



Disadvantaged Business Enterprise (DBE) Requirements



DBE Goal

9% DBE Goal

Submission Requirements at time of bid

- DBE Commitment Form
- DBE Letter(s) of Intent
- DBE Good Faith Efforts (if goal is not met)

DBE Commitment Form

Include ALL DBE subcontractors intended to be utilized for credit

DBEs must be certified at time of bid

DBEs must be listed in the DBE directory
<https://mnucp.metc.state.mn.us/>

DBEs must have appropriate NAICS code for the prime to receive credit for the work.

i.e. Glass and Glazing company must have:

238150 Glass and Glazing Contractors

You are here: [Census.gov](#) > [Business & Industry](#) > NAICS

North American Industry Classification System

Main

History

Development
Partners

Federal
Register Notices

NAPCS

FAQs

NAICS Search:

Enter keyword or 2-6 digit code

2017 NAICS Search

Enter keyword or 2-6 digit code

2012 NAICS Search

Enter keyword or 2-6 digit code

2007 NAICS Search

Reference Files

- 2017 NAICS
- 2012 NAICS
- 2007 NAICS
- 2002 NAICS
- 1997 NAICS
- Concordances
- Downloadable Files
- NAICS Update Process
Fact Sheet [PDF, 106KB]

Introduction to NAICS

The North American Industry Classification System (NAICS) is the standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy.

NAICS was developed under the auspices of the Office of Management and Budget (OMB), and adopted in 1997 to replace the [Standard Industrial Classification \(SIC\) system](#). It was developed jointly by the [U.S. Economic Classification Policy Committee \(ECPC\)](#), [Statistics Canada](#) , and Mexico's [Instituto Nacional de Estadística y Geografía](#) , to allow for a high level of comparability in business statistics among the North American countries.

This official U.S. Government Web site provides the latest information on plans for NAICS revisions, as well as access to various NAICS reference files and tools. Additional information on the background and development of NAICS is available in the [History](#) section of this Web site.

2017 NAICS Manual



2017 NAICS Key Word Search

Search results for: asphalt paving

Number of records found: 6

- [237310](#) Asphalt paving (i.e., highway, road, street, public sidewalk)
- [324110](#) Asphalt paving mixtures made in petroleum refineries
- [324121](#) Asphalt paving blocks made from purchased **asphaltic** materials
- [324121](#) Tar and **asphalt paving** mixtures made from purchased **asphaltic** materials
- [324121](#) Blocks, **asphalt paving**, made from purchased **asphaltic** materials
- [324121](#) **Asphalt paving** mixtures made from purchased **asphaltic** materials

2017 NAICS Definition

T = Canadian, Mexican, and United States industries are comparable.

237310 Highway, Street, and Bridge Construction

This industry comprises establishments primarily engaged in the construction of highways (including elevated), streets, roads, airport runways, public sidewalks, or bridges. The work performed may include new work, reconstruction, rehabilitation, and repairs. Specialty trade contractors are included in this industry if they are engaged in activities primarily related to highway, street, and bridge construction (e.g., installing guardrails on highways).

Illustrative Examples:

Airport runway construction
Highway line painting
Causeway construction
Painting traffic lanes or parking lot lines
Culverts, highway, road, and street, construction
Pothole filling, highway, road, street, or bridge
Elevated highway construction
Resurfacing, highway, road, street, or bridge
Guardrail construction
Sign erection, highway, road, street, or bridge

Cross-References. Establishments primarily engaged in--

- Constructing tunnels--are classified in Industry [237990](#), Other Heavy and Civil Engineering Construction;
- Highway lighting and signal installation--are classified in Industry [238210](#), Electrical Contractors and Other Wiring Installation Contractors;
- Painting bridges--are classified in Industry [238320](#), Painting and Wall Covering Contractors;
- Road decommissioning or removing culverts or bridges--are classified in Industry [238910](#), Site Preparation Contractors; and
- Constructing parking lots, private driveways, sidewalks, or erecting billboards--are classified in Industry [238990](#), All Other Specialty Trade Contractors.

**00485 – DISADVANTAGED BUSINESS ENTERPRISE (DBE) COMMITMENT
FORM (Must be completed, signed, and submitted with each bid)**

Bidder Name	Project Name				DBE Goal
Ryder Marshall Construction	Doghouse Expansion Project				15%
DBE Name <small>(Legal business name used for certification)</small>	Description of Work	Participating As? <small>Prime, Subcontractor, Trucker, Supplier or Broker</small>	DBE Bid Amount	DBE Credit amount <small>dollar value</small>	DBE %
Fido's Concrete Company	Concrete	Subcontractor	\$20,000	\$20,000	10%
Baxter's Electrical Supply	Electrical Supplier	Supplier	\$20,000	\$12,000	6%
For purposes of award, bidder must demonstrate good faith efforts to meet the goal on the total bid or the base bid if the bid consists of base bid and allowances and or additives. Use copies of this form if additional space is needed to list committed DBEs.				Total Value \$32,000	Total % 16%

