



## **GLOSSARY OF TERMS:**

### **ASPIRATIONAL DBE (DISADVANTAGED BUSINESS ENTERPRISE) GOAL**

While the DBE participation goal for the Innerbelt Bridge Project is 15 percent of the expected \$287.4 million project cost, ODOT aspires to a DBE participation goal of 20 percent of that amount.

### **BONDING**

A surety bond is a promise to pay one party (obligee) a certain amount if a second party (principal) fails to meet some obligation, such as fulfilling the terms of a contract. Walsh Construction has a corporate bonding policy requiring all subcontractors and suppliers with contracts over \$250,000 to provide payment and performance bonds.

### **C-92 REQUEST TO SUBLET**

The C-92 (Request to Sublet) form is a request made to the Director of Transportation by the Prime Contractor for permission to sublet specific work. It includes an assurance that all subcontractors listed who are being utilized towards the fulfillment of a DBE goal, will be performing a Commercially Useful Function as outlined in 49 CFR, Part 26. If it is discovered that the DBE subcontractor is not performing or has not performed a Commercially Useful Function, the prime contractor is to immediately notify the Office of Contracts in writing of its findings.

### **CFR TITLE 49, PART 26**

The Ohio Department of Transportation (ODOT) has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. ODOT has received Federal financial assistance from the DOT, and as a condition of receiving that assistance, ODOT has signed an assurance that it will comply with 49 CFR Part 26. The Final Rule for Participation by DBEs in DOT Financial Assistance Programs. The objectives of the regulation are:

- To ensure nondiscrimination in the award and administration of DOT-assisted contracts in the Department's highways, transit and airport financial assistance programs;
- To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
- To ensure that the Department's DBE program is narrowly tailored in accordance with applicable law;
- To ensure that only firms that fully meet this part's eligibility standards are permitted to participate as DBEs;
- To help remove barriers to the participation of DBEs in DOT-assisted contracts;
- To assist the development of firms that can compete successfully in the marketplace outside the DBE program; and

- To provide appropriate flexibility to recipients of Federal financial assistance in establishing and providing opportunities for DBEs.

## **CONSTRUCTION PRE-QUALIFICATION & CONTRACTOR QUALIFICATION**

Contractor Qualification prequalifies construction companies to bid on projects let by the Ohio Department of Transportation by determining the bidder's dollar bidding capacity and the work types for which the bidder is qualified.

## **DBE (DISADVANTAGED BUSINESS ENTERPRISE)**

A Disadvantaged Business Enterprise (DBE) is a for-profit small business which is at least 51 percent owned by one or more individuals who are both socially and economically disadvantaged. Management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it. The DBE program has economic criteria, requiring each individual owner of the firm applying as a DBE whose ownership and control are relied upon for DBE certification to submit a Personal Net Worth statement (PNW) certifying that his or her PNW does not exceed \$750,000

## **EDGE CERTIFICATION**

An Encouraging Diversity, Growth and Equity (EDGE) participant must be a small socially and economically disadvantaged business enterprise owned and controlled by U.S. citizens who are Ohio residents. EDGE establishes goals for state agencies, boards and commissions in awarding contracts to certified EDGE eligible businesses. EDGE applies to procurements of supplies and services, professional services, information technology services, construction and professional design services.

## **FHWA (FEDERAL HIGHWAY ADMINISTRATION)**

The Federal Highway Administration is a major agency of the U.S. Department of Transportation (DOT). As a cabinet-level organization of the Executive Branch of the U.S. Government, the DOT is led by a presidential appointee-the Secretary of Transportation. FHWA carries out the Federal highway programs in partnership with the State and local agencies to meet the Nation's transportation needs. FHWA adds value to the delivery of the Federal highway programs by administering and overseeing these programs to ensure that Federal funds are used efficiently.

## **FORMS OF AGREEMENT FOR THE WALSH GROUP**

- **Subcontract** – an agreement to furnish all labor, materials, equipment, insurance, taxes and supervision as required to perform a certain portion, or scope, of Walsh Construction's primary contract.
- **Purchase Order** – an agreement to furnish materials.
- **Service Agreement** – an agreement to provide a certain technical or professional service including, but not limited to, design, drafting, testing, inspection and consultation.
- **Rental Agreement** – an agreement to rent/lease equipment (examples are formwork, heavy machinery and specialty small tools).

## **INNERBELT BRIDGE DBE GOAL**

The Ohio Department of Transportation, in compliance with the U.S. Department of Transportation, has established a 15 percent DBE participation goal for the I-90 Innerbelt Bridge project. To date, the estimated dollar amount of the Innerbelt Bridge DBE goal is \$42,450,000.

