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NEWS RELEASE

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FOR RELEASE

June 8, 2022

Auditor of State Rob Sand today released a report on a review of selected road and bridge construction projects which were at least partially federally funded to determine compliance with the Davis Bacon Act (DBA) and the Disadvantaged Business Enterprise (DBE) Program administered by the Iowa Department of Transportation (DOT).

DBA was enacted in 1931 to protect communities and workers from non-local contractors underbidding local wage levels. DBA requires contracts for the construction, alteration, or repair of public buildings and public works exceeding \$2,000 and involving the employment of mechanics or laborers to contain a provision stating the minimum wages to be paid various classes of laborers. The minimum wages included in the contract are based on the wages the U.S. Secretary of Labor determines to be prevailing for the corresponding classes of laborers employed on projects of a similar nature in the area of the state in which the work is to be performed.

Sand reported contracts included in the December 2016 to the December 2019 bid lettings were reviewed. During this period, DBA was applicable to roadways categorized as major collectors, which is a classification assigned by DOT based on the function of the roadway and written guidance provided by the Federal Highway Administration (FHWA). However, roadways categorized as minor collectors were not required to comply with DBA requirements. A Federal Functional Classification map by county is maintained on the DOT website which illustrates the categorization of the various roads within the State. According to a representative of DOT, the project number included in each contract designates whether a construction project is located on a major collector or a minor collector.

For the period reviewed, 172 contracts were identified which appeared to qualify for DBA but did not have a DBA requirement. The project numbers for the 172 contracts identified were reviewed to determine the classification of the road. As a result, it was determined, of the 172 contracts:

- 106 were for construction projects located on a minor collector;
- 40 were for culvert replacement projects and not highway construction;
- 10 were for projects, such as sidewalk/nature trail projects, painting and grooving, lighting, shoulder paving, deck joint repair/overlay, and bridge cleaning, and not highway construction;

- 6 were for construction projects located in an area which was less than 50% right-of-way and did not require a DBA provision;
- 5 were contracts which were ultimately not awarded during the period reviewed;
- 3 were for construction projects located on a local city road; and
- 2 properly included a DBA provision.

In addition, a sample of 12 contracts were selected for a more detailed review. The locations of the related projects were compared to the Federal Functional Classification map by county, and all of them agreed with the category shown on the posted map. According to representatives of DOT, the Federal guidance has since been revised and, beginning with the April 2021 bid letting, all projects will now require a DBA provision.

Sand also reported 57 of the 172 contracts identified did not have a DBE requirement. The DBE Program was established to address the ongoing discrimination and the continuing effects of past discrimination on federally-assisted highway, transit, airport, and highway safety contracting markets nationwide. The primary goal of the DBE Program is to “level the playing field” by providing small businesses owned and controlled by socially and economically disadvantaged individuals a fair opportunity to compete for federally funded transportation projects.

According to representatives of DOT, a triennial goal is established in the approved DBE plan, as well as a goal for each highway construction project. Similar to DBA, DBE goals are only applicable to federal-aid projects. DOT staff review data for the various construction projects and determine a recommended percentage which could be completed by DBE firms. The recommendations are reviewed by a committee of DOT employees in consultation with the FHWA and the Association of General Contractors. Committee meetings are open to the public and invitations to attend are sent to contractors, DBE firms, and citizens who may ask questions about specific projects prior to the DOT committee establishing the DBE goal for a particular project. In addition, a specifications book is issued for bidding to ensure contracts meet the established DBE goal. The FHWA reviews the goals established for each project. Currently, Iowa is one of two states that follow this goal-setting process for the DBE Program.

Sand reported no instances of non-compliance with DBA or DBE requirements were identified for the road and bridge construction projects reviewed.

A copy of the report is available for review on the Auditor of State’s web site at [Audit Reports - Iowa State Auditor](#).

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**REPORT ON A REVIEW OF
SELECTED ROAD AND BRIDGE CONSTRUCTION PROJECTS
ADMINISTERED BY THE
DEPARTMENT OF TRANSPORTATION**

**FOR THE PERIOD
DECEMBER 2016 THROUGH DECEMBER 2019**

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Rob Sand
Auditor of State

Auditor of State's Report

To Scott Marler, Director of the
Department of Transportation:

In conjunction with our audit of the financial statements of the State of Iowa and in accordance with Chapter 11 of the *Code of Iowa*, we reviewed selected road and bridge construction projects to determine compliance with the Davis Bacon Act (DBA) and the Disadvantaged Business Enterprise (DBE) Program administered by the Department of Transportation (DOT). The review covered the contracts awarded by DOT to improve or construct roadways during the period December 2016 through December 2019. In conducting our review, we performed the following procedures:

- (1) Interviewed DOT personnel and reviewed relevant program information available from the Federal Highway Administration within the U.S. Department of Transportation to obtain an understanding of DBA and DBE requirements and the goal-setting process for the DBE Program.
- (2) Identified the project number included in the contracts for the selected construction projects to determine the location and nature of the project.
- (3) Obtained a copy of the Federal Functional Classification map maintained by DOT personnel to determine the categorization of the roads associated with the selected construction projects and compared the classification to the project number included in the contracts to determine propriety.
- (4) Reviewed the contracts for the selected projects to determine compliance with DBA requirements and obtained additional explanations from DOT personnel for any projects for which the DBA requirements were not clear.
- (5) Reviewed supporting documentation maintained by DOT personnel throughout the DBE goal-setting process to verify the established process.
- (6) Surveyed the four states bordering Iowa to determine how their DBE Programs are administered and determine what, if any, supporting documentation is maintained as part of their goal-setting process.
- (7) Compared the administration of the DBE Program in the four states selected to the process used by Iowa DOT to determine whether any improvements could be made to Iowa's process.

As a result of the procedures performed, no instances of non-compliance with DBA or DBE requirements were identified for the road and bridge construction projects reviewed.

The procedures described above do not constitute an audit of financial statements conducted in accordance with U.S. generally accepted auditing standards. Had we performed additional procedures; other matters might have come to our attention which would have been reported to you.

We would like to acknowledge the assistance extended to us by officials and personnel of the Department of Transportation during the course of our review.

A handwritten signature in black ink that reads "Rob Sand".

