

# DBE ACCESS

AT THE DBE SMALL BUSINESS ANNUAL MEETING, THERE WILL BE A SHORT PRESENTATION ON HOW TO GROW YOUR PROFITS IN A SIMPLISTIC WAY BY...READ MORE ON PAGE 9

## PAGE 5 IS YOUR BUSINESS GROWING

FOR GROWTH TO TAKE PLACE,  
BUSINESS OWNERS MUST  
CONTINUALLY LEARN AND TRY  
NEW THINGS.

**2023**  
**TDOT DBE**  
SMALL BUSINESS ANNUAL MEETING  
**AUGUST 28 - 29**  
GROWING YOUR BUSINESS IN THE  
PUBLIC INFRASTRUCTURE MARKET

This two-day event will present crucial information and insight that will be key to the success of any DBE and Small Business that wants to experience growth and sustainability in today's market.

# CONGRATS

## UNIVERSAL SCREEN, INC.

DBE Company on the Move!  
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**BUTCH ELEY**  
Deputy Governor  
& Commissioner of  
Transportation

**JESSICA STARLING**  
Director, Civil Rights

**DAVID NEESE**  
Director, Small Business  
Development Program

**DBE SUPPORTIVE  
SERVICES**  
Tyler Construction Engineers,  
P.C.



**DBE ACCESS**

**TN** TDOT  
Department of  
Transportation

**SUMMER 2023**



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This two-day event will present crucial information and insight that will be key to the success of any DBE and Small Business that wants to experience growth and sustainability in today's market.

# Reaching Out

BY DAVID NESSE, PROGRAM DIRECTOR,  
TDOT Small Business Development Program

My oldest son, Finley, recently graduated from high school and embarked on a celebratory trip with two of his friends. But this wasn't the typical, "let's drive down to Florida and celebrate" kind of trip – this was two weeks of backpacking and hiking through the Scandinavian Peninsula – specifically Sweden, Denmark, and Norway. When Finley initially brought up the idea of traveling halfway around the world, my wife and I thought it would be awesome for him to travel overseas with his friends and create some remarkable memories. Soon, his friends would be scattered across the US going to different colleges and the chance to get together would become more difficult as obligations piled up.

My son decided this was the perfect time to strike out and do something bold that many would be too timid to attempt or have a million excuses not to do. Before he went, he had a lot to plan as this was all new territory (both literally and figuratively). What type of backpack does he need (and can be used as carry-on luggage) and what does he need to carry in that backpack? Where will they stay and how much money does he need per day? Which trains, planes, and buses will they take to navigate? Finley reached out to many friends and family members who have hiked and traveled overseas for advice and was even able to borrow some much-needed supplies for his trip. In short, he called on those who had the experience and know-how to make his trip a success.

This type of scenario can also transfer to the business world. There are new places you may want to take your firm, but do you have the courage to make this a reality, or do you make excuses on why this could never happen? Do you take time to plan out the best way to make sure you are on a successful path by researching and reaching out to subject matter experts who can help you? TDOT's Supportive Services (SS) contractors offer support and guidance to take you to the next



level. Per the [USDOT website](#), the primary purpose of a SS provider "is to provide training, assistance, and services to minority, disadvantaged, and women business enterprises so as to increase their activity in the program, and to facilitate the firms' development into viable, self-sufficient organizations capable of competing for, and performing on federally assisted highway projects."

Are you taking advantage of this service that is FREE to DBEs certified by TDOT and its TNUCP partners? If not, what might you be missing out on? Where could your company be if you took the initiative to contact the DBE consultants for guidance on where you want to go? They can help you create a plan to get there. Don't forget the old saying that "a goal without a plan is just a wish."

If you are serious about wanting to make your business the best it can be but are not sure what to do, reach out to our SS providers for help as well as make plans to attend our DBE annual meeting in August. It's the perfect venue to network with peers, prime contractors, and state and federal personnel. Our annual meeting will be packed with presenters who can show you what to do, and sometimes equally as important, what not to do, in order to get your firm to the next level.

