

# APPENDIX A

## DISADVANTAGED BUSINESS ENTERPRISE REQUIREMENTS

### REGIONAL TRANSPORTATION AUTHORITY (RTA) DISADVANTAGED BUSINESS ENTERPRISE (DBE) COMPLIANCE PLAN

Project name: \_\_\_\_\_

Vendor name: \_\_\_\_\_

#### Instructions for Completing the DBE Compliance Plan

It is the objective of the RTA to promote the participation of DBEs in the performance of its contracts. To promote this objective, the RTA has established a DBE Program in conformance with U.S. Department of Transportation (U.S. DOT) regulations at 49 CFR Part 26. Additional information and guidance about the regulations is available at <http://www.dot.gov/osdbu/>. Additional information on the RTA's DBE Program is available at <https://ebidexchange.com/Default.aspx?cid=fea19256-6318-46d1-9c7a-d7e5a74935eb>.

**A proposer or bidder for this RTA project (referred to herein as "Vendor") must either achieve or exceed the DBE contract goal established for this project through DBE participation or must sufficiently document its good faith efforts to meet the DBE goal.**

A DBE is a business certified through the Illinois Unified Certification Program (IL UCP), in accordance with the U.S. DOT's requirements. The firm must be certified as a DBE at the time of bid or proposal submittal in order to be counted as a DBE on this project. Other certifications are not acceptable and dollars spent with firms not DBE certified will not be counted towards achieving the DBE contract goal on this project. Information on DBE certification in Illinois through the IL UCP, including a listing of certified DBEs, is available at <http://www.idot.illinois.gov/doing-business/certifications/disadvantaged-business-enterprise-certification/il-ucp-directory/index>. All DBE certifications must be pre-certifications, i.e., certifications that have been made final before the due date for bids/proposals as required by 49 CFR 26.81(c).

All Vendors must submit the DBE Compliance Plan to the RTA at the time specified by the RTA. A Vendor that is itself a DBE must still submit the DBE Compliance Plan to the RTA. Specific instructions for completing this DBE Compliance Plan are included for each Section. The DBE Compliance Plan must be signed and dated by an authorized representative of the Vendor. **If the DBE Compliance Plan is not submitted at the time specified by the RTA, the Vendor's bid/proposal may be deemed non-responsive and be rejected.**

The RTA-approved DBE Compliance Plan will be incorporated into any contract relating to this project and will be attached as an exhibit thereto. Sections I – VII are the DBE Compliance Plan and supporting forms.

Questions about this DBE Compliance Plan may be directed to the RTA's Regulatory Compliance Officer by email at [redl@rtachicago.org](mailto:redl@rtachicago.org) or by telephone at 312-913-3212.

## DBE Compliance Plan Check List

Please complete the following steps:

- ( ) Review Section I, DBE Program Provisions and DBE Compliance Plan Instructions.
- ( ) Complete and sign Section II, DBE Participation Commitment, even if no DBEs will be utilized. Submit it with your bid/proposal (or as otherwise specified by the RTA).
  - Designate the Vendor's DBE contact person for the project.
  - List all DBE subconsultants, subcontractors, suppliers and joint venture partners.
  - Describe the area of specialty and type of work to be performed by the DBE subconsultant, subcontractor, supplier and joint venture partner.
  - List the dollar amount of DBE participation commitment.
  - List the total proposal/contract price.
- ( ) If the DBE contract goal was not fully achieved through participation, complete Section III, Documentation of Good Faith Efforts to Achieve DBE Contract Goal, and submit it with your bid/proposal (or as otherwise specified by the RTA).
  - Complete the Good Faith Efforts checklist and attach relevant documents.
  - Complete Good Faith Efforts Contacts Log.
- ( ) If the Vendor proposes to achieve the DBE contract goal by entering into a joint venture arrangement with a DBE, complete Section IV, DBE Joint Venture Agreement. Submit a copy of the Joint Venture Agreement with your bid/proposal (or as otherwise specified by the RTA).
- ( ) Complete Section V, Letter of Intent, for each DBE proposed to be utilized on the project as a subconsultant, subcontractor or supplier (but not as a joint venture partner), and submit it with your bid/proposal (or as otherwise specified by the RTA).
- ( ) Have an authorized officer of the Vendor sign Section VII, Attestation, and have it notarized.
- ( ) Submit entire DBE Compliance Plan to the RTA with your bid/proposal (or as otherwise specified by the RTA).