Rob Sand
Auditor of State

March 11, 2022

Davis-Bacon Act

The Davis-Bacon Act (DBA) was enacted in 1931 to protect communities and workers from non-local contractors underbidding local wage levels. DBA requires contracts for the construction, alteration, or repair of public buildings and public works exceeding \$2,000, at least partially federally funded, and involving the employment of mechanics or laborers to contain a provision stating the minimum wages to be paid various classes of laborers. The minimum wages included in the contract are based on the wages the U.S. Secretary of Labor determines to be prevailing for the corresponding classes of laborers employed on projects of a similar nature in the area of the state in which the work is to be performed.

We reviewed the contracts included in the December 2016 through the December 2019 Iowa Department of Transportation (DOT) bid lettings posted to DOT's website and identified 172 contracts which were at least partially federally funded but did not have a DBA requirement. See **Schedule 1** for a listing of the contracts identified. During the period reviewed, DBA was applicable to roadways categorized as major collectors, which is a classification assigned by DOT based on the function of the road and written guidance provided by the Federal Highway Administration (FHWA) within the U.S. Department of Transportation (USDOT).

The written guidance provided by the USDOT FHWA specifies the classification criteria and the procedures to be used by State Transportation Agencies (STAs) when categorizing roadways. The functional classifications are used in federal legislation to determine eligibility for funding under federal-aid programs and define the role a particular roadway plays in serving the flow of traffic. Roadways providing a balanced blend of mobility and access are called "collectors." Mobility is defined as the provision of long-distance travel with limited opportunities for entry and exit, and access is defined as the provision of many opportunities for entry and exit. For example, interstates used to travel long distances with no immediately accessible locations provide mobility to travelers, while local city streets provide travelers with multiple access points for various locations.

"Collectors" are seen as roadways which collect traffic from high access roadways and connect it to high mobility roadways. Other characteristics used to classify roadways include:

- speed limit,
- distance between routes,
- average daily traffic,
- number of travel lanes, and
- regional and statewide significance.

Although the USDOT FHWA recommends STAs continually update their federal functional classifications, at a minimum, the written guidance states functional classifications should be reviewed every 10 years to coincide with the decennial census.

"Collectors" are broken down into two categories: major and minor. The determination of whether a collector is classified as major or minor is often one of the biggest challenges STAs face in functionally classifying a roadway network as the distinction between the two is often subtle. When compared to minor collectors, major collectors:

- are longer in length,
- have lower connecting driveway densities,
- have higher speed limits,
- are spaced at greater intervals,
- have higher annual average traffic, and
- may have more travel lanes than minor collectors.

Major collectors offer more mobility and minor collectors offer more access. A Federal Functional Classification map by county is maintained on the DOT website which illustrates the categorization of the various roadways within the State. During the period of our review, roadways categorized as minor collectors were not required to comply with DBA requirements. According to a representative of DOT, the project number included in each contract designates whether the construction project is located on a major collector or a minor collector. The DOT personnel responsible for determining and updating the State's roadway classifications do not work in the same Bureau within DOT as those who are responsible for assigning the project numbers to upcoming road and bridge construction projects. This prevents the personnel assigning the project numbers from classifying a roadway as a minor collector to circumvent DBA requirements.

Using the month and year in conjunction with the call number of each of the 172 contracts identified, we determined the project numbers associated with each contract by reviewing the bid letting document posted to DOT's website. Project numbers for projects funded, at least in part, with federal funds are designated with certain prefixes, such as BROS, BHOS, or BHM. In addition, the project numbers assigned by DOT also include a secondary numbering system which indicates the type of road on which the construction project is located, such as 5N for bridge rehabilitation on farm-to-market roads, 8J for bridge replacement on area service roads, and 8N for bridge replacement on an urban road. According to a DOT representative, "8J" signifies a minor collector which would not fall under DBA.

The project numbers for the 172 contracts identified were reviewed to determine the propriety of the classification of the road and whether DBA requirements should have been applicable. As a result, it was determined, of the 172 contracts:

- 106 were for construction projects located on a minor collector;
- 40 were for culvert replacement projects and not highway construction;
- 10 were for projects, such as sidewalk/nature trail projects, painting and grooving, lighting, shoulder paving, deck joint repair/overlay, and bridge cleaning, and not highway construction;
- 6 were for construction projects located in an area which was less than 50% right-of-way and did not require a DBA provision;
- 5 were contracts which were ultimately not awarded during the period reviewed;
- 3 were for construction projects located on a local city road; and
- 2 properly included a DBA provision.

No instances of non-compliance with DBA requirements were identified based on the classification of the roadways for the selected contracts.

Of the 172 contracts identified, we selected a sample of 12 contracts to review in more detail. We determined the exact location of the projects for the 12 contracts selected using the bid letting cover page and compared them to the location specified in the contract to ensure they agreed. The locations of the 12 projects selected were also compared to the Federal Functional Classification map by county. All of them agreed with the category shown on the posted map, and the project numbers were appropriately assigned.

Using the project and contract numbers, we also reviewed the contracts for each of the 12 projects selected, which are maintained electronically by DOT. During our review we determined, while the cover page of each contract indicated DBA requirements were not applicable, the detailed contract attached did not have the DBA provisions redacted. However, the detailed contract included the following language, which rectified the discrepancy: "...This excludes roadways functionally classified as local roads or minor collectors, which are exempt..." According to representatives of DOT, the USDOT FHWA was aware of the conflicting information and revised the guidance provided. In addition, beginning with the April 2021 bid letting, all projects will now require a DBA provision in the contract.

Disadvantaged Business Enterprise (DBE) Program

The DBE Program is a legislatively mandated federal program established to address the ongoing discrimination and the continuing effects of past discrimination on federally-assisted highway, transit, airport, and highway safety contracting markets nationwide. The primary goal of the DBE Program is to “level the playing field” by providing small businesses owned and controlled by socially and economically disadvantaged individuals a fair opportunity to compete for federally funded transportation projects. Every three years, STAs are required to set an overall DBE goal they must either meet, or show they used good faith efforts to meet, annually. The goal is stated as a percentage of federal funds apportioned annually to the STAs and is calculated based upon the relative availability of DBE firms as compared to all firms in a given geographic area.

Although DBE goals may be set on federal-aid contracts, all federal-aid contracts are not required to have a DBE goal. Federal regulations require each contract be analyzed to determine the potential for DBE participation. Some of the issues to be considered during this analysis include:

- Availability of DBE firms,
- Contracts providing more than one opportunity to meet a DBE goal, and
- Size of the contract and subcontracts.

