



WELCOME

Doing Business With The Maryland Transportation Authority Outreach Event



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Welcome & Introductions

Percy Dangerfield

Chief Administrative Officer

For Administration



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Opening Remarks

Will Pines, PE, PMP, CCM
Executive Director



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Opening Remarks

Lyn Farrow

**MDOT Director of External
Affairs**



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GET YOUR FOOT IN THE DOOR

THE MARYLAND TRANSPORTATION AUTHORITY

Maryland Department of Transportation

Office of Civil Rights & Fair Practices



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Tia Rattini, Director
Alice Cook, Compliance Manager

Civil Rights & Fair Practices (CRFP)

Overview

- MBE/VSBE/DBE/SBR Program Objectives
- MBE/VSBE/DBE Program Goals
- Governing Policies, Procedures, and Regulations
- Procurement Review Group (PRG)
- Pre-Bid Meetings
- Bid/Award
- Waiver Requests
- Pre-Work/Kick off Meetings
- Compliance & Enforcement
- Prompt Payment
- Revised Schedule of Participation
- Complaints
- NEW “PRISM” Compliance System



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Program Objectives



MBE/VSBE/DBE Program Objectives:

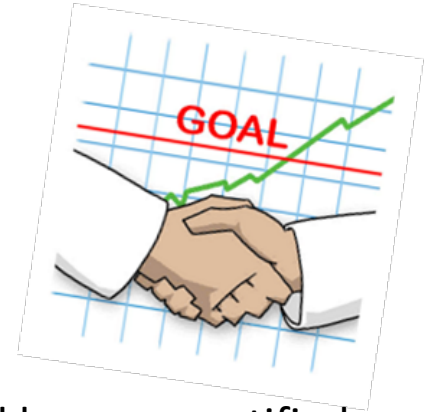
- Ensure nondiscrimination in the award and administration of contracts
- Create a level playing field in which MBEs/VSBEs/DBEs can compete fairly
- Monitor, track and report participation, compliance and payments or gross receipts for contract goals and agency overall goals
- Assist MBEs, DBEs, VSBEs & SBRs with opportunities on MDTA Contracts
- Meet MBE, DBE, & VSBE Participation Goals



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MDTA Operates the Following Programs

- Minority Business Enterprise (MBE)
 - Contracts awarded with state funds**
 - State Goal set at 29%
- Veteran Small Business Enterprise (VSBE)**
 - State Goal set at 1%
 - Veteran Owned Businesses in Maryland need to register and become certified on [eMaryland Marketplace Advantage \(eMMA\)](#)
- Small Business Reserve (SBR)**
 - State Goal set at 15%
 - Need to register on [eMaryland Marketplace Advantage \(eMMA\)](#)
- Disadvantaged Business Enterprise (DBE)
 - Contracts awarded with federal funds



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Governing Policies, Procedures, and Regulations



- MBE/DBE Program Guidelines
 - ✓ <http://www.mdot.maryland.gov/>
- Code of Maryland Regulations (COMAR Title 21.11.03.00) - MBE Contracts
- Code of Federal Regulations (CFR 49, Part 26) DBE Contracts
- Governor's Office of Small, Minority & Women Business Affairs. Acronym today is GOSBA, (formerly GOMA)



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MBE/VSBE/DBE Goal Setting Procurement Review Group (PRG)

- PRG Group consists of CRFP, Procurement, Engineering, Attorney General, IT, Construction, Ops & End User Project Managers.
- CRFP reviews Engineer's Estimate and/or Scope of Work (SOW)
- Scope of work based on NAICS Codes relevant to contract dynamics.
- Subcontract categories set on basis for establishing ("sub-goals")
- Recommend Overall Contract Goal & MBE Sub-Goals (Only MDOT MBE/DBE Certified Firms Can Participate)
- VSBE firm must be Certified on eMMA to participate on Maryland contracts (Annual Renewal)



PRG Continued



- Search for MBE/DBE firms on the MDOT Directory
- Search for VSBE firms on eMMA
- All MDOT certified MBE/DBE firms certified with specific NAICS codes
- CRFP, Procurement, Construction, Engineering, IT, Ops, Project Managers & AG meet to recommend project MBE/VSBE/DBE goals
 - ✓ MBE/VSBE/DBE goal and MBE sub-goals (if applicable) are reviewed by PRG
 - ✓ MBEs/DBEs must be MDOT certified at time of Bid
 - ✓ VSBEs must be registered with eMaryland Marketplace Advantage (eMMA) at the time of Bid
 - ✓ Primes, MBEs/VSBEs/DBEs must be in “Good Standing” with the State Department of Assessment and Taxation (SDAT)

