



(1) Policy and Obligation

It is public policy that disadvantageded businesses as defined in 49 CFR Part 26 and the Special Provision shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal or State funds. Consequently, the requirements of 49 CFR Part 26 apply to this contract and the contractor agrees to comply with all requirements of that Part, the DBE Special Provisions and all applicable IDOT policies and procedures regarding DBE participation in the contract. The contractor shall not discriminate on the basis of race, color, national origin or sex in the award and performance of contracts. All bidders, including DBE Prime Contractors, must submit a DBE Utilization Plan in accordance with the Special Provision.

(2) Project and Bid Identification

Complete the following information concerning the project and bid:

Letting Date	Contract Number	Item Number	Route
Section/Airport		Project / IL Project	
County	Total Bid	DBE Participation Goal (%)	Dollar Amount of Goal for Bid
			\$0.00

(3) DBE Commitment

By signing this Utilization Plan, I, on behalf of the Company identified below, hereby affirm and acknowledge that

- Attached are fully executed DBE Participation Statements SBE (2022, 2023, 2024, and/or 2025).
- I have confirmed that all DBE Participation Statements attached are true and accurate, and that I have verified that all DBE firms relied upon to meet the DBE Participation Goal are currently certified, available and capable of performing the work for which they are committed;
- The submission of DBE Participation Statements constitutes a commitment to use the specifically identified DBE firms to perform the work indicated in the amount indicated;
- This Utilization Plan is a condition-of-award and any deviation from this Utilization Plan and the accompanying Participation Statements must be approved in writing by the Department and addressed in accordance with the DBE Special Provision.
- The contractor's bid satisfies the requirements of 49 CFR 26.53 as indicated below:

- ☐ Met goal on this project, the Company meets or exceeds the established DBE participation goal and has provided documented participation as follows:

Committed DBE Participation _____ amount _____ percent

- ☐ Failed to meet goal on this project, the Company has made a good faith effort to meet the established DBE participation goal and has provided documented participation as follows:

Committed DBE Participation _____ amount _____ percent

(4) Good Faith efforts

If the percentage of Committed DBE Participation is less than the DBE Participation Goal for the contract, *all good faith effort documentation must be provided with the bid and Utilization Plan at the time of bidding*, in accordance with the instructions provided on page 2, to demonstrate that the company has made good faith efforts to obtain the maximum possible DBE participation. For further guidance regarding good faith efforts, refer to 49 CFR 26.53, and Appendix A to Part 26. The Department reserves the right to request clarification or additional information regarding the good faith efforts of the Contractor. By signing this form, I, on behalf of the Company, affirm that the Company made bona fide good faith effort to obtain DBE Participation sufficient to meet the goal.

(5) Acknowledgment

By signing below, I affirm that I am a responsible official of the Company, that the Department is authorized to use the below contact information for any notification and correspondence related to this Utilization Plan, that all information in this Utilization Plan is true and accurate, and acknowledge that any omission or error in the information provided may result in the bid being deemed nonresponsive. The Department reserves the right to request clarification or correction of any technical errors or omissions.

Company	Title		
Signature & Date	Phone	E-mail	

Instructions for SBE 2026

OFFICIAL SBE FORMS SHOULD NOT BE MODIFIED AND USE OF UNOFFICIAL OR MODIFIED FORMS MAY CAUSE THE UTILIZATION PLAN TO BE REJECTED OR THE BID TO BE DEEMED NONRESPONSIVE. PLEASE ATTACH ADDITIONAL PAGES AS NEEDED.

DBE UTILIZATION PLAN

The following instructions are intended to provide further guidance on completion of the SBE 2026 and compliance with these instructions is required. The SBE 2026 must be submitted even if the bidder is a certified DBE firm and plans to meet the contract goal by performing the work of the contract with its own forces