The Civil Rights Bureau within DOT is responsible for administering the State’s DBE Program. Because contracts with a value less than \$250,000 generally do not provide subcontract opportunities exceeding \$10,000, a DBE goal is often not set for these contracts. If no DBE goal is proposed for a contract exceeding \$250,000, an explanation including the nature of the proposed work, any special conditions associated with the work, and the specific reasons why setting a DBE goal is not feasible must be provided. Even if a contract does not include a DBE requirement, opportunities to include DBE firms are made available. Contractors submitting a bid or proposal must provide sufficient documentation of their good faith efforts to achieve the established DBE goal, including the names of the DBE firms contacted, a list of those DBE firms which submitted a quote or proposal, and an explanation of reasons why any DBE firms submitting a quote or proposal were not used. If the DBE goal is achieved, good faith effort documentation is not required.

According to a representative of DOT, goal-setting is held the first Tuesday of every month to set the DBE goals for the following month’s bid letting. DOT staff review data for the various construction projects and determine a recommended percentage which could be completed by DBE firms. The recommendations are reviewed by a committee of DOT employees in consultation with the FHWA and the Association of General Contractors. Committee meetings are open to the public and invitations to attend are sent to contractors, DBE firms, and citizens who may ask questions about specific projects prior to the DOT committee establishing the DBE goal for a particular project. In addition, a specifications book is issued for bidding to ensure contracts meet the established DBE goal.

During our fieldwork, we observed a copy of an e-mail invitation sent to those wishing to participate in the monthly goal-setting process, which included the following attachments:

- a summary of DBE work on the federal-aid projects associated with bid orders in the upcoming letting,
- a listing of the call order for the bids to be opened at the upcoming bid letting,
- a summary sheet of the projects for which a DBE goal is to be established, and
- a Major Items Summary associated with each project.

We also observed copies of the recommendations submitted by DOT personnel to the committee and a copy of the summary of goals established for each project. According to a representative of DOT, Iowa is currently one of two states that follow this goal-setting process for the DBE Program.

As illustrated by **Schedule 1**, we determined 57 of the 172 contracts we reviewed for DBA compliance did not have an assigned DBE goal percentage. However, as previously stated, while all federally funded contracts must be considered under the DBE Program, it is not required that all contracts are assigned a DBE goal.

In addition to the DBE goal set for each project, a triennial DBE goal is established in the State's approved DBE plan. To establish the triennial goal, DOT staff first review the bidders list and DBE directory to obtain information to calculate a base percentage. The following parties are then invited to participate in public meetings held to review the available options for use in developing a goal-setting methodology, as well as a more detailed discussion of the proposed use of the bidder's list:

- certified DBE firms,
- small business owners,
- county and municipal officers,
- internal stakeholders,
- minority and women's advocacy agencies,
- minority media outlets,
- Spanish language media outlets,
- contractors currently doing business with DOT,
- contractors interested in doing business with DOT, and
- the general public.

In June 2020, DOT proposed a 6.03% overall DBE goal. Using a five-state market area, DOT personnel calculated a base percentage of 5.29% by identifying 303 certified DBE firms within a population of 5,726 firms which were considered ready, willing, and able. This base percentage was adjusted to 6.03% after further analysis was performed regarding the capacity of Iowa-certified DBE firms.

We surveyed representatives from the Departments of Transportation for the states of Illinois, Minnesota, Missouri, and Nebraska to determine how their DBE program is administered and what, if any, supporting documentation is maintained demonstrating the calculations used to arrive at the DBE goal percentage. We compared their responses to the goal-setting process described by representatives of the Iowa DOT to determine whether any recommendations could be identified to improve DOT's goal-setting process. **Schedule 2** includes a summary of the responses received from the representatives surveyed.

As previously stated, Iowa is currently one of two states using the goal-setting process described above for the DBE Program. While there are similarities between the methodologies of the other states surveyed and the Iowa DOT, a direct comparison cannot be made. Based on discussions with DOT representatives and observations of various supporting documents, no recommendations were identified for the Iowa DOT DBE Program as a result of this review.

Schedules

Report on a Review of
Selected Road and Bridge Construction Projects
Administered by the Department of Transportation

Summary of Road and Bridge Construction Projects Reviewed
For the period December 2016 through December 2019

Date of the Bid Letting	Call Number	County	Project Description	Road System
2016-12	15	Hardin	Bridge Replacement-CCS	Local Secondary Road
2016-12	24	Keokuk	Bridge Replacement-CCS	Local Secondary Road
2016-12	26	Linn	Bridge Replacement-CCS	Local Secondary Road
2016-12	34	Mahaska	Bridge Replacement-CCS	Local Secondary Road
2016-12	35	Marshall	Bridge Replacement-CCS	Local Secondary Road
2016-12	36	Marshall	Bridge Replacement-CCS	Farm to Market Road
2016-12	38	Monona	Bridge Replacement-PPCB	Local Secondary Road
2016-12	40	Van Buren	RCB Culvert Replacement - Twin Box	Local Secondary Road
2016-03	1	Carroll	RCB Culvert Replacement - Single Box	Local Secondary Road
2016-03	1	Carroll	RCB Culvert Replacement - Single Box	Local Secondary Road
2016-03	3	Clay	RCB Culvert Replacement - Single Box	Farm to Market Road
2016-03	4	Delaware	Bridge Replacement - CCS	Farm to Market Road
2016-03	5	Fayette	Bridge Replacement - CCS	Local Secondary Road
2016-03	7	Hancock	Bridge Replacement - CCS	Local Secondary Road
2016-03	8	Hardin	Bridge Replacement - CCS	Farm to Market Road
2016-03	8	Hardin	Bridge Replacement - CCS	Farm to Market Road
2016-03	9	Iowa	Bridge Replacement - PPCB	Farm to Market Road
2016-03	10	Iowa	RCB Culvert Replacement - Twin Box	Local Secondary Road
2016-03	12	Linn	Bridge Replacement - CCS	Urban
2016-03	15	Plymouth	Bridge Replacement - CCS	Local Secondary Road
2016-03	20	Story	Bridge Replacement - CCS	Local Secondary Road
2016-03	22	Tama	RCB Culvert Replacement - Twin Box	Urban
2016-03	23	Woodbury	Bridge Replacement - CCS	Farm to Market Road
2016-03	24	Worth	Reconstruction - Bridge Super Replacement	Farm to Market Road
2016-02	3	Audubon	Bridge Replacement - CCS	Farm to Market Road
2016-02	6	Buena Vista	Bridge Replacement - CCS	Farm to Market Road
2016-02	7	Butler	Bridge Replacement - CCS	Local Secondary Road
2016-02	9	Cherokee	RCB Culvert New - Triple Box	Farm to Market Road
2016-02	16	Henry	Bridge Replacement - PPCB	Local Secondary Road
2016-02	17	Howard	Bridge New - PPCB	Farm to Market Road
2016-02	18	Jones	RCB Culvert Replacement - Twin Box	- -
2016-02	20	Madison	Bridge Replacement - CCS	Local Secondary Road
2016-02	25	Wayne	RCB Culvert Replacement - Twin Box	Farm to Market Road
2016-02	28	Woodbury	Bridge Rehabilitation	Urban
2016-02	30	Wright	RCB Culvert Replacement - Triple Box	Farm to Market Road
2016-01	1	Cass	Bridge Replacement - CCS	Local Secondary Road
2016-01	5	Crawford	RCB Culvert Replacement - Twin Box	Local Secondary Road
2016-01	16	Warren	Bridge Replacement - CCS	Farm to Market Road
2016-01	602	Dubuque	Bridge Cleaning	Primary Road (on NHS)