A/E, Service, Maintenance, & Construction Subcontracting Categories:

Traffic control
Concrete
Masonry
Dump truck hauling
Milling & grinding
Guardrail
Electrical
Lighting
Cable and Conduit
Landscaping
Bridge Construction
On-Call Maintenance/Repairs
Inspection



Architectural
Engineering
Deck Rehab
Substructure Repairs
Joint Repairs
Ramp Repairs
Scaffolding
Mowing
Drainage
Rebar
Median Barrier Replacement
Supplies & Equipment
IT Services

Unique Things We Buy

Small Procurements & Credit Card Purchases

Category I (\$0 - \$5,000)

- Office supplies;
- Clothing;
- Memberships;
- Plumbing Supplies;
- Hardware;
- Lighting

Category II (\$5,001 - \$15,000)

- Office Furniture;
- Snowplow Parts;
- IT Software

Category III (\$15,001 - \$50,000)

- Uniforms for Police;
- Security Badge Stock for Badging;
- IT Products

MDOT MBE/DBE Directory



Office of Minority
Business Enterprise
Maryland's Official
Certification Agency

[OUR MAIN SITE](#)

[CONTACT SUPPORT](#)

Certification Management System

[Vendor Log In](#)

[OMBE Staff Log In](#)

About the System

Learn more about this system and how it works today

[Information for Business Users](#)

System Training

Learn how to fully utilize our system with a live trainer

[Training](#)

Business Applicant Certification

Search and/or join our database of certified businesses

[Terms of Use](#)

[Search Directory of Certified Firms](#)

[Apply for Certification / Submit Annual Review / Submit a Change](#)

Track My Application



Pre-Bid Meetings

- “Good Faith Efforts” (Insufficient statements must be documented/submitted with each bid, evidencing effort of outreach and search the MDOT Directory)
- Project Manager explains the scope of work, location, security issues, etc.
- Opportunity for potential prime and subcontractors to ask questions and clarify scope of work
- Networking with colleagues



Bid/Award

- The Division of Procurement sends the MBE/VSBE/DBE Bid Documents to CRFP
 - Was MBE/VSBE/DBE contract goal met?
 - CRFP verifies the certification of the MBE & DBE Subcontractor(s). Selected MBEs/DBEs, must have current MDOT Certification and VSBEs must be certified in eMMA at time of bid
 - CRFP will approval or deny the MBE/VSBE/DBE bid documents



Waiver Requests

- What is a waiver Request?
 - ✓ Prime contractor, (Prime) is requesting to not achieve (partial or 100%) goals set for a contract
 - ✓ Ex: Overall goal = 20%, but can only achieve 18% (Request = 2% Waiver)
- If waiver is requested?
 - ✓ Prime must submit GFEs, (Good Faith Efforts) documentation (MDOT Form E)
 - ✓ GFEs, must be documented efforts made to reach MBE/DBE goal
 - ✓ CRFP reviews the MBE/DBE Waiver Request
- Based on evaluation of GFEs, CRFP will either
 - ✓ Recommend approval of the waiver to Procurement
 - ✓ Recommend denial of the waiver to Procurement
 - ✓ Consult with MDTA legal counsel, (AG)



The Civil Rights & Fair Practices

Pre-Work/Kickoff Meetings: (A&E, Construction, Services, Maintenance and IT Contracts)

- The CRFP Compliance Officer meets with Prime, all Subcontractors and Project Manager to Discuss:
 - ✓ Submitting payment information timely and accurately
 - ✓ Subcontractor agreements (between the Prime and Subcontractors)
 - ✓ State of Maryland requirements for Enforcement & Compliance



Civil Rights & Fair Practices Cont.

Compliance & Enforcement

- Contractual obligation between MDTA and Prime
- Compliance & Enforcement at Project Site
- Commercially useful function (CUF) based on contractors approved NAICS codes.
- Subcontractor performance
- Prompt payment of subcontractors



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Civil Rights & Fair Practices Cont.