1. To calculate the dollar amount of goal for bid, apply the DBE Participation Goal percentage to the Total Bid Amount on the contract and including the resulting amount as the Dollar Amount of Goal for Bid.
2. The individual signing this form on behalf of the bidder must be a responsible official of the bidder designated for purposes of notification of Utilization Plan approval or disapproval.
3. Where a submitted Utilization Plan relies on pay items that are not countable toward goal credit or count goal credit incorrectly (e.g., by attributing 60 percent credit to a distributor), the Department will make appropriate adjustments in counting such participation to determine whether the bidder has met the goal or made good faith efforts to do so. Including non-countable items, such as mobilization, or relying on a DBE that is not certified in the applicable work category is insufficient to show good faith efforts and may impact approval of the Utilization Plan as submitted.
4. No goal credit may be counted for a DBE firm that is not certified to perform the work committed on the DBE Participation Statement for that firm. It is the responsibility of the bidder to ensure that each DBE firm relied upon to meet the goal as submitted on the Utilization Plan for this contract is a certified DBE in each work category in which the DBE will be performing work to be counted toward the goal.
5. Submission of good faith effort documentation when goal not met
 - a. To demonstrate good faith effort sufficient for Utilization Plan approval, contractor must show that all necessary and reasonable steps were taken to achieve the goal. Necessary and reasonable steps are those which, by their scope, intensity and appropriateness to the objective, could reasonably be expected to obtain sufficient DBE participation, even if they were not fully successful.
 - b. Documentation of good faith efforts must include copies of each DBE and non-DBE quote submitted to the bidder when a non-DBE firm is selected over a DBE for work on the contract
 - c. Such documentation may include a written explanation of the good faith efforts of the bidder and written explanation of the documentation provided.
 - d. The Department will consider the quality, quantity, and intensity of the kinds of efforts the bidder has made. Mere pro forma efforts, in other words efforts done as a matter of form, are not good faith efforts; rather, the bidder is expected to have taken genuine efforts that would be reasonably expected of a bidder actively and aggressively trying to obtain DBE participation sufficient to meet the contract goal.
 - e. The following is a list of types of action that the Department will consider as part of the evaluation of the bidder's good faith efforts to obtain participation. These listed factors are not intended to be a mandatory checklist and are not intended to be exhaustive. Other factors or efforts brought to the attention of the Department may be relevant in appropriate cases and will be considered by the Department.
 - i. Conducting market research to identify small business contractors and suppliers and soliciting through all reasonable and available means (e.g., attendance at pre-bid meetings, advertising and/or written notices) the interest of all certified DBE companies that have the capability to perform the work of the contract. The bidder must solicit this interest as early in the process as practicable, to provide the DBE companies sufficient time to respond to the solicitation. The bidder must determine with certainty if the DBE companies are interested by taking appropriate steps to follow up initial solicitations. Pro forma mailings to mailings to DBEs requesting bids are not alone sufficient to satisfy good faith efforts.
 - ii. Selecting portions of the work to be performed by DBE companies in order to increase the likelihood that the DBE goals will be achieved. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate DBE participation, even when the Contractor might otherwise prefer to perform these work items with its own forces
 - iii. Providing interested DBE companies with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation.
 - iv. Negotiating in good faith with interested DBE companies. It is the bidder's responsibility to make a portion of the work available to DBE subcontractors and suppliers and to select those portions of the work or material needs consistent with the available DBE subcontractors and suppliers, so as to facilitate DBE participation. Evidence of such negotiation includes the names, addresses, and telephone numbers of DBE companies that were considered; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and evidence as to why additional agreements could not be reached for DBE companies to perform the work.
 - v. A bidder using good business judgment would consider a number of factors in negotiating with subcontractors, including DBE subcontractors, and would take a firm's price and capabilities as well as contract goals into consideration. However, the fact that there may be some additional costs involved in finding and using DBE

companies is not in itself sufficient reason for a bidder's failure to meet the contract DBE goal, if such costs are reasonable. Also, the ability or desire of a bidder to perform the work of a contract with its own organization does not relieve the bidder of the responsibility to make good faith efforts. Bidders are not, however, required to accept higher quotes from DBE companies if the price difference is excessive or unreasonable. In accordance with the above Bidding Procedures, the documentation of good faith efforts must include copies of each DBE and non-DBE subcontractor quote submitted to the bidder when a non-DBE subcontractor was selected over a DBE for work on the contract. non-solicitation of bids in the bidder's efforts to meet the project goal. assistance or services.

- vi. Not rejecting DBE companies as being unqualified without sound reasons based on a thorough investigation of their capabilities. The bidder's standing within its industry, membership in specific groups, organizations, or associations and political or social affiliations (for example union vs. non-union employee status) are not legitimate causes for the rejection or non-solicitation of bids in the bidder's efforts to meet the project goal.
- vii. Making efforts to assist interested DBE companies in obtaining bonding, lines of credit, or insurance as required by the recipient or Contractor.
- viii. Making efforts to assist interested DBE companies in obtaining necessary equipment, supplies, materials, or related assistance or services.
- ix. Effectively using the services of available minority/women community organizations; minority/women contractors' groups; local, state, and federal minority/women business assistance offices; and other organizations as allowed on a case-by-case basis to provide assistance in the recruitment and placement of DBE companies.