Awarded Contractor	Award Amount	Approved DBE Goal
Peterson Contractors Inc.	\$ 284,136.74	5%
Iowa Bridge & Culvert LC.	377,816.60	5
Taylor Construction, Inc.	475,901.50	5
Iowa Bridge & Culvert, L.C.	535,055.80	3
Peterson Contractors, Inc.	454,568.60	3
Peterson Contractors, Inc.	440,859.16	3
United Contractors Inc. and Subsidiaries	728,362.45	4
Bloomfield Bridge & Culvert, Inc.	184,008.90	-
Peterson Contractors, Inc.	130,613.75	-
Peterson Contractors, Inc.	132,989.75	-
Rognes Bros. Excav., Inc.	215,360.00	-
Taylor Construction, Inc.	337,360.25	4
Taylor Construction, Inc.	244,748.35	-
Graves Construction Co., Inc.	652,280.46	4
Peterson Contractors, Inc.	343,082.77	3
Peterson Contractors, Inc.	416,917.23	3
Taylor Construction, Inc.	337,631.75	4
Ricklefs Excavating, LTD.	167,515.00	-
NOT AWARDED	-	4
Graves Construction Co., Inc.	328,658.00	3
Herberger Construction Co., Inc.	445,847.11	3
Peterson Contractors, Inc.	215,062.85	-
Graves Construction Co., Inc.	904,806.92	3
Minnowa Construction, Inc.	399,711.71	-
Cunningham-Ries Co.	378,309.70	3
Graves Construction Co., Inc.	656,147.09	3
Minnowa Construction, Inc.	461,511.20	3
Graves Construction Co., Inc.	344,102.50	-
Iowa Bridge & Culvert LC.	499,637.79	3
Minnowa Construction, Inc.	439,555.50	4
Taylor Construction, Inc.	573,940.94	-
Herberger Construction Co., Inc.	1,137,618.74	3
Iowa Bridge & Culvert LC.	376,963.58	-
Hawkins Construction Co.	1,748,553.67	4
Mucatine Bridge Co., Inc.	632,189.50	-
Murphy Heavy Contracting Corp.	433,033.25	3
Gus Construction Co., Inc.	420,817.54	-
Herberger Construction Co., Inc.	286,159.22	3
McClain & Co., Inc.	154,800.00	-

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Summary of Road and Bridge Construction Projects Reviewed
For the period December 2016 through December 2019

Date of the Bid Letting	Call Number	County	Project Description	Road System
2016-04	3	Humboldt	RCB Culvert Replacement - CCS	Local Secondary
2016-04	5	Keokuk	Bridge Replacement - CCS	Farm to Market
2016-04	9	Monroe	Bridge Replacement - CCS	Farm to Market
2016-04	10	Shelby	Bridge Replacement - PPCB	Farm to Market
2016-04	11	Tama	Bridge Replacement - CCS	Local Secondary
2016-04	12	Warren	RCB Culvert New - Twin Box	Farm to Market
2016-04	13	Winneshiek	Bridge Replacement - CCS	Local Secondary
2016-05	1	Butler	RCB Culvert Replacement - Triple Box	Farm to Market
2016-05	4	Dallas	Bridge Replacement - CCS	Farm to Market
2016-05	5	Grundy	Bridge Replacement - CCS	Local Secondary
2016-05	7	Jones	Bridge Replacement - CCS	Farm to Market
2016-05	12	Marion	Bridge Replacement - PPCB	Farm to Market
2016-05	16	Woodbury	Bridge and Approaches - CCS	Urban
2016-05	106	Jasper	PCC Sidewalk / Trail	Undefined Off System
2016-06	1	Benton	Bridge Replacement - CCS	Farm to Market
2016-06	2	Buchanan	Bridge Replacement - CCS	Local Secondary
2016-06	3	Clayton	Bridge Replacement - CCS	Local Secondary
2016-06	5	Keokuk	Bridge Replacement - CCS	Farm to Market
2016-06	6	Polk	Bridge Replacement - PPCB	Local Secondary
2016-06	8	Sac	Bridge Replacement - CCS	Urban
2016-06	9	Winneshiek	RCB Culvert Replacement - Triple Box	Local Secondary
2016-06	12	Tama	Bridge Replacement - CCS	Local Secondary
2017-08	4	Dallas	Structures	Urban
2017-08	5	Davis	Bridges and Approaches	Urban
2017-08	6	Montgomery	Bridges and Approaches	Urban
2017-09	9	Ringgold	RCB Culvert Replacement - Twin Box	Local Secondary Road
2017-09	10	Ringgold	RCB Culvert Replacement - Twin Box	Farm to Market
2017-10	11	Wapello	RCB Culvert New - Twin Box	Local Secondary Road
2017-11	1	Audubon	Bridge Replacement-CCS	Farm to Market Road
2017-11	2	Black Hawk	RCB Culvert Replacement-Triple Box	Urban
2017-11	3	Butler	Bridge Replacement-CCS	Farm to Market Road
2017-11	4	Butler	Bridge Replacement-PPCB	Local Secondary Road
2017-11	5	Butler	RCB Culvert Replacement-Triple Box	Farm to Market Road
2017-11	6	Cass	Bridge Replacement-CCS	Farm to Market Road
2017-11	7	Cedar	RCB Culvert Replacement-Single Box	Farm to Market Road
2017-11	8	Cedar	Bridge Replacement-CCS	Local Secondary Road
2017-11	9	Cedar	Bridge Replacement-PPCB	Local Secondary Road
2017-12	3	Bremer	Bridge Replacement-CCS	Farm to Market Road
2017-12	13	Iowa	Bridge Replacement-CCS	Local Secondary Road