**SECTION I**  
**DBE PROGRAM PROVISIONS AND DBE COMPLIANCE PLAN INSTRUCTIONS**

The DBE Compliance Plan must list all DBE firms that will participate on the project as subconsultants, subcontractors, suppliers or joint venturer partners for the Vendor. By listing a subconsultant, subcontractor, supplier or joint venture partner on the DBE Compliance Plan, the Vendor indicates that the firm agrees to the price and scope of work proposed. In the event the Vendor is awarded a contract (or, in the case of a task order contract, task orders are established), the Vendor agrees to contract with the firms listed on the Compliance Plan for the scope and price disclosed. These Provisions and Instructions will be incorporated by reference into the contract.

**Counting DBE Participation Towards the DBE contract Goal**

All DBE's must be certified at the time the bid/proposal is submitted to the RTA. The value of the work actually performed by the DBE, including supplies purchased or equipment leased by the DBE, will be counted toward the DBE contract goal established by the RTA in the manner set forth in 49 CFR 26.55.

If a DBE subconsultant, subcontractor, supplier or joint venture partner elects to subcontract part of the work to another firm (i.e., to a second tier subcontractor), the value of the second tier work may be counted toward the DBE contract goal only if the second tier subcontractor is itself a DBE. Work that a DBE subcontracts to a second tier non-DBE will not count towards the goal.

After contract award, when evaluating compliance with DBE requirements, the RTA will not credit the participation of a DBE subconsultant, subcontractor or supplier towards the DBE contract goal until that amount has been paid to the DBE.

The participation of a DBE subconsultant, subcontractor, supplier or joint venture partner that "graduates" from the Illinois Unified Certification Program, or another state's program, based upon exceeding the firm size or personal net worth limitations, after contract award and execution of a subcontract with the Vendor, will be counted toward achieving the contract goal (as set forth in 49 CFR 26.87(i)). The participation of a DBE subconsultant, subcontractor, supplier or joint venture partner that loses its certification eligibility before it signs a subcontract for this RTA project for any reason or as a result of fraud, collusion or any other misconduct after contract award shall not be counted toward the contract goal. RTA may require that a subconsultant, subcontractor, supplier or joint venture partner that loses its certification because of misconduct be replaced.

The DBE must perform a "Commercially Useful Function" on the contract in the "Area of Specialty" for which it is certified as a DBE to be counted towards the DBE contract goal. Commercially Useful Function means responsibility for the execution of a distinct element of the work on the project and carrying out its responsibilities by actually performing, managing, and supervising the work involved. To determine whether a firm is performing a Commercially Useful Function, the RTA will evaluate the amount of work subcontracted, whether the amount the firm is to be paid under the contract is commensurate with the work it is actually performing and the credit claimed for its performance of the work, industry practices, and other relevant factors. Area of Specialty means the description of a DBE's activity most reflective of the firm's claimed specialty or expertise, as listed on its IL UCP letter of certification. The RTA does not make any representations concerning the ability of any DBE to perform work within its Area of Specialty or the quality of any DBE's work.

It is the responsibility of the Vendor to determine the capability and capacity of DBEs to perform the proposed work.

### **Demonstrating Good Faith Efforts to Achieve the DBE Contract Goal**

If the Vendor cannot achieve the DBE contract goal through DBE participation on the contract (or, in the case of a task order contract, on the relevant task order), it must document adequate “Good Faith Efforts” to do so in Section III of this document, including providing any supporting documentation requested by the RTA in order for the bid/proposal to be deemed responsive.

A Vendor must show that it took all necessary and reasonable steps to achieve the DBE goal. The fact that there may be some additional costs involved in finding and using DBEs is not in itself sufficient reason for a Vendor’s failure to achieve the DBE contract goal, as long as such costs are reasonable. Also, the ability or desire of a Vendor to perform the work on the project with its own forces or organization does not relieve the Vendor of the responsibility to achieve the DBE contract goal through participation or to make Good Faith Efforts to do so. A Vendor is not, however, required to accept higher quotes from DBEs if the price difference is excessive or unreasonable.