## **INSURANCE**

- **Workers' Compensation** – a form of insurance that provides periodic payments in lieu of wages and medical care for employees who are injured in the course of employment, in exchange for mandatory relinquishment of the employee's right to sue his or her employer for the tort of negligence.
- **Employers' Liability** – insurance policy that protects employers from liabilities arising from disease, fatality, or injury to employees resulting from workplace conditions or practices.
- **Commercial General Liability and Excess** – general liability insurance covers claims of bodily injury or other physical injury or property damage; excess liability gives you additional coverage when a claim exceeds an underlying policy's insurance limits.
- **Automobile Liability Insurance** – coverage if an insured is legally liable for bodily injury or property damage caused by an automobile.

## **MBE (MINORITY BUSINESS ENTERPRISE) CERTIFICATION**

MBE (Minority Business Enterprise) means an individual, partnership, corporation or joint venture of any kind that is owned and controlled by U.S. Citizens and residents of Ohio, who are and have held themselves out as members of the following socially and economically disadvantaged groups: Blacks, American Indians, Hispanics and Asians. The City of Cleveland's Office of Equal Opportunity administers contracting incentives for minority, female, and local businesses and provides targeted development activities, including providing certification as:

- A minority owned business enterprise (MBE);
- A female owned business enterprise (FBE); or
- A smaller, local business enterprise (CSB).

The business must be:

- Ready, willing and able to perform work in the area it seeks certification;
- Located in the Cleveland market area; and
- Owned and controlled at least 51 percent by a minority or female.

## **NAICS (NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM) CODE**

The North American Industry Classification System (NAICS) is the standard used by the Federal government to classify business establishments for the purpose of government contracting and statistical analysis.

## **OJT (ON-THE-JOB TRAINING)**

- ODOT recognizes the challenges faced by women, minorities and disadvantaged individuals in gaining employment in the heavy highway construction trades. The On-the-Job Training (OJT) Outreach and Recruitment Initiative increases the number of minorities, women and disadvantaged individuals working on Federal-aid highway construction projects by increasing the number of participants enrolled in pre-apprenticeship and apprenticeship training programs on the Innerbelt Bridge project.
- The primary objective of the Walsh/HNTB DBT's OJT Program is to bring minorities, women and disadvantaged persons from apprentice status to a fully functioning, experienced employee.

Walsh Construction and our subcontractors are committed to meet the goal of 40 trainees on this project through the utilization of various time-tested methods and pre-established union training programs.

### **OMM (OFFICE OF MATERIALS MANAGEMENT)**

The Office of Materials Management (OMM) is a sub-division of the Division of Construction Management responsible for establishing specifications and methods of acceptance for materials used on ODOT construction projects.

### **PMO (PROJECT MANAGEMENT OFFICE)**

The Project Management Office for the I-90 Innerbelt Bridge Project is located at:

1400 West 25<sup>th</sup> Street  
Cleveland, Ohio 44113  
216.344.3219, *phone*  
216.344.3615, *fax*

### **PREQUALIFICATION TYPES**

Design Prequalification  
Construction Prequalification

### **PREVAILING WAGE**

Ohio's prevailing wage law applies to construction projects undertaken by public authorities and requires that the public authorities pay the locally prevailing rate of wages to workers on the project.

### **PROCUREMENT TYPES**

- **MA:** Materials and Supplies
- **EQ:** Equipment
- **SU:** Subcontractor for Construction Work
- **SE:** Services Subcontract for Professional & General Services

### **SBE (SMALL BUSINESS ENTERPRISE) CERTIFICATION**

The Small Business Enterprise (SBE) certification process is designed to identify small business owners desiring contract and subcontract opportunities with the Northeast Ohio Regional Sewer District (NEORSB). To be certified as an SBE, the District requires the business to:

- Serve a commercially useful function;
- Have been in operation for at least one (1) year prior to completing the application;
- Have a physical business address located within the boundaries of **Cuyahoga, Lake, Lorain, Geauga, Medina or Summit counties**. (A post office box is not acceptable as a business address.); and
- Demonstrate that the three-year average gross receipts of the business, together with its affiliates, do not exceed NEORSB's SBE size standard.

### **UCP (UNIFIED CERTIFICATION PROGRAM)**

The Ohio Unified Certification Program (UCP) is a "one stop" certification process for the Federal DBE Programs in Ohio. The Ohio UCP consolidates all DBE firms certified by five different agencies into one centralized DBE Directory for U.S. DOT funded contracts. A business' DBE certification is valid at any Ohio entity that receives U.S. DOT funds and has a DBE Program.

### **WBE/FBE (WOMAN/FEMALE OWNED BUSINESS ENTERPRISE) CERTIFICATION**

The City of Cleveland's Office of Equal Opportunity administers contracting incentives for minority, female and local businesses, and provides targeted development activities, including providing certification as:

- A minority owned business enterprise (MBE);
- A female owned business enterprise (FBE); or
- A smaller, local business enterprise (CSB)

The business must be:

- Ready, willing and able to perform work in the area it seeks certification;
- Located in the Cleveland market area; and
- Owned and controlled at least 51 percent by a minority or female.