Awarded Contractor	Award Amount	Approved DBE Goal
Midwest Contracting, LLC	110,420.00	-
Herberger Construction Co., Inc.	422,434.11	3
Herberger Construction Co., Inc.	369,603.40	3
Godberson-Smith Construction Co. & Subsid.	690,129.36	3
Cunningham-Reis Co.	1,024,860.80	3
McCulley Culvert, Inc.	432,445.05	-
Brennan Construction Co.	439,742.00	3
Gus Construction Co., Inc.	190,499.45	-
Herberger Construction Co., Inc.	597,768.50	4
Peterson Contractors, Inc.	350,336.72	4
Taylor Construction, Inc.	1,033,976.64	4
Herberger Construction Co., Inc.	1,111,871.60	3
Dixon Construction Co.	1,467,272.00	4
TK Concrete, Inc.	196,178.18	-
Iowa Bridge & Culvert, L.C.	341,208.90	4
K Construction Inc.	292,434.62	4
K Construction Inc.	439,713.40	4
Iowa Bridge & Culvert LC.	363,244.90	4
Herberger Construction Co., Inc.	1,042,493.99	4
Godberson-Smith Construction Co. & Subsid.	488,381.80	4
K Construction Inc.	279,506.25	-
Peterson Contractors, Inc.	699,725.15	3
Elder Corp	753,500.00	2
United Contractors Inc.	663,709.79	4
Murphy Heavy Contracting Corp.	1,057,288.50	3
Gus Construction Co., Inc.	305,822.10	2
Gus Construction Co., Inc.	283,422.50	2
Keller Excavating, Inc.	364,285.70	2
Dixon Constr. Co.	398,639.30	4
Peterson Contractors, Inc.	820,727.26	2
Icon Constructors, LLC.	553,889.00	4
Boulder Contracting, LLC.	608,995.30	4
Iowa Bridge & Culvert LC.	194,574.20	-
Christensen Bros., Inc.	543,425.80	4
Iowa Bridge & Culvert LC.	336,016.11	-
Schroeder, Jim Construction, Inc.	534,848.87	4
Schroeder, Jim Construction, Inc.	374,573.77	4
Taylor Construction, Inc.	523,914.00	4
Taylor Construction, Inc.	433,715.90	4

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For the period December 2016 through December 2019

Date of the Bid Letting	Call Number	County	Project Description	Road System
2017-12	26	Van Buren	RCB Culvert Replacement-Triple Box	Local Secondary Road
2017-12	27	Van Buren	RCB Culvert New-Triple Box	Farm to Market Road
2017-12	28	Van Buren	RCB Culvert New-Triple Box	Local Secondary Road
2017-12	29	Van Buren	Bridge Replacement-CCS	Farm to Market Road
2017-12	110	Johnson	PCC Sidewalk/Trail	Undefined-Off System
2017-12	110	Johnson	PCC Sidewalk/Trail	Undefined-Off System
2017-03	2	Allamakee	Bridge Replacement - CCS	Urban
2017-03	3	Black Hawk	Bridge Replacement - CCS	Local Secondary Road
2017-03	6	Davis	RCB Culvert Replacement - Twin Box	Local Secondary Road
2017-03	7	Des Moines	RCB Culvert New - Twin Box	Farm to Market Road
2017-03	8	Des Moines	RCB Culvert New - Triple Box	Local Secondary Road
2017-03	13	Jefferson	RCB Culvert Replacement - Twin Box	Farm to Market Road
2017-03	14	Obrien	Bridge Replacement - CCS	Local Secondary Road
2017-03	16	Pottawattamie	Bridge and Approaches - Steel Girder	Farm to Market
2017-03	17	Ringgold	RCB Culvert Replacement - Twin Box	Local Secondary Road
2017-03	19	Scott	Bridge Replacement - CCS	Local Secondary Road
2017-03	21	Warren	Bridge Replacement - PPCB	Farm to Market Road
2017-03	22	Warren	Bridge Replacement -CCS	Farm to Market Road
2017-03	23	Hardin	Bridge New - Other	Undefined - Off System
2017-03	169	Polk	HMA Sidewalk/Trail	Undefined - Off System
2017-02	14	Montgomery	Bridge and Approaches - PPCB	Farm to Market Road
2017-02	18	Wayne	RCB Culvert New - Twin Box	Farm to Market Road
2017-01	1	Cedar	Bridge Replacement - CCS	Local Secondary Road
2017-01	4	Clarke	Bridge Replacement - CCS	Local Secondary Road
2017-01	7	Crawford	RCB Culvert Replacement - Twin Box	Local Secondary Road
2017-01	11	Jackson	Bridge Replacement - PPCB	Farm to Market Road
2017-01	12	Jackson	Bridge Replacement - CCS	Local Secondary Road
2017-01	13	Jones	Bridge Replacement - CCS	Farm to Market Road
2017-05	2	Clinton	Bridge Replacement - PPCB	Urban
2017-05	4	Franklin	RCB Culvert New - Triple Box	Local Secondary
2017-05	6	Osceola	Bridge Deck Overlay	Farm to Market
2017-05	7	Plymouth	Bridge Replacement - CCS	Local Secondary
2017-05	10	Winnebago	RCB Culvert Replacement - Triple Box	Farm to Market
2017-06	2	Clayton	Bridge Replacement - CCS	Local Secondary
2017-06	4	Jones	Bridge Replacement - CCS	Local Secondary
2017-06	5	Jones	Bridge Replacement - CCS	Urban
2017-06	7	Linn	Bridge - New	Urban
2017-06	12	Pottawattamie	PCB Culvert Replacement - Single Box	Urban
2017-06	13	Sioux	Bridge and Approaches - PPCB	Farm to Market