The RTA, in its sole discretion, will determine whether the Vendor has made adequate Good Faith Efforts to achieve the DBE contract goal. In evaluating the Vendor’s Good Faith Efforts, the DBE participation and/or Good Faith Efforts of other vendors on this project or projects of a similar nature may be considered for comparative purposes.

If the RTA determines that the Vendor has made Good Faith Efforts to achieve the DBE contract goal, the Vendor will be eligible for contract award (provided that it is otherwise eligible for award).

If the RTA determines that the Vendor has not made Good Faith Efforts to achieve the DBE contract goal, the RTA will notify the Vendor of that determination and will provide the apparent successful Vendor an opportunity for administrative reconsideration prior to contract award as set forth in 49 CFR 26.53(d).

The RTA may request written clarification of items on the DBE Compliance Plan; however, such clarification does not provide an opportunity to augment listed DBE participation commitments or Good Faith Efforts. Changes to the DBE Compliance Plan are permitted only pursuant to the procedures established in Section VI of this document.

Only those vendors who make adequate good faith efforts to meet a contract DBE goal on a contract funded in whole or in part with federal funds will be eligible for contract award.

## Joint Ventures with DBEs

Joint venture(s) that the Vendor enters into with DBEs may be counted toward the DBE contract goal. A joint venture is an association between two or more persons, or any combination of types of business enterprises and persons numbering two or more, proposing to perform a for-profit business enterprise in which each joint venture partner contributes property, capital, effort, skill and knowledge, and in which the DBE joint venturer is responsible for a distinct, clearly defined portion of the work on the project and whose share in the capital contribution, control, management, risks, and profits of the joint venture are commensurate with its ownership interest. Joint venturers must have an agreement in writing specifying the terms and conditions of their relationships and their risks and responsibility. The joint venturers must complete Section VI of the DBE Compliance Plan, submit a copy of their joint venture agreement at the time of submitting their DBE Compliance Plan, and must each provide the attestation to the DBE Compliance Plan at Section VII of this document.

### **Changes to the DBE Compliance Plan or Substitutions of Subconsultants, Subcontractors or Suppliers**

The Vendor may not make changes to its DBE Compliance Plan or its contractual DBE commitments, or substitute a subconsultant, subcontractor or supplier at any time, without the prior written approval of the RTA. Requests for changes or substitutions must be made on the form provided in Section VI of this document. **Unauthorized changes or substitutions, including the performance by the Vendor's own forces of the work designated for a subconsultant, subcontractor or supplier may render the Vendor ineligible for contract award or, if a contract has already been established, will be considered a material breach of the contract.** The facts supporting the request for changes or substitutions must not have been known, or could not reasonably have been known, by the Vendor prior to submitting the DBE Compliance Plan to the RTA.

Section VI, Request for Change of Compliance Plan, should be submitted only if and when the Vendor seeks to change its DBE Participation Commitments as contained in Section II of this document, or make any other changes to its previously submitted DBE Compliance Plan. Changes or substitutions requested by the Vendor shall not be considered approved until such approval is given to the Vendor by the RTA in writing.

In the event that a Vendor's request for change(s) to its Compliance Plan or substitution(s) will result in a change in the Vendor's DBE participation, and the revised participation does not achieve the DBE commitment in the Compliance Plan, the Vendor will be required to submit an updated Section III of the DBE Compliance Plan to demonstrate that it made Good Faith Efforts to achieve the DBE contract goal.

If the Vendor's request involves adding a new DBE subconsultant, subcontractor or supplier, the Vendor must submit with the Request for Change of Compliance Plan a signed and notarized Letter of Intent (Section V of this document), from the DBE identified in the revised Compliance Plan.

The RTA will evaluate the Vendor's request and, in its sole discretion, may approve or reject the request. The written request for a change or substitution must state specific reasons for the proposed change or substitution. Acceptable reasons for changes may include, but are not limited to, the following:

- Unavailability of the subconsultant, subcontractor or supplier after the initial submission of the DBE Compliance Plan;
- Failure of the subconsultant, subcontractor or supplier to perform the agreed scope(s) of work;

- Financial incapacity of the subconsultant, subcontractor or supplier;
- Failure of the subconsultant, subcontractor or supplier to honor the proposal price;
- Mistake of fact or law about the scope(s) of work where a reasonable price cannot be agreed upon;
- Failure of the subconsultant, subcontractor or supplier to meet bonding, insurance, or licensing requirements specified in the solicitation; or
- Withdrawal of the bid or proposal by the subconsultant, subcontractor or supplier.

