

**Notice to Bidders**  
**Regarding Changes to the**  
**Disadvantaged Business Enterprise**  
**Program**

The Oregon Department of Transportation is implementing changes to the Disadvantaged Business Enterprise (DBE) Program that become effective on ODOT projects with a bid opening after March 1, 2010. The following description of changes and impact to bidders will be incorporated by addenda into projects with DBE hard goals that have already advertised and have bid opening dates after March 1, 2010.

**Crediting DBE Participation**

To assure that the DBE Program is in compliance with federal regulations, ODOT is implementing changes in how DBE participation is credited on projects. Previously crediting has been allowed for work that DBEs performed beyond the work scope of their DBE certification. This practice is being discontinued and bidders need to be aware of the types of work DBEs are certified to perform.

**You must commit DBE firms in their certified work types if you wish to count their participation toward the DBE goal on ODOT projects. Naming DBEs to perform work that they are not certified to do can result in not achieving the DBE goal.**

**DBE Commitment Certification and Utilization Form**

The DBE Commitment Certification and Utilization Form is filled out, signed and turned in at the time of bid to be considered responsive. Under the Description of Work column, ODOT is asking bidders to include the NAICS Code for the DBE's work in order to verify that they are certified in the appropriate type of work. Attached to this notice is a NAICS codes summary list for use on ODOT contracts. This list is not all inclusive, and you can find the complete NAICS code list by following the web address in the attachment. Please keep in mind that the NAICS code is a six digit number and all other codes related to certified DBEs on the OMWESB web site have fewer than six digits.

Changes to the DBE commitment form will be included in future bidding documents so that the request for NAICS code information will be on the form itself.

**Committed DBE Breakdown and Certification Form**

The Committed DBE Breakdown and Certification Form must be submitted to the Office of Civil Rights ten days after the date of the contract award letter sent by the ODOT Procurement Office. This form describes the work to be performed by each committed DBE and the work description column should include the NAICS code to align with the DBE commitment form submitted with the bid.

Questions regarding these DBE program requirements should be directed by e-mail to:  
[ocrinforequest@odot.state.or.us](mailto:ocrinforequest@odot.state.or.us).

## Summary of NAICS Codes for Oregon Department of Transportation Contracts

The following NAICS codes and descriptions are intended to provide all prospective bidders guidance of what the applicable NAICS codes are for ODOT Highway Construction Projects. All DBE companies will need to be certified in any code that is applicable for the type of work they are to perform. This may require certification in more than one of the codes.

Compliance with the code descriptions do not relieve the Contractor from the responsibility to ensure that any DBE to be used on ODOT Highway Construction projects are certified for the type of work they are to complete for DBE credit, and that they can perform a Commercially Useful Function (CUF). The following web site will provide the necessary information needed to verify the DBE certification status,

<http://www4.cbs.state.or.us/ex/dir/omwesb/search/index.cfm?fuseaction=code>.

### CONSTRUCTION SECTOR

#### NAICS Codes

#### ODOT Description

**237110**

#### **Water and Sewer Line Related Structures Construction** –

Work activities include the construction, reconstruction, rehabilitation and repair of the following:

- Sewer and water distribution lines
- Irrigation systems
- Sewer main and connections
- Storm sewer lines
- Water main and lines

**237310**

**Highway, Street and Bridge Construction** – Companies performing work in the construction, reconstruction, rehabilitation, demolition and repair of highways, streets, roads or bridges. Specialty trade contractors that are engaged in activities primarily related to highway, street, roads and bridge construction are included. Work activities include, but are not limited to the following:

- Bridges
- Retaining walls
- Culverts
- Guardrail & barriers
- Temporary and permanent traffic line and legend removal and installation
- Resurfacing of highways, roads, streets and bridges
- Temporary and permanent traffic control devices for highways, roads, streets and bridges

### CONSTRUCTION SECTOR (SPECIALTY)

**238110**

#### **Poured Concrete Foundation and Structure Contractors** –

Work activities include the construction, reconstruction, rehabilitation and repair of the following:

- Concrete forming, placing, striping and finishing
- Concrete placement by pumping
- Footing and foundation concrete work
- Gunite, mud-jacking and shotcrete

238120

**Structural Steel and Precast Concrete Contractors** – Work activities include the construction, reconstruction, rehabilitation and repair of the following:

- Installation of structural pre-cast and pre-stressed concrete products
- Erecting structural steel
- Installation of pre-cast concrete panels, slabs and/or concrete forms
- Rebar
- Reinforcing steel

238130

**Framing Contractors** – Companies that perform structural framing and sheathing using materials other than structural steel or concrete. Work activities include the construction, reconstruction, rehabilitation and repair of the following:

- Building framing (except structural steel)
- Foundation building using wood
- Framing
- Post framing
- Non-structural steel framing

238190

**Other Foundation, Structure and Building Exterior Contractors** – Companies that work in the building foundation and structure trades work (except poured concrete, structural steel, pre-cast concrete, framing and masonry). Work activities include the construction, reconstruction, rehabilitation and repair of the following:

- Curtin walls
- Decorative steel and wrought iron work
- Erecting and dismantling of forms for poured concrete
- Ornamental metal work
- Welding on site

238210

**Electrical Contractors** – Work activities include new construction, additions, alterations, maintenance, repair, parts and labor associated with the following:

- Fiber optic cable (except transmission lines)
- Highway, street and bridge lighting work
- Telecommunication equipment and wiring (except transmission lines)
- Traffic signal installation
- Variable message sign (VMS) and camera installations

**238320**                    **Painting and Wall Covering Contractor** – Work activities include new construction, maintenance and repairs of the following:

- Bridge painting and staining
- Barrier painting and staining

**238910**                    **Site Preparation Contractors** – Work activities include the following:

- Drilling and blasting
- Building demolition
- Concrete cutting and breaking for demolition
- Demolition, buildings and structures
- Dewatering
- Excavating, earthmoving, grading and land clearing and grubbing (except maintenance)
- Equipment Rental (except crane) with operator
- Foundation excavation and drilling, including drilled shafts for bridges and traffic signal pole foundations
- Trenching (except underwater)
- Temporary retaining walls and trench / foundation shoring

**238990**                    **All Other Specialty Trade Contractors** – Work activities include new construction, additions, alterations, maintenance, repair, parts and labor associated with the following:

- Crane rental with operator
- Fence installation
- Interlocking brick, block and paver installation
- Scaffold erecting and dismantling

## **WHOLESALE TRADE SECTOR**

**423320**                    **Brick, Stone and Related Construction Material Merchant Wholesalers** – Wholesale distribution of stone, cement, lime, construction sand and gravel, brick, asphalt oil / mixture, concrete mixtures, topsoil, rip rap, steel (i.e. Rebar, shapes and girders), pre-cast concrete items (i.e. bridge beams and barriers).

**423390**                    **Other Construction Material Merchant Wholesalers** – Merchant wholesale distribution of construction materials such as ornamental iron work and wire fencing and fencing accessories.

**424930**                    **Flower, Nursery Stock and Florist's Supplies Merchant Wholesalers** – Merchant wholesale distribution of nursery stock (except plant seeds and plant bulbs).

## **RETAIL TRADE SECTOR**

**444220**                    **Nursery, Garden Center and Farm Supply Stores** – Merchants primarily engaged in retailing nursery and garden products, such as

trees, shrubs, plants, seeds, bulbs and sod that are predominantly grown elsewhere. A limited amount of product may be grown and sold by the merchant.

## **TRANSPORTATION AND WAREHOUSING SECTOR**

- 484110**                    **General Freight Trucking, Local** – Companies that are primarily engaged in providing local general freight trucking of a wide variety of commodities, within metropolitan areas. Generally the trips are same-day return.
- 484220**                    **Specialized Freight (except Used Goods) Trucking, Local** – Companies primarily engaged in providing local, specialized trucking. Examples are local dump trucking (e.g. on-site, haul away, gravel, sand and topsoil).
- 488490**                    **Other Support Activities for Road Transportation** – Companies engaged in providing pilot car services.

## **PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES SECTOR**

- 541320**                    **Landscape Architectural Services** – Companies primarily engaged in planning and design of land areas for highway projects, without installing trees, shrubs, plants, lawns, roadside seeding, walkways, retaining walls and similar structures.
- 541330**                    **Engineering Services** – Companies that provide civil engineering, construction engineering and environmental engineering services.
- 541340**                    **Drafting Services** – Companies primarily engaged in drawing detailed layouts, plans and illustrations of buildings, structures, highway systems, or components from engineering and architectural specifications.
- 541370**                    **Surveying and Mapping (except Geophysical) Services** – Companies primarily engaged in performing surveying and mapping services. The services may include surveying and mapping of areas above or below the surface of the earth. Examples of the applicable surveying services are cadastral, cartographic, geodetic, mapping (except geophysical) and topographic.
- 541380**                    **Testing Laboratories** – Companies primarily engaged in performing physical, chemical and other analytical testing services, such as calibration testing, electrical and electronic testing, geotechnical testing, mechanical testing, nondestructive testing and thermal testing. The testing may occur in a laboratory or on-site.

**541620**                            **Environmental Consulting Services** – Companies primarily engaged in providing advice and assistance to businesses and other organizations on environmental issues. These companies measure and evaluate risks and recommend solutions. They employ scientists, engineers and other technicians with expertise in air quality, asbestos containment and remediation, environmental law and sanitation or site remediation consulting services.

**541690**                            **Other Scientific and Technical Consulting Services** – Companies primarily engaged in providing advice and assistance on scientific and technical issues (except environmental).

#### **ADMINISTRATIVE AND SUPPORT SERVICES**

**561730**                            **Landscaping Services** –

- Unlicensed Landscape Maintenance Services -- Companies that primarily engage in landscape/lawn care and maintenance services.
- Licensed Landscape Construction Services -- Planting trees, shrubs, plants, lawns and roadside seeding. These companies may also design landscape plans and construct walkways, retaining walls, fences, irrigation systems and similar structures.

**561990**                            **All other Support Services** – Companies primarily engaged in providing flagging, traffic control and diving services.