Awarded Contractor	Award Amount	Approved DBE Goal
Keller Excavating, Inc.	423,426.30	-
Keller Excavating, Inc.	309,498.10	-
Keller Excavating, Inc.	439,389.50	-
Iowa Bridge & Culvert LC.	436,546.94	4
Peterson Contractors, Inc.	1,042,450.40	2
Peterson Contractors, Inc.	1,458,266.34	2
Brennan Construction Co.	1,059,068.00	4
K Construction Inc.	316,071.08	4
Bloomfield Bridge & Culvert, Inc.	238,040.90	-
Iowa Bridge & Culvert LC.	386,844.79	-
Iowa Bridge & Culvert LC.	356,952.20	-
Iowa Bridge & Culvert LC.	314,193.97	-
Graves Construction Co., Inc.	557,471.61	3
United Contractors Inc. and Subsidiaries	1,989,499.50	3
NOT AWARDED	-	-
Schroeder, Jim Construction, Inc.	496,825.30	4
Herberger Constr. Co., Inc.	1,413,118.75	4
Cunningham-Reis Co.	256,960.96	-
Peterson Contractors, Inc.	325,080.48	-
Elder Corp	1,499,000.00	4
NOT AWARDED	-	4
McCulley Culvert, Inc.	205,239.60	-
Schroeder, Jim Construction, Inc.	520,043.62	5
Herberger Constr. Co., Inc.	439,955.20	4
Gus Construction Co., Inc.	316,195.74	-
Schroeder, Jim Construction, Inc.	369,499.71	5
Schroeder, Jim Construction, Inc.	419,973.85	5
Schroeder, Jim Construction, Inc.	684,564.68	5
Jim Schroeder Construction, Inc.	538,411.34	5
Gus Construction Co., Inc.	204,667.70	-
Cramer and Assoc., Inc.	177,350.00	-
Graves Construction Co., Inc.	607,233.48	3
Peterson Contractors, Inc.	324,811.75	-
Taylor Construction, Inc.	381,901.90	4
Taylor Construction, Inc.	325,280.28	4
Taylor Construction, Inc.	504,845.24	4
Peterson Contractors, Inc.	2,147,574.19	1
Hawkins Construction Co.	2,563,803.92	-
Christensen Bros., Inc.	339,463.35	4

Report on a Review of
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Summary of Road and Bridge Construction Projects Reviewed
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Date of the Bid Letting	Call Number	County	Project Description	Road System
2017-06	15	Woodbury	Bridge New - Other	Undefined Off System
2017-07	2	Allamakee	Bridge Replacement - CCS	Local Secondary
2017-07	6	Hancock	Bridge Replacement - CCS	Local Secondary
2017-07	7	Harrison	Bridge Replacement - PPCB	Farm to Market
2017-07	10	Muscatine	RCB Culvert Replacement - Twin Box	Local Secondary
2017-07	154	Davis	HMA Paved Shoulder - New	Farm to Market
2018-01	6	Decatur	Deck Joint Repair	Primary Road (NHS Maintenance)
2018-03	10	Johnson	Bridge Replacement - CCS	Local Secondary Road
2018-03	11	Keokuk	Bridge Replacement - CCS	Local Secondary Road
2018-04	1	Appanoose	Bridge Replacement - CCS	Local Secondary Road
2018-04	4	Clarke	Bridge Replacement - CCS	Local Secondary Road
2018-04	5	Dubuque	Bridge Replacement - CCS	Local Secondary Road
2018-04	14	Story	Bridge Replacement - CCS	Local Secondary Road
2018-04	16	Wayne	Bridge Replacement - CCS	Local Secondary Road
2018-11	9	Keokuk	Bridge Replacement-PPCB	Local Secondary Road
2018-11	11	Louisa	RCB Culvert Replacement-Triple Box	Urban
2018-11	18	Taylor	Bridge Replacement-CCS	Local Secondary Road
2018-12	2	Black Hawk	Bridge Replacement-PPCB	Farm to Market Road
2018-12	8	Cedar	Bridge Replacement-CCS	Urban
2018-05	6	Franklin	RCB Culvert Replacement Double Box	Local Secondary
2018-05	8	Guthrie	Bridge Replacement - CCS	Local Secondary
2018-05	10	Howard	Bridge Replacement - CCS	Local Secondary
2018-05	12	Jefferson	Bridge Replacement - CCS	Farm to Market
2018-05	14	Mitchell	RCB Culvert Replacement - Triple Box	Local Secondary
2018-05	19	Wright	RCB Culvert Replacement - Twin Box	Urban
2018-05	354	Dubuque	Lighting	Primary NHS
2018-06	2	Grundy	Bridge Replacement - PPCB	Farm to Market
2018-06	3	Mahaska	PCB Replacement - Single Box	Local Secondary
2018-06	6	Poweshiek	Bridge and Approaches - PPCB	Local Secondary
2018-06	7	Wapello	Bridge Replacement - CCS	Local Secondary
2018-01	4	Crawford	RCB Culvert Replacement - Twin Box	Local Secondary Road
2018-01	5	Davis	RCB Culvert Replacement - Twin Box	Local Secondary Road
2018-01	7	Delaware	Bridge Replacement - CCS	Local Secondary Road
2018-01	17	Lee	Bridge Replacement - CCS	Urban
2018-01	21	Warren	Bridge Replacement - CCS	Local Secondary Road
2018-01	23	Wright	RCB Culvert Replacement - Twin Box	Local Secondary Road
2018-02	3	Clayton	Bridge Replacement - PPCB	Farm to Market
2018-02	5	Davis	Bridge Replacement - PPCB	Farm to Market
2018-02	6	Dubuque	Bridge Replacement - CCS	Farm to Market