A statement from the DBE to be substituted stating why it cannot perform on the project may be submitted to support the request. Where the reason for the requested change is a valid mistake or disagreement between the Vendor and the subconsultant, subcontractor or supplier on the scope of work, the request must document all efforts made by the parties to reach an agreement for a reasonable price for the corrected scope of work.

### **Records Retention**

The Vendor must maintain a record of all relevant data with respect to the utilization of DBEs, including but without limitation, payroll records, invoices, canceled checks, sworn statements and books of account for a period of at least 5 years after the RTA's final acceptance of the work. Full access to these records shall be granted to the RTA, or to any municipal, state or federal authorities, by the Vendor upon 48 hours written demand by the RTA. The RTA shall have the right to obtain from the Vendor any additional data reasonably related or necessary to verify any representations by the Vendor in the DBE Compliance Plan or documents regarding the Vendor's compliance with its Compliance Plan or the DBE Program Provisions.

### **Sanctions**

The RTA reserves the right to withhold payment to the Vendor to enforce the provisions of the Vendor's DBE Compliance Plan and the RTA's DBE Program. Final payment shall not be made on the contract until the Vendor demonstrates, to the reasonable satisfaction of the RTA, achievement of the DBE contract goal or its Good Faith Efforts to achieve the DBE contract goal, pursuant to its DBE Compliance Plan.

The RTA will periodically review the Vendor's compliance with its DBE Compliance Plan and the terms of its contract. Without limitation, the Vendor's failure to comply with its DBE Compliance Plan, failure to cooperate in providing information regarding its compliance, or the provision of false or misleading information or statements concerning compliance, certification status of subconsultants, subcontractors, suppliers or joint venture partners, Good Faith Efforts or any other material fact or representation shall constitute a material breach of contract and entitle the RTA to declare a default, terminate the contract, or exercise those remedies provided for in the contract or at law or in equity.

**SECTION II**  
**DBE Participation Commitment**

**This form must be completed and submitted by the Vendor with its bid or proposal (or at the time otherwise specified by RTA) even if no DBE subcontractors will be utilized. Failure to do so may render the Vendor's bid/proposal non-responsive and cause it to be rejected and/or render the Vendor ineligible for contract award, at the RTA's sole discretion.**

Project Name: \_\_\_\_\_

Vendor Name: \_\_\_\_\_

RTA's DBE contract goal for the project: \_\_\_\_\_%

The undersigned will enter into complete subcontracts, purchase orders or other appropriate agreements or joint venture agreements with all listed DBEs for work as described in this Section II, DBE Participation Commitment, and will enter into such agreements within 5 business days after the date of final execution of the contract with the RTA (or, in the case of a task order contract, 5 business days after final execution of the relevant task order to which the DBE participation commitments apply). Copies of each signed subcontract, purchase order, or other agreement with a DBE must be submitted to the RTA within 10 business days after execution.

The Vendor designates the following as its DBE contact person:

Name: \_\_\_\_\_

Please Print or Type

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_ E mail: \_\_\_\_\_

All DBEs must be certified at the time you submit your proposal. If the DBE contract goal is achieved, in whole or in part, through a joint venture with a DBE, you must also complete the Joint Venture Affidavit, Section III, and submit it along with a copy of the joint venture agreement with your bid/proposal (or as otherwise specified by the RTA).

All DBE subconsultants, subcontractors, suppliers or joint venture partners must be listed on the following form.

By: \_\_\_\_\_

\_\_\_\_\_  
Name/Title

**DBE Prime, Subconsultant, Subcontractor, Supplier or Joint Venture Partner Participation Commitments:**

Name of Prime, Subconsultant, Subcontractor, Supplier or Joint Venture Partner	Is firm certified as a DBE – yes or no? If yes, please identify the state the firm is certified in.	If DBE certified, list DBE Area of Specialty.	Description of Work to be Performed	Dollar amount of subcontract
				\$ _____
				\$ _____
				\$ _____
				\$ _____
				\$ _____
			Total DBE participation: (Total Dollar Amount of all DBE subcontracts). <span style="float: right;">\$ _____</span>  Total proposal/contract price: <span style="float: right;">\$ _____</span>	