**I'LL SEE YOU IN AUGUST.**



# TDOT COMMENCES BUILD WITH US

**BY BETH EMMONS,**  
Director Community Relations Division



The Governor recently accomplished his priority of the most generational change in infrastructure policy with the passing of the Transportation Modernization Act. This critical legislation will prepare TDOT with the resources needed to build and maintain roads across our rural and urban communities. It fundamentally changes the way we deliver projects and sets us up for a sustainable revenue source for the future.

It's not only an investment in Tennessee infrastructure but also in our transportation industry. More projects equal more opportunities for the entire roadbuilding industry, including our Disadvantaged Business Enterprises (DBE).

## **This successful legislation allows TDOT to:**

- Enter into public-private partnerships, or PP3s, to build new Choice Lanes in congested urban areas, which frees up state funds for rural projects
- Expands our ability to utilize alternative delivery methods, which can offer faster and cheaper delivery options when used on the right projects
- Create parity between electric vehicles and combustion engine vehicles allowing TDOT to keep pace in building and maintaining roads

In addition, Governor Lee's FY24 budget provides a historic general fund transfer of approximately \$3.3 billion to TDOT to help fund critical transportation projects. Each region will receive \$750 million and counties \$300 million through the state aid program. The TDOT team is in the process of developing the investment strategy for the Transportation Modernization Fund. There are several priorities between now and December:

- Establish the Program Definition for the total capital program and how the general fund transfer will be used
- Develop the Choice Lanes implementation plan and strategy
- Set the appointment strategy for the Transportation Modernization Board – all members will be in place by October

TDOT will collaborate with partners and stakeholders. It will also communicate with communities to determine the best outcomes for the state.







# IS YOUR BUSINESS GROWING?

YOU CAN LEARN FROM OTHERS WHO ARE ATTENDING THE DBE ANNUAL MEETING

**BY VICTOR C. TYLER, P.E.,**

Construction Cost Management Consultant  
Tyler Construction Engineers, P.C. /TDOT Supportive Services

The economy is delivering winners and losers daily. It is interesting how some businesses can be successful when times are not so great while others shrink or fail. If your business operates in the engineering and construction industry, you recognize that it is a crowded field. So how does a business win?

For growth to take place, business owners must continually learn and try new things. You must differentiate your business from your competitors. Growth is directly related to what the market thinks of your offerings. Growth requires investment in new services and people, training, better technology, better marketing, new offices, and sometimes even in acquiring other businesses.

There are market differentiators and niches that keep some businesses growing and making money. The benefits of pursuing a niche are higher prices, less competition, and a better ability to withstand downturns in the economy. How do you find these differentiators? You observe. You talk to your customers to find out what needs they have that are not being met. And you can

also attend seminars and meetings, such as, the **2023 TDOT DBE Small Business Annual Meeting to be held August 28 – 29, 2023 at the Franklin Cool Springs Marriott Hotel, Franklin, Tennessee.** There, you can learn from other business owners who are succeeding.

Additionally, while learning from others, it is an opportunity to showcase your business to your colleagues, prime contractors, and other state and local agencies. Attend this valuable meeting to learn from others what they have done in order to succeed. You will not regret it. Read more about this at

<https://tylerengineers.com/annual-meeting>.

Much Success!



# BALANCE SHEET OR PROFIT & LOSS STATEMENT, WHAT IS YOUR CHOICE?

BY MARSHALL TABB

Financial Management Consultant

Tyler Construction Engineers, P.C. /TDOT Supportive Services

Often times when I facilitate a financial analysis workshop and/or seminar, I ask participants “if you had to choose between receiving a Balance Sheet or Profit & Loss statement, which would you rather have?” Undoubtedly, most choose the Profit & Loss statement because it shows whether they are making a profit or incurring a loss.

I respond by saying I would choose the Balance Sheet because it is a snapshot of an entity’s financial position on a specific date.

The P&L Statement reports financial activity throughout a certain period.

I ask those who prefer the P&L statement how much cash do they have? How much do customers owe them (A/R)? How much debt do they owe suppliers and/or lenders? Also, what is the net book value of their fixed assets? The answers are not found in the P&L statement.

Then I ask, “what is your equity in the business?” This too is not found in the P&L statement. The Balance Sheet has three important components: Assets; Liabilities; Equity.

