

# **ADVISORY NOTICE TO ALL BIDDERS**

## **TOPIC: CIVIL RIGHTS GOAL REQUIREMENTS**

### ***Federal - Disadvantaged Business Enterprise (DBE) / Emerging Small Business Enterprise (ESBE) and State - Small Business Enterprise (SBE) Goals***

**The following guidance is provided to help insure your bid is not rejected for being non-responsive and/or not responsible due to State and Federal Civil Rights Goal Requirements.**

**If the project you will be bidding on has a Federal DBE / ESBE or State SBE Goal, please make note of the following:**

- ✓ **DBE/SBE/ESBE Utilization/Participation Plan and ALL Commitment Forms Must Be Submitted by all Bidders within Five (5) days after bid opening.**
- ✓ **Be sure to include ALL required forms and documentation as follows:**
  - **CR-266 “Schedule of DBE/ESBE/SBE Participation”**
  - **CR-273 “Confirmation of DBE/ESBE/SBE Firm”**
  - **CR-272 “DBE/ESBE/SBE Regular Dealer/Supplier Verification” – if applicable**
  - **CR-274 “DBE/ESBE/SBE Trucking Verification” – if applicable**
- ✓ **Make sure that all required forms are PROPERLY, ACCURATELY and FULLY COMPLETED**

**Please note that the following, common errors can cause a bid to be rejected:**

- Bidder fails to sign the CR-266;
- Bidder fails to submit **COMPLETED** and **SIGNED** CR-273 confirming agreement for each DBE/ESBE/SBE firm listed on the CR-266
- Not verifying and confirming the proper NAICS Code(s) in the NJUCP directory for the classification of work the DBE is certified for, and committed to perform;
- Bidder completes and signs the CR-273 for the DBE/ESBE/SBE subcontractor;
- Failing to identify the correct item numbers, work descriptions and NAICS codes on the CR-266 and CR-273;
- Bidder fails to submit a **COMPLETED** and **SIGNED** CR-272 (Dealer/Supplier Verification) and/or CR-274 (Trucking Verification) from each DBE/ESBE/SBE dealer/supplier or trucker listed on the CR-266 – when applicable;
- Item Numbers and Contract Amounts on CR-266 and CR-273 don't correspond or match;
- DBE/SBE subcontractor listed on the CR-266 is not in good standing (i.e., not currently certified as a DBE or registered as a SBE);
- Identifying SBE subcontractors on the CR-266 for a Federally funded, DBE goal project and vice-versa; and

- Failure to submit adequate documentation to support Good Faith Efforts (GFE) when the DBE/ESBE/SBE goal is not met.

If you have any questions or need clarification concerning the above forms, please contact the Division of Civil Rights/Affirmative Action's Contractor Compliance Unit at 609-963-2047 or by email at [DOT-CR.Verifications@dot.nj.gov](mailto:DOT-CR.Verifications@dot.nj.gov).

**All serious bidders should submit DBE/ESBE/SBE Participation Plan/Commitment Forms. It is in the best interest of the New Jersey Department of Transportation as well as the contracting community.**

**NOTE: If the apparent low bidder fails to meet the DBE/ESBE/SBE Goal and does not provide adequate documentation of its Good Faith Efforts, the NJDOT may go to the next lowest and responsive and responsible bidder.**