**SECTION III**  
**Documentation of Good Faith Efforts to Achieve DBE Contract Goal**

If the DBE contract goal was not achieved, the Good Faith Efforts checklist (Section III A) and contacts log (Section III B) must be submitted with your bid or proposal (or as otherwise specified by the RTA). **Failure to do so may render the Vendor's bid/proposal non-responsive and cause it to be rejected, and/or render the Vendor ineligible for contract award, at the RTA's sole discretion.** The Vendor must provide documentation in support of its Good Faith Efforts to the RTA at the time it submits its bid or proposal. The RTA also reserves the right to independently verify that these efforts have been made.

**SECTION III A**  
**Good Faith Efforts Checklist**

A representative of the Vendor should insert his/her initials on the line before each of the efforts described below that have been undertaken by the Vendor. Documentation evidencing those activities undertaken by the Vendor should be attached to this form. **If any of the items below were not completed, attach a detailed written explanation why such effort was not completed.** If any other efforts were made to obtain DBE participation in addition to the items listed below, attach a detailed written explanation of those efforts. The amount of effort that a Vendor must undertake to meet the DBE contract goal varies from contract to contract but includes a number of distinct activities geared to actually finding DBE subcontractors. Examples of the types of documentation that may be attached to support good faith efforts are listed below. These are examples only and are not intended to be the only type of documentation that Vendors can use. The Vendor should use its own judgment when determining which documentation in its possession best evidences the good faith efforts it has made.

\_\_\_\_\_ Identified portions of the project work which could be performed by available DBEs, including, where appropriate, breaking out contract work items into economically feasible units to facilitate DBE participation.

Ex: A clear summary of the work the Vendor intends to perform with its own employees and a clear summary of the work the Vendor identified as available for subcontracting.

\_\_\_\_\_ Solicited through reasonable and available means (e.g., written notices, advertisements) DBEs to perform the types of work that could be subcontracted on this project, within sufficient time to allow them to respond. (The IL UCP Directory is available at <http://www.idot.illinois.gov/doing-business/certifications/disadvantaged-business-enterprise-certification/index.>)

Ex: Copies of all advertisements, notices and solicitation letters placed in newspapers, trade magazines or small business media, posted in any public place or sent directly to DBE firms.

\_\_\_\_\_ Provided timely and adequate information about the plans, specifications and requirements of the project. Followed up initial solicitations to answer questions and encourage DBEs to submit proposals or bids.

Ex: Completion of the attached Good Faith Efforts Contacts Log including information on dates of initial contact and all follow-up contacts w/DBE's. If contact was written, copies of solicitation letter and any other written information could be attached.

\_\_\_\_\_ Negotiated in good faith with interested DBEs that submitted proposals or bids and thoroughly investigated their capabilities.

Ex: Explain thoroughly why you were not able to reach agreement with each DBE listed on the Good Faith Efforts Contacts Log and attach copy of bids if any, submitted by those DBE's.

\_\_\_\_\_ Made efforts to assist interested DBEs in obtaining bonding, lines of credit, or insurance as may be required for performance of the contract (if applicable).

Ex: A brief written description of the assistance provided to DBEs.

\_\_\_\_\_ Utilized resources available to identify available DBEs, including but not limited to DBE assistance groups; local, state and federal minority or women business assistance offices; and other organizations that provide assistance in the recruitment and placement of DBEs.

Ex: Copies of letters, facsimiles and email messages sent to organizations, and responses received, and name and phone number of person(s) contacted.

**SECTION III B**  
**Good Faith Efforts Contacts Log for Soliciting**  
**DBE Subconsultant, Subcontractor or Supplier Participation**

Use this form to document all contacts and responses (telephone, e-mail, fax, etc.) regarding the solicitation of DBE subconsultants, subcontractors and suppliers. Duplicate as needed. (It is not necessary to show contacts with DBEs with which the Vendor reached an agreement to participate on this project, as shown on Section II of this document.)