**ASSETS** - are things of monetary value that an entity either owns or controls and are probable economic inflows. It is important to note they are economic and not necessarily cash inflows.

**LIABILITIES** - are claims against business assets. They are probable economic outflows.

**EQUITY** - shows investment in the business which can be positive or negative. The net profit or loss shown on the P&L statement is a part of equity shown on the balance sheet.

Another reason I would choose a balance sheet over a P&L statement is because I am able to determine whether a firm is making a profit or is incurring a loss.

Financial statements should be used as a management tool to make sound business decisions. Both the Balance Sheet and P&L Statements can be used to create comparative industry financial ratios.

We, at Tyler Construction Engineers encourage DBE owners to analyze their financial statements regularly. They tell a story about your company in terms of numbers. We always say if you can analyze and interpret the numbers, you’ll understand your company’s story.

If you desire assistance in analyzing your financial statements, call us for a one-on-one session.





## Top 5 Trending Technology for Public Works

BY VICTOR C. TYLER, P.E.

Construction Cost Management Consultant  
Tyler Construction Engineers, P.C. / TDOT Supportive Services

Since the early 2000s, the planning, engineering, and construction industries have undergone a massive technological shift. No longer consider a novelty, business owners now recognize the critical role that technology plays in creating effective growth strategies. The growing presence of mobile and cloud computing, along with the "Internet of Things", made it necessary for business owners to know and understand the technological landscape and develop better strategies for a more effective implementation and utilization of tech.

Recently, the American Public Works Association published a list of the top trending technologies for 2023. The top five are listed below as compiled by Christie L. Dotolo, CAE, Production Editor, American Public Works Association.

- Drones/UAS (Unmanned Aircraft Systems) Technology
- Geographic Information Systems
- Asset Management Technologies
- Technology for Field Crews
- Electric Vehicles

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## Top 10 OSHA Violations of 2022

Kevin Druley, the U.S. Occupational Safety and Health Administration's (OSHA) Directorate of Enforcement Programs, presented OSHA's Top 10 most frequently cited safety standards for 2022. Announced on Sept. 20, 2022, during the 2022 National Safety Council (NSC) Safety Congress & Expo, the list remains relatively unchanged compared to past years.

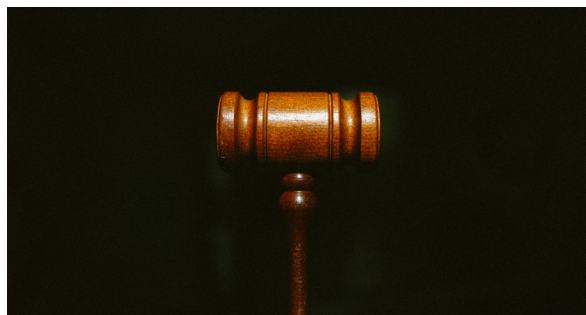
- No. 1:** Fall Protection – General Requirements
- No. 2:** Hazard Communication
- No. 3:** Respiratory Protection
- No. 4:** Ladders
- No. 5:** Scaffolding
- No. 6:** Lockout/Tagout
- No. 7:** Powered Industrial Trucks
- No. 8:** Fall Protection – Training Requirements
- No. 9:** Personal Protective and Lifesaving Equipment – Eye and Face Protection
- No. 10:** Machine Guarding



# Contract Provisions Every Subcontractor Should Consider

BY TRENT COTNEY

(Referenced April 23, 2023, from the Construction Executive webpage.)



**Scope of Work:** Most disputes on construction projects arise out of a poorly defined scope of work.

**Flow-Through:** Ask for a copy of the contract between owners and prime contractors to ensure everyone agrees regarding the work to be done.

**Indemnification:** Subcontractors should seek to avoid assuming broad forms of indemnity with prime contractors.

**Liquidated Damages:** With a flow-through clause, a subcontractor can also be held responsible for liquidated damages.

**No Damages for Delay:** When a no-damages-for-delay clause is included in the contract, the prime contractor cannot recover damages and, per a flow-through clause, neither can the subcontractor

**Termination for Convenience:** The contract should include language that guarantees contractors will be paid for work completed prior to the termination.