Were any non-DBE subcontractors selected over DBE subcontractors (check one) YES NO
 (If you select "yes" or do not check a box and you do not meet the numeric goal, you must provide the quotes required by Section 4.1 in the 00485 – DBE Contract Requirements)

I have read the DBE requirements in Document 00485 Disadvantaged Business Enterprise (DBE) Contract Requirements. I further certify that the Bidder has made appropriate efforts to comply with the DBE requirements for this contract by making good faith efforts to meet the assigned DBE goal as specified in 00485 Disadvantaged Business Enterprise (DBE) Contract Requirements. I am authorized on behalf of the Bidder to submit this certification to the Council. This certification is a material representation of fact on which the Council may rely in awarding the contract.

Bidder Name / Title / Phone: Ryder Marshall / Owner / 999-999-9999

Bidder Signature: Ryder Marshall Date: 9/9/2022

[Contract Number]

DBE Counting

Contractor	100%
Manufacturer	100%
Supplier	60%
Broker	5% (commission and transport fees)
Trucking	100% DBE owned trucks 100% for non-DBE trucks hired by the DBE firm – not to exceed the total number of DBE trucks 60% DBE trucking and supply

DBE Letter(s) of Intent

- Due at time of bid
- Value and scope must match DBE commitment Form
- Must be signed by prime contractor and DBE

DISADVANTAGED BUSINESS ENTERPRISE (DBE) LETTER OF INTENT

(Must be completed and signed by each DBE listed on 00485 Commitment Form, and submitted with each bid)

Bidder:	Contract Number:	Project Name:
Ryder Marshall Construction	21P000	Doghouse Expansion Project

DBE Name: Fido's Concrete Company Phone: 000-000-0000

Address: 1212 Puppy Ave City: St. Paul State: MN Zip: 55101

Participating As: Prime Contractor Subcontractor Supplier (60% credit) Manufacturer Trucker Broker

Description	DBE Bid Amount	Dollar Amount for DBE Credit
Install Concrete Slab	\$20,000	\$20,000

1. This is a letter of intent between the bidder on this project and a DBE firm to perform subcontract work on this project.
2. By signing below, the bidder is committing to utilize the above-named DBE to perform the work described above.
3. By signing below, the above-named DBE is committing to perform the work described above.

Affirmation: I hereby affirm that the information above is true and correct.

Bidder Representative Name: Ryder Marshall Title: Owner

Bidder Representative Signature: Ryden Marshall Date: 9/8/2021

DBE Representative Name: Fido Barks Title: Owner

DBE Representative Signature: Fido Barks Date: 9/8/2021

[Contract Number]

DBE Commitment Form, Letter of Intent Form and Good Faith Efforts

DISADVANTAGED BUSINESS ENTERPRISE (DBE) LETTER OF INTENT

(Must be completed and signed by each DBE listed on 00485 Commitment Form, and submitted with each bid)

Bidder:	Contract Number:	Project Name:
Ryder Marshall Construction	21P000	Doghouse Expansion Project

DBE Name: Baxter's Electrical Supply Phone: 111-111-1111

Address: 1501 Paw Street City: Minneapolis State: MN Zip: 55407

Participating As: Prime Contractor Subcontractor Supplier (60% credit) Manufacturer Trucker Broker

Description	DBE Bid Amount	Dollar Amount for DBE Credit
Supply Conduit and Light Fixtures	\$20,000	\$20,000 x .60 = \$12,000

4. This is a letter of intent between the bidder on this project and a DBE firm to perform subcontract work on this project.
5. By signing below, the bidder is committing to utilize the above-named DBE to perform the work described above.
6. By signing below, the above-named DBE is committing to perform the work described above.

Affirmation: I hereby affirm that the information above is true and correct.

Bidder Representative Name: Ryder Marshall Title: Owner

Bidder Representative Signature: Ryder Marshall Date: 9/6/2021

DBE Representative Name: Baxter Ruff Title: Owner

DBE Representative Signature: Baxter Ruff Date: 9/6/2021

[Contract Number]

DBE Commitment Form, Letter of Intent Form and Good Faith Efforts

DBE Good Faith Efforts (GFE)

- Required at time of bid if goal is not met
- Demonstrate and document all efforts to achieve the DBE participation goal taken prior to bid submission
- GFE Submission Reference

**DISADVANTAGED BUSINESS ENTERPRISE (DBE)
GOOD FAITH EFFORTS (GFE) SUBMISSION REFERENCE**

(Must be submitted at time of bid when DBE Commitment is less than the assigned goal)

The bidder must show that it took all necessary and reasonable steps to achieve the DBE goal which by their scope, intensity and appropriateness to the objective, could reasonably be expected to obtain sufficient DBE participation, even if not fully successful. For reference, a list of actions to be considered is provided; the list is not exclusive or exhaustive.