Awarded Contractor	Award Amount	Approved DBE Goal
Dixon Construction Co.	1,231,376.55	-
Taylor Construction, Inc.	444,118.10	4
Iowa Bridge & Culvert, LC	433,931.50	4
A.M. Cohron & Sons, Inc.	1,293,161.64	4
Iowa Bridge & Culvert, LC	198,684.00	-
Norris Asphalt Paving Co., LC	179,250.95	-
Dormark Construction Co.	254,858.38	-
Brandt Construction Co.	514,667.85	3
Herberger Constr. Co., Inc.	296,288.27	3
Cunningham-Reis, LLC	427,979.80	4
Cunningham-Reis, LLC	561,731.55	4
Schroeder, Jim Construction, Inc.	261,603.39	4
Herberger Constr. Co., Inc.	497,581.00	4
Cunningham-Reis, LLC	936,876.82	4
Iowa Bridge & Culvert LC.	811,420.80	4
Keller Excavating, Inc.	293,106.58	-
Herberger Constr. Co., Inc.	440,932.06	4
Peterson Contractors, Inc.	4,065,432.61	4
Taylor Construction, Inc.	1,666,025.10	3
Lodge Construction Inc.	160,570.00	-
Murphy Heavy Contracting Corp.	461,171.35	3
Icon Constructors, LLC.	828,641.70	3
Iowa Bridge & Culvert, LC	594,932.68	3
Lodge Construction Inc.	249,369.00	-
Peterson Contractors, Inc.	246,618.46	-
Price Industrial Electric, Inc.	824,554.00	-
Peterson Contractors, Inc.	958,826.71	5
Iowa Bridge & Culvert, LC	205,760.50	-
Peterson Contractors, Inc.	986,208.31	5
Cunningham-Reis, LLC	542,553.28	5
Peterson Contractors, Inc.	334,394.66	-
Bloomfield Bridge & Culvert, Inc.	316,306.00	-
Schroeder, Jim Construction, Inc.	310,705.34	4
Iowa Bridge & Culvert	646,132.56	4
Cunningham-Reis, LLC	292,939.55	2
Weidemann, Inc.	289,237.28	-
K Construction, Inc.	636,998.63	3
Iowa Bridge & Culvert LC.	936,829.50	3
Taylor Construction, Inc.	288,998.10	3

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Summary of Road and Bridge Construction Projects Reviewed
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Date of the Bid Letting	Call Number	County	Project Description	Road System
2018-02	9	Floyd	Bridge Replacement -PPCB	Local Secondary Road
2018-02	10	Hamilton	Bridge Replacement - PPCB	Farm to Market
2018-02	16	Pottawattamie	Bridge Replacement - PPCB	Local Secondary Road
2018-02	17	Pottawattamie	Bridge Replacement - PPCB	Local Secondary Road
2018-02	21	Washington	Bridge Replacement - PPCB	Farm to Market
2018-02	23	Winneshiek	Bridge Replacement - CCS	Local Secondary Road
2019-12	156	Story	MHA Resurfacing with Milling	Interstate
2019-03	5	Fayette	Bridge Replacement - PPCB	Urban
2019-03	15	Monona	Bridge Replacement - CCS	Urban
2019-03	302	Marion	Revetment	State Park Road
2019-08	106	Woodbury	PCC Pavement Grade and New	Urban
2019-09	152	Dickinson	HMA Sidewalk / Trail	Undefined Off System
2019-10	101	Blackhawk	PCC Sidewalk / Trail	Undefined Off System
2019-11	3	Buchanan	Bridge Replacement PPCB	Local Secondary
2019-11	20	Winneshiek	Bridge Replacement Other	Local Secondary
2019-12	17	Mahaska	Bridge Replacement PPCB	Urban

Awarded Contractor	Award Amount	Approved DBE Goal
Henkel Construction Company	1,305,944.94	3
United Contractors Inc. and Subsidiaries	2,746,399.60	3
Cohron, A.M. & Son, Inc	745,133.69	3
Murphy Heavy Contracting Corp.	643,976.28	3
Iowa Bridge & Culvert	589,056.21	3
Breannan Construction Co.	354,136.50	3
Manatt's Inc.	1,771,293.24	-
Taylor Construction, Inc.	396,727.60	4
Dixon Constr. Co.	473,601.58	3
Sterk Excavating Inc.	88,009.74	-
Sioux City Engineering Co.	1,359,987.28	3
Blacktop Service Co & Subsidiary	429,283.75	3
Lodge Construction Inc.	191,086.85	-
Boulder Contracting LLC	152,983.35	-
Brennan Construction Co.	328,326.30	-
Iowa Bridge & Culvert LC.	562,492.95	3

Report on a Review of
Selected Road and Bridge Construction Projects
Administered by the Department of Transportation

Summary of Responses Received from Representatives of Certain State's Departments of Transportation
For the period December 2016 through December 2019

Summary of Responses Received from Representatives

Question	Illinois	Minnesota
Who makes the decision regarding whether a contract should have a DBE requirement? Is there a committee?	The Small Business Enterprise (SBE) within the Office of Business and Workforce Diversity is responsible for oversight of the construction contract goal setting process. The District Contract Compliance Officer (DCCO) within the Division of Highways - Districts works with district staff to assess and designate DBE goals. The SBE, the FHWA, and the Office of the Secretary review the designated DBE goals prior to final publication. In addition, the SBE assesses race/gender neutral efforts and attainments in the context of race/gender and sends an e-mail to DBE firms four weeks prior to the next bid letting reminding them to review/update their work categories and work locations.	Goals are evaluated by regional specialists in accordance with goal-setting protocol, reviewed by the team lead or supervisor, and approved by the Director.
Are there committee meeting minutes, memorandums, or other documentation supporting the decision-making process?	-	Yes, a goal-setting worksheet supporting the DBE goal determination is maintained. In addition, DBE firms are contacted for each project to solicit interest and availability, and their responses are retained in support of the DBE goal recommendation.
How is the DBE goal percentage calculated?	A formalized 16-step process is used to calculate the DBE goal for each project, which includes evaluating which pay items qualify for DBE inclusion, assessing the availability of DBE firms, and an intensive multi-level review process.	A formalized Small Business Contracting Goal Setting process is used to calculate the DBE goal, which includes identifying the potential scopes of work for small business to perform, searching the relevant internal directory to identify DBE firms who could participate, and surveying DBE firms regarding interest, availability, and reasonableness of the ready, willing, and able certified firms.
When is a DBE goal percentage required? Does every project have a DBE goal?	The DCCO reviews the plans and pay items using an internal directory and the Certification Action Report, which includes new, removed, and/or changed DBE firms. Each pay item has a description code which corresponds to the DBE work category list. The DCCO identifies which pay items qualify for DBE inclusion using the following criteria: <ul style="list-style-type: none"> a. Location (District); b. Type of work (Work Categories); c. Number of ready, willing, and able contractors in the area certified in the appropriate categories; and d. Size and scope of the project. 	All projects equal to or greater than \$300,000 are evaluated for DBE goal-setting. Projects under this threshold are Race-Gender Neutral.

of the Department of Transportation for the State of:

Missouri

The External Civil Rights Division (Division) establishes the goals. Specialists make recommendations to the Director of the Division who reviews and discusses the recommendations with the Specialist to determine the final goal.

