

# LETTING YOU KNOW

*The Illinois Department of Transportation (IDOT) is interested in maintaining close communications with industry. This newsletter highlights subjects that we believe will be of interest to you.*

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**DBE Bidding  
Procedures  
UPDATE**

In response to updated regulatory requirements from USDOT and a general review of SBE policies and procedures, the Disadvantaged Business Enterprise Participation Special Provision and related bidding forms have been revised effective with the January 17, 2025 letting. The new Special Provision incorporates by reference SBE Memorandum 24-02. The SBE Memorandum and the required DBE bidding forms can be found at the [DBE Compliance](#) webpage.

The SBE 2026 Utilization Plan form and the SBE 2025 DBE Participation Statement form include updated language instructions to clarify the requirements for DBE goal credit. Additionally, three new DBE Participation forms have been created, to help bidders provide clear information about different types of DBE participation. SBE form 2025 has been modified to specifically apply to Subcontractor participation. New forms have been established for DBE Supplier (SBE 2024), Trucking (SBE 2023), and Joint Venture (SBE 2022) Participation Statements. It is necessary that the correct form be used for each different type of DBE participation.

The new DBE Participation Statement – Supplier (SBE 2024) form will be used to determine the correct percentage of goal credit to be counted for materials obtained from a DBE supplier based on the classifications set forth in the updated regulations at 49 CFR 26.55. Be sure to clearly indicate whether the DBE supplier is a manufacturer (100% goal credit), regular dealer (60% goal credit), distributor (40% goal credit) or broker (fees and commissions only) and ensure that the correct percentage is applied when calculating your overall goal achievement.

The new DBE Participation Statement – Trucking (SBE 2023) form allows SBE to collect sufficient information about the anticipated DBE trucking usage to provide clear guidance for later goal credit during performance. Please carefully read the instructions and provide all requested information related to the anticipated DBE trucking participation.

Per 49 CFR 26.53(f)-(g), the DBE participation set forth in the Utilization Plan submitted with your bid and the accompanying Participation Statements is a commitment to use those DBE firms to do the work and in the amounts indicated. Any change that reduces the work to be performed by a DBE as indicated on the Participation Statements must be made in accordance with 49 CFR Part 26.

When the DBE goal cannot be met, please remember to include all relevant documentation and explanation of the good faith efforts taken to attempt to reach the goal. SBE's determination of whether good faith efforts were made will be based on evaluation of the documentation provided with the bid, and no efforts made by the bidder after the letting may be considered.

**Be sure to carefully read the instructions on the new/revised forms and reach out to SBE at [DOT.DBE.UP@Illinois.gov](mailto:DOT.DBE.UP@Illinois.gov) with any questions. You may also email SBE to advise of any glitches or suggestions for form improvements.**

### **Bidder's List Requirement**

In accordance with 49 CFR 26.11(c), all bidders on all contracts with federal funding are required to submit a list of all subcontracting firms from which they received quotes or bids for the contract being bid. The required information must be submitted at the time of bidding using electronic form [SBE 2020-A](#).

#### **IDOT Division of Aeronautics Federal-Aid Contracts – New Requirement for Federal Aviation Administration (FAA) Buy American Preference**

*New FAA Buy American Preference provisions apply to all IDOT Division of Aeronautics federal-aid contracts. Failure to submit a “Certification of Compliance with FAA Buy American Preference – Construction Projects” form in accordance with the bidding procedures set forth in the proposal document (Appendix A4 BUY AMERICAN PREFERENCE) will result in the bid being declared non-responsive. The following is from the proposal document (Appendix A4 BUY AMERICAN PREFERENCE).*

*The bidder shall submit the completed and signed “Certification of Compliance with FAA Buy American Preference – Construction Projects” form with the bid. The required form must be uploaded in the “Miscellaneous Documents” area as a single .pdf file in the “Integrated Contractor Exchange (iCX)” application within the Department’s “EBids System”.*

*The Department will not accept the form if it does not meet the bidding procedures set forth herein and the bid will be declared non-responsive. In the event the bid is declared non-responsive, the Department may elect to cause the forfeiture of the penal sum of the bidder’s proposal guaranty and may deny authorization to bid the project if re-advertised for bids.*

**STAY INFORMED!**

Keep in touch with your representative on the IDOT/Industry Policy Committee and the IDOT/Industry Joint Co-op Committee.



**Illinois Department of Transportation**