The bidder's good faith efforts information submission should address the following:

1. Narrative statement

- A statement of the bidder's efforts and overall plan for obtaining DBE participation noting barriers or challenges encountered in obtaining DBE participation. Specifically, detailing how all necessary and reasonable steps to achieve the DBE goal or other requirements which, by their scope, intensity, and appropriateness to the objective of achieving the DBE goal, could reasonably be expected to obtain sufficient DBE participation were taken- even if the bidder was not successful.

2. Documented solicitation efforts

The solicitation requirement includes the initial solicitation and appropriate follow up.

- Evidence of solicitation efforts to DBEs such as copies of requests for quotes sent via email or fax to DBE firms with identification of the firms clearly stated
- List of all DBE firms contacted to date, contact name and response; or, email distribution lists with date and time clearly indicated
- Evidence the solicitations to DBEs provided sufficient information about the type of work available on the project
- Evidence the current [DBE Directory](#) was used to identify DBE firms
- Evidence of efforts taken to break out and solicit for work in economically feasible units
- Evidence solicitations included work that the bidder would otherwise self-perform

3. Timely notice

- Evidence the solicitation notices (email/fax) were sent timely to DBE firms allowing sufficient time for response.
- Evidence the solicitation notice included sufficient information about the project such as:
 - Name and location of project
 - Bid due date
 - Scope of work requested
 - Location where DBE's can review plans and specifications
 - Date and time to submit quote
 - Contact name for technical assistance
 - Any special requirements

4. Assistance

- A detailed explanation of efforts to assist interested DBEs in obtaining bonding, lines of credit, or insurance.
- A detailed explanation of the efforts to assist interested DBEs in obtaining necessary equipment, supplies, materials or related assistance or services.

5. Follow up

- Evidence of sufficient efforts to follow up with DBE firms. The bidder is encouraged to keep a communication log that documents follow up efforts. Information on the log shall include:
 - Type of contact (fax, telephone, e-mail)
 - Name of contact person
 - Name of DBE firm
 - Date and time of DBE contacted
 - Response received
 - Reason for DBE not bidding project (if applicable)

6. Outreach and Advertisements

- Evidence of DBE informational workshops and/or Metropolitan Council sponsored DBE events, such as networking sessions, DBE conferences, DBE/Contractors meetings, etc. that the bidder hosted or attended
- A detailed explanation of the effective use of the services of available minority/women community organizations; minority/women contractor's groups; local, state, and Federal minority/women business assistance offices; and other organizations as allowed on a case-by-case basis to aid in the recruitment and placement of DBEs
- Copies provided of any advertisements placed on hardcopy or websites. Advertisements should include information about the project(s), type(s) of work for which quotes are being solicited, and specific contact information for the bidder

7. Copies of quotes

- Provide copies of quotes from all non-DBEs
 - Indicate which quotes are being utilized
- Provide copies of quotes from all DBEs
 - Indicate which quotes are being utilized
 - For DBEs quoted but not selected, provide explanation as to why quote was not accepted

8. Explanation of rejected DBE quotes

- A detailed explanation for not accepting any DBE quotes submitted but not selected
- Each non-accepted quote should be addressed individually
- Provide an explanation of the efforts made to negotiate in good faith with interested DBEs
- Provide information about any cost comparisons that were considered in the decision to not accept DBE quotes
 - The fact that there may be some additional costs involved in finding and using DBEs is not in itself sufficient reason for failure to meet the contract DBE goal, as long as such costs are reasonable
- The bidder is not required to accept higher quotes from DBEs if the price difference is excessive or unreasonable. Provide a written explanation for this conclusion if such a determination is made.

9. Self-Performance

- Bidder shall provide a detailed list of scopes and dollar value of those scopes for which they intend to self-perform

Optional Resources

- GFE Submission Reference
- Subcontractor Supplier Quote Received Log
- Subcontractor Supplier Solicitation Log
- FAQ – Solicitation with a DBE Goal (Sent via Addendum)
- Resources located at:
<https://metro council.org/AboutUs/Organization/DoingBusiness.aspx>

DBE Evaluation

- Review of the DBE commitments
 - Verify DBE firm's certification
 - Verify DBE NAICS codes
 - Calculate credit
- Review GFE if goal is not met
- If OEEEO determines bidder fails to make adequate GFE, an administrative reconsideration hearing will be offered
- Reconsideration information is located in the Bid documents

Contact

Trina Bolton

Office: 612-349-7567

Cell: 612-790-0329

Trina.Bolton@metc.state.mn.us