
Wasilla, Alaska

➤ **Northern Taiga Ventures inc**
Fairbanks, Alaska

➤ **SBH Services Inc**
Anchorage, Alaska

➤ **The Sourdough Mercantile Inc**
Anchorage, Alaska

➤ **Thompson's Drafting Services**
Ester, Alaska

➤ **TKC Communications LLC**
Anchorage, Alaska

➤ **Yellowknife Construction Inc**
Anchorage, Alaska



CIVIL RIGHTS OFFICE — STAFF MEMBERS

CRO Manager—Jon Dunham

Responsible for overall Civil Rights Programs implementation and reporting to Federal Highway Administration, Federal Aviation Administration, and Federal Transit Administration for Alaska Department of Transportation and Public Facilities. Overall supervision of the Civil Rights Office Staff.

Compliance Programs—

Reneise D Bagsby Performs contract compliance reviews and enforcement of external EEO, DBE, and OJT programs. Administers the Title VI program under the Civil Rights Act of 1964. Investigates discrimination complaints. Administers department ADA Program. Directly supervises compliance program staff.

Valerie Fletcher-Mitchell Performs audits of ADOT&PF programs and sub-recipients of federal assistance funds based on Title VI of the Civil Rights Act of 1964. Reviews Environmental Documents for compliance with Title VI of the Civil Rights Act of 1964 and the Environmental Justice Executive Order. Provides technical assistance, oversight, and training of ADOT&PF personnel and Federal Highway Administration sub-recipients on Title VI requirements and compliance.

Grace San Miguel Performs contract compliance reviews and enforcement of external EEO, DBE, and OJT programs.

J Taylor Fortner (Statistical Technician) Maintains the Civil Rights Office database and works with contractors and Federal Highway Administration and Federal Aviation Administration on numerous aspects of reporting.

DBE Certification—

Linda K Babb Administers the DBE certification program by coordinating functions between Alaska Unified Certification Program Members, DBEs, and various agencies representing minority or women owned, small and disadvantaged businesses. Oversees certification outreach, processing of DBE applications, recertifications, and annual reviews. Directly supervises DBE certification staff.

Sharon White-Wheeler Assists businesses with navigating the DBE certification process. Conducts outreach, validates applications and performs recertifications and annual reviews.

Corlotta Robinson Assists businesses with navigating the DBE certification process. Conducts outreach, validates applications and performs recertifications and annual reviews. Liaison for the Alaska Unified Certification Program.

Support Services—Beckie M Oliva

Administers the DBE and OJT Support Services programs, working with contractors bidding on Alaska Department of Transportation and Public Facilities projects.

Administrative Staff—

Hazel Johnson Assists with Civil Rights Office budget, provides office support and assists with the 50% reimbursement training program.

Kim Jenish Handles all incoming communication with the Civil Rights Office and supports the administrative functions of the Civil Rights Office staff.

Alaska Department of Transportation and Public Facilities Civil Rights Office

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