Name of DBE firm	Date and method of contact	Scope of work solicited	Reason agreement was not reached

**SECTION IV**  
**DBE Joint Venture Agreement**

**If Vendor proposes to utilize a joint venture arrangement for this project to meet the DBE contract goal, this form must be submitted with the bid or proposal (or as otherwise specified by the RTA). Failure to do so may render the Vendor's bid/proposal non-responsive and cause it to be rejected, and/or render the Vendor ineligible for contract award, at the RTA's sole discretion. (Attach additional sheets as necessary for additional joint venture partners.)**

**Attach a copy of the joint venture agreement(s).** The agreement(s) must describe each partner's roles and responsibilities and demonstrate that the DBE partner's share in the capital contribution, control, management, risks, costs and profits of the joint venture is equal to its ownership interest.

If there is any change in the information submitted below or to the joint venture agreement after this form is submitted to the RTA, you must immediately inform the RTA.

Name of joint venture: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Contact person: \_\_\_\_\_

**Name of non-DBE partner:** \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Contact person: \_\_\_\_\_

**Name of DBE partner:** \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Contact person: \_\_\_\_\_



**SECTION VI**  
**Request for Change of Compliance Plan or Substitution of**  
**Subconsultants, Subcontractors, Suppliers or Joint Venture Partners**

This form should be submitted only if and when the Vendor seeks to change its previously submitted and approved DBE Compliance Plan or to substitute a previously approved subconsultant, subcontractor, supplier or joint venture partner. **Failure to obtain prior written approval from the RTA before making the change may render the Vendor ineligible for contract award, at the RTA's sole discretion, or, if a contract has already been established, will be a material breach of the contract.**

Vendor name: \_\_\_\_\_

Project Name: \_\_\_\_\_

Current total contract price: \$ \_\_\_\_\_

DBE goal established by RTA for the contract: \_\_\_\_\_%

DBE participation achieved prior to proposed change: \_\_\_\_\_% \$ \_\_\_\_\_

DBE participation anticipated after proposed change: \_\_\_\_\_% \$ \_\_\_\_\_

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Complete the following with this request for change:

- Revised Section II, DBE Participation Commitment form.
- Updated Section III, Good Faith Efforts form (if applicable).
- Section V, Letter(s) of Intent between Vendor and DBE (if applicable).
- Section VII, Attestation and Affidavit

Detailed explanation of reasons for requesting change (attach additional pages and supporting documentation as necessary):

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**PROPOSED DELETION:**

Name of subconsultant, subcontractor or supplier:

\_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone No.: \_\_\_\_\_

E mail: \_\_\_\_\_

Amount of subcontract/joint venture: \$ \_\_\_\_\_ ( \_\_\_\_\_ % of Vendor's contract)

Description of work: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PROPOSED ADDITION:**

Name of subconsultant, subcontractor or supplier:

\_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone No.: \_\_\_\_\_

E mail: \_\_\_\_\_

Amount of subcontract/joint venture: \$ \_\_\_\_\_ ( \_\_\_\_\_ % of Vendor's contract)

Description of work: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Is the firm DBE certified?: \_\_\_\_\_ yes \_\_\_\_\_ no

If the firm is DBE certified, please identify which state it is certified in: \_\_\_\_\_

If yes, area of specialty identified certification: \_\_\_\_\_

\_\_\_\_\_

**SECTION VII**  
**Attestation and Affidavit**

**This form must be submitted with your bid/proposal (or as otherwise specified by the RTA). Failure to do so may render the Vendor's bid/proposal non-responsive and cause it to be rejected, and/or render the Vendor ineligible for contract award, at the RTA's sole discretion.**

**I DO SOLEMNLY DECLARE AND AFFIRM UNDER PENALTY OF PERJURY THAT THE CONTENTS OF THE FOREGOING DOCUMENT ARE TRUE AND CORRECT, THAT I HAVE READ THE DBE COMPLIANCE PLAN INSTRUCTIONS AND THAT I AM AUTHORIZED ON BEHALF OF VENDOR TO MAKE THIS ATTESTATION.**

\_\_\_\_\_  
Name of Vendor

\_\_\_\_\_  
Name/Title

\_\_\_\_\_  
Signature Date

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

the above signed officer, \_\_\_\_\_,  
Name of Affiant

personally appeared and, known by me to be the person described in the foregoing Affidavit, acknowledged that (s)he executed the same in the capacity stated therein and for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and seal.

\_\_\_\_\_  
Notary Public Signature

Seal

Commission Expires: \_\_\_\_\_