Prompt Payment

- A Prime Contractor must pay an undisputed invoice within ten (10) days of receiving a payment from the State.



Prime Contractor' Responsibilities

- If a contractor withholds payment from a subcontractor, within the time period in which payment normally would be made, the contractor shall:
 - ✓ Notify the subcontractor in writing and state the
 - ✓ Reason why payment is being withheld; and
 - ✓ Provide a copy of the notice to the procurement officer (Including CRFP compliance officer)

Subcontractor Responsibilities

- When not receiving payments timely a subcontractor must:
 - ✓ Give written notice of nonpayment to the procurement officer (a copy to the CRFP compliance officer) identifying project, the Prime Contractor's name, and amount in dispute;
 - ✓ Provide an itemized description (copy of invoice on which the payment is based);
 - ✓ If known, provide explanation of any dispute concerning payment by the contractor.

Civil Rights & Fair Practices Cont.

What if a prime or subcontractor is not compliant with following the program regulations/contract provisions?

The following Sanctions can be taken:

- ✓ Suspension of work on project, pending correction
- ✓ Liquidated Damages
- ✓ Withholding payment until correction
- ✓ Referral to MDOT- TSO MBE Office for review
- ✓ Loss of certification
- ✓ Debarment from state contracts for specified periods.

Civil Rights & Fair Practices Cont.

Revised Schedule of Participation

- Participating firms cannot work outside their approved NAICS Codes, listed on prime's schedule.
 - ✓ Before replacing, terminating and/or adding subcontractors
- Prime must request for revision/modification and an approval from CRFP
 - ✓ If replacing or terminating a subcontractor, prime must show Good Faith Efforts (GFE's), on meeting contract goal
- Any changes prior to approval are not counted toward goal achievement.



Civil Rights & Fair Practices Cont.

COMPLAINTS (Prime and/or Sub-Contractor)

- Do not ignore issues on the project that may turn into complaints
- All complaints involving the prime and/or MBE/VSBE/DBE subcontractors, must be forwarded to the Project Manager and CRFP
- CRFP also acts on external complaints received from:
 - ✓ GOSBA : Governors Office of Small, Minority & Women Business Affairs, (formerly GOMA)
 - ✓ Fraud hotline – 800-544-6056
 - ✓ Office of Inspector General (OIG)



MDOT-MDTA PRISM Portal

Coming Soon

Maryland Transportation Authority

Last login time: 02/22/2023 11:27 AM ET Welcome, Nick Lloyd! Log-off

My Account
Resource Links

- Vendors
- Contracts
- Payrolls
- Workforce
- Reports
- Configure

Maryland Transportation Authority News & Events

Maryland Transportation Authority Workshops

Welcome, how can we help...

PrismCompliance.com © 2004-2023

HELP

Vendor Access to PRISM

- PRISM Training for Vendors is coming soon!
 - Vendors will receive email notification from CRFP
- Usernames and Passwords
 - Will be provided to Primes and Subcontractors by Civil Rights & Fair Practices
 - **PRISM Passwords will be required to be changed on first sign-in**



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Questions?



Civil Rights & Fair Practices Contacts

- Tia Rattini, Director- 410-537-1025 trattini@mdta.state.md.us
- Alice Cook, Compliance Manager- 410-537-6765 acook2@mdta.state.md.us
- Verlinda Dillard, Manager of DBE & Major Projects Compliance-410-537-1043
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- Melissa Evans, Maintenance & Service Contracts-410-537-1048
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- Greg Butler, Construction Contracts– 410-537-1088 gbutler@mdta.state.md.us
- Alybra Matthews, IT & AE Contracts – 410-537-1029 amatthews@mdta.state.md.us
- Jay Johnson, Construction Contracts-410-537-6718 jjohnson51@mdta.state.md.us
- Lynn Harris, MBE/DBE Intake Associate-410-537-6769 lharris5@mdta.state.md.us
- Nick Lloyd, PRISM-410-537-5677 nlloyd@mdta.state.md.us
- Gail Mullen, Executive Admin.- 410-537-8481 gmullen2@mdta.state.md.us