Nebraska

The Highway Civil Rights (HCR) Manager/DBE Liaison is the primary person who determines what, if any, DBE goal will be set. However, before the DBE goal is finalized and published for bid letting, the Construction Division and any other internal stakeholder is given an opportunity to ask questions and present additional information.

Every line item on a project estimate is reviewed to determine which items are DBE applicable. The applicable items are divided by the total project cost to calculate a percentage. Each percentage assigned is summed to determine the project's DBE percentage maximum.

A formalized process is used to calculate the DBE goal for each project, which includes determining the viability of having an assigned DBE goal, sorting identified DBE work items into related categories, and adjusting the DBE goal to ensure it is wholly attainable.

If a project has any federal aid (at least \$1.00), it is reviewed for DBE opportunities. Considerations include:

- a. Availability of DBE firms in the area,
- b. Location (can the DBE firms get to the location, who is nearby, etc.),
- c. Scope (Are multiple subcontracting opportunities, at least three to five, available), and
- d. Capacity (If DBE firms aren't able to take on more work, the work scope may not be considered for the DBE goal. This does not prevent DBE firms from submitting bids to contractors.)

The HCR Manager/DBE Liaison reviews the project estimate and determines its viability for a DBE goal based on:

- a. Size: Is the project too small to be considered for a DBE to bid on as a Prime? Projects with an estimate below \$1 million are typically given this consideration.
- b. Scope: Does the project present a range of subcontracting opportunities such that a level playing field of competition can be expected?
- c. Location: Is the location conducive to DBE participation?

Report on a Review of
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Summary of Responses Received from Representatives of Certain State's Departments of Transportation
For the period December 2016 through December 2019

Summary of Responses Received from Representatives

Question	Illinois	Minnesota
What factors go into the DBE percentage calculation?	A formalized 16-step process is used to calculate the DBE goal for each project, which includes evaluating which pay items qualify for DBE inclusion, assessing the availability of DBE firms, and an intensive multi-level review process.	A formalized Small Business Contracting Goal Setting process is used to calculate the DBE goal, which includes identifying the potential scopes of work for small business to perform, searching the relevant internal directory to identify DBE firms who could participate, and surveying DBE firms regarding interest, availability, and reasonableness of the ready, willing, and able certified firms.
Who or what, if automated, is calculating the DBE goal percentage?	The DCCO highlights the pay items suitable for DBE firms and sends the highlighted list to the District Estimator (Estimator). The Estimator divides the sum of the DBE pay item(s) by the total project estimate to calculate the DBE goal percentage. Any goal modifications are negotiated between the SBE and the DCCO before being applied to the project.	Goals are evaluated by regional specialists in accordance with goal-setting protocol, reviewed by the team lead or supervisor, and approved by the Director.
What supporting documentation is maintained for the DBE goal percentage calculation, and how is each piece factored into the DBE percentage?	Various documents are reviewed and approved throughout the goal-setting process, including the highlighted pay items list and the Estimator's calculation of the DBE percentage goal. Approvals are obtained from the Regional Deputy Director, the SBE, and the FHWA.	Various documents are reviewed and approved throughout the goal-setting process, including a goal-setting worksheet which documents the stages of the calculation and the data used.
What procedures are performed to ensure compliance with the DBE goal percentage? Is supporting documentation maintained?	The DCCO monitors DBE participation by conducting progress reviews on all projects. The Bureau of Investigations and Compliance also monitors DBE performance. In addition, a Subcontractor Payment Tracking System tracks progress payments to all subcontractors and can be utilized to track DBE participation.	Contractors must submit established forms listing the DBE firms participating on a project. Payments to DBE firms are reported on either contractor payment forms for locally let projects or in an electronic database maintained for highway projects let by DOT. At the end of the project, the final DBE participation is calculated and the Office of Civil Rights completes a final clearance prior to the final payment being released.
Is there an annual DBE goal percentage? How is it calculated?	The statewide aspirational DBE goal is established in the annual DBE Goal Document, which is approved by the FHWA.	Yes, two percentages are calculated. One is based on the sum of all FHWA-funded contracts to be performed by DBE firms and the other is based on the sum of all FTA-funded contracts to be performed by DBE firms.

of the Department of Transportation for the State of:

Missouri	Nebraska
<p>To calculate the DBE goal percentage:</p> <ul style="list-style-type: none"> a. A project estimate is submitted. b. The project estimate is reviewed to determine whether there is any federal aid. If so, DBE opportunities are considered. c. All line items on the provided estimate are reviewed to determine which items are DBE applicable. d. The total amount estimated for those line items determined as DBE applicable is divided by the total estimated project cost to determine the maximum DBE percentage. e. Adjustments are made based on the number of DBE firms available, subcontracting opportunities available, location of the project, dollar value of the project, etc. f. To make sure the annual DBE percentage is achieved, they continuously monitor projects and report required information to FHWA on a quarterly basis. 	<p>If applicable, the DBE goal percentage is calculated as follows:</p> <ul style="list-style-type: none"> a. Sort the identified DBE work items into related categories. b. Total each category with a DBE work item amount and calculate its percentage of the total project estimate. c. Add together all percentages of the categories from step b. Divide the sum by the number of those categories to arrive at an averaged percentage, which becomes the base DBE participation goal. d. Adjust the base DBE participation goal as needed. The goal cannot be greater than half of the total percentage calculated in step c. and must be wholly attainable in each of at least two categories. e. Further adjust the goal in consideration of the running tally towards attainment of the annual overall DBE participation goal.
External Civil Rights Division	The HCR Manager/DBE Liaison
The project estimate and other internal supporting documentation.	The project estimate and a goal-setting worksheet.
Performance of Commercially Useful Function (CUF) Reviews are completed to ensure the specified DBE performed on the project. In addition, at project completion, the Division reviews all payments to DBE firms to ensure the established DBE goal was met.	Completion and monitoring of the DBE Uniform Report.
Yes, a 3-year overall DBE goal is established in accordance with regulations. Data provided by an availability study was used to calculate a portion of the current approved overall DBE goal.	Yes, a multi-step process is used in accordance with federal guidelines.

Report on a Review of
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Staff

This review was performed by:

Jennifer Campbell, CPA, Manager
Ridge G. Nennig, Staff Auditor



Annette K. Campbell, CPA
Deputy Auditor of State