Division of Procurement

Upcoming Construction Projects

Contract No.	Construction Project Description	Anticipated Advertisement Date	DBE	MBE	SBR	VSBE
BB-3004-0000	Construct Project Mgmt. Office and Maintenance Equip. Storage Building	Winter 2023	No	Yes	No	Yes
MR-3031-0000	On-Call Electrical/ITS	Winter 2023	No	Yes	No	Yes
MR-3033-0000	On-Call Structural Repairs	Winter 2023	No	Yes	No	Yes
HT-3018-0000	Resurfacing North and South of BHT	Winter 2023	No	Yes	No	Yes
KB-3005-0000	I-695 Subgrade Improvements at Bear Creek	Spring 2023	TBD	TBD	TBD	TBD
KB-3007-0000R	Police Headquarters Building Envelope Renovations	Spring 2023	TBD	TBD	TBD	TBD
MR-3030-0000	Environmental On-Call Phase IV	Spring 2023	No	Yes	No	Yes
KH-3040-0000	MD 24 NB Auxiliary Lane - MD 924 through Singer Road Intersection	Spring 2023	TBD	TBD	TBD	TBD
MA-3017-0000	Radio Rebroadcast and Radiax in BHT & FMT	Spring 2023	TBD	TBD	TBD	TBD
MR-3020-0000	On-Call Facility/Building Repairs	Spring 2023	TBD	TBD	TBD	TBD
KH-3020-0000	I-95 ETL NBE - MD 24 to Bynum Run	Spring 2023	TBD	TBD	TBD	TBD
MR-3018-0000R	Drainage Rehabilitation - Phase III - Outfalls	Summer 2023	TBD	TBD	TBD	TBD
HT-3014-0000	I-895 All-Electronic Tolling Conversion – Design/Build	Summer 2023	No	TBD	No	TBD

Upcoming A/E Projects

Contract No.	A&E Project Description	Anticipated Advertisement Date	DBE	MBE	SBR	VSBE
2019-02 B	SBR Comprehensive Building and Facility Engineering and Consulting Services	Spring 2023	No	Yes	Yes	Yes
2022-01 A	Comprehensive Project Planning and Miscellaneous Consultant Services	Spring 2023	Yes	No	No	No
2022-02 B	SBR Construction Management and Inspection (CMI) Services	Spring 2023	No	Yes	Yes	Yes
TBD	Comprehensive Traffic Engineering Services	Spring 2023	TBD	TBD	TBD	TBD
2022-01 B	SBR Comprehensive Project Planning and Miscellaneous Consultant Services	Summer 2023	Yes	No	Yes	No
TBD	Comprehensive Operational Asset Management & Support Services	Summer 2023	TBD	TBD	TBD	TBD

Upcoming Services & Maintenance Projects

Contract No.	Services and Maintenance Project Description	Anticipated Advertisement Date	DBE	MBE	SBR	VSBE
TBD	MDTA Asset Management Program Support Services	Summer 2023	No	TBD	TBD	TBD
SV-3109-0000	Debt Collection Services for Out of State Tolls and Violations RFP	Summer 2023	No	Yes	No	Yes
SV-00210586	Right of Way Services	Spring 2023	No	TBD	TBD	TBD
MT-00210823	Sludge Debris Removal at FMT	Spring 2023	No	No	No	No
SV-00210819	Third Party Environmental Audits	Spring 2023	No	No	Yes	No
MT-3138-0000	Generator Maintenance	Spring 2023	No	No	No	No
MT-00210882	Security Guard Services	Spring 2023	No	TBD	TBD	TBD

Upcoming Commodities Projects

Contract No.	Commodities Project Description	Anticipated Advertisement Date	DBE	MBE	SBR	VSBE
CC-00210667	Gym Equipment for MDTA Police	Spring 2023	N/A	N/A	N/A	N/A
J01R3600002	Dispatcher Uniforms for MDTA Police	Spring 2023	N/A	N/A	Y	N/A
J01R3600008	Bike Uniforms for the MDTA Police	Spring 2023	N/A	N/A	Y	N/A
J01R3600006	Outerwear for the MDTA Police	Spring 2023	N/A	N/A	Y	N/A
J01R3600007	Tow/Wrecker Lift Tow Truck	Spring 2023	N/A	N/A	N	N/A
J01R3600003	Black Uniforms for the MDTA Police	Spring 2023	N/A	N/A	Y	N/A
J01R3600004	Gray Uniforms for the MDTA Police	Spring 2023	N/A	N/A	Y	N/A

BREAK

10:30am to 11:00am



- Network
- Visit Exhibitor Tables
- Network



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