**Termination for Default:** Both contractors and subcontractors should ensure that the contract allows for sufficient notice before such termination.

**Dispute Resolution:** It is critical that both prime contractors and subcontractors thoroughly review any language regarding disputes and arbitration. The contract should expressly state which parties are responsible for covering which expenses.

**Final Thoughts:** When owners, prime contractors, and subcontractors enter an agreement, it is essential that they understand one another's expectations and outline those details in the contract.

**Remember,** do not hesitate to consult legal counsel.





# 5 KEY MARKETING TACTICS TO PROTECT YOUR MARGINS & IMPROVE PROFITS

**CURTIS WEBB**

Strategic Marketing Consultant  
Tyler Construction Engineers, P.C. /TDOT Supportive Services

**YOUR MARKETING TACTICS CAN BE COMPLEX OR SIMPLE- WHICH WOULD YOU PREFER?**

## THE COMPLEX...

Marketing your business, creating sales, and new tactics are constantly evolving. Small business owners who are good at it can adapt to personalities, market conditions, and customer preferences. They are willing to learn and embrace change to bring in new clients. These marketing skills typically show up as someone with good communication skills, product and service knowledge, good work ethic, problem-solving skills, and good time management just to name a few. As a small business owner, the real challenge is acquiring these marketing skills while keeping up with your day-to-day business activities. Some owners will, but most will not!

## THE SIMPLE...

At the DBE Small Business Annual Meeting, there will be a short presentation on how to grow your profits in a simplistic way by understanding and utilizing the Five Critical Elements of Marketing. Before that discussion begins, there will be a lively discussion and demonstration on creating and understanding value! You will hear how Success & Value go together and that a simple marketing process begins with understanding the following statement...

*You can't give value to someone (an interested party ...investor, prospect, customer, etc.) until they (the interested party) understand or appreciate what you are doing or what you have done!*

Learn more about this simple approach to understanding and utilizing the Five Critical Elements of Marketing. See you at the **2023 TDOT DBE Small Business Annual Meeting!**





## **GROWING YOUR BUSINESS IN THE PUBLIC INFRASTRUCTURE MARKET**

This two-day event will present crucial information and insight that will be key to the success of any DBE and Small Business that wants to experience growth and sustainability in today's market. Key events at the meeting include a session on workforce development trends, strategic marketing for small businesses, a review of Tennessee construction law, updates concerning the electrification of transportation assets and finally, the Civil Rights Division Awards Luncheon and a conversation with TDOT's leadership team.

Last year's Annual Meeting was a great success, and this year we expect it to be even better.

**AUGUST 28-29, 2023**

Franklin Marriott Cool Springs  
700 Cool Springs Blvd  
Franklin, TN 37067

### **WHO SHOULD ATTEND**

DBE Small Businesses, Prime Contractors, Vendors, Procurement Officers, Small Business Advocates in the Construction, Transportation, and Infrastructure Industry. Be sure to bring your brochures, business cards, and capability statements.

**REGISTER BY AUGUST 18TH, 2023**

### **REGISTRATION LINK**

[WWW.TYLER-ENGINEERS.COM/DBEANNUALMEETING](http://WWW.TYLER-ENGINEERS.COM/DBEANNUALMEETING)





— AGENDA —

# 2023 TDOT DBE SMALL BUSINESS ANNUAL MEETING

FRANKLIN COOL SPRINGS MARRIOTT, FRANKLIN, TN

## GROWING YOUR BUSINESS IN THE PUBLIC INFRASTRUCTURE MARKET

### MONDAY, AUGUST 28, 2023

6:30 am –8:00 am	<b>MARKETPLACE EXHIBITOR / VENDOR MOVE-IN</b>
7:00 am	<b>REGISTRATION (Continental Breakfast)</b>
8:00 am –8:30 am	<b>WELCOME &amp; OPENING SESSION</b>
8:30 am –9:30 am	<b>GENERAL SESSION 1</b> 5 KEY MARKETING TACTICS TO PROTECT YOUR MARGINS & IMPROVE PROFITS
9:30 am –9:45 am	<b>BREAK</b>
9:30 am –11:30 am	<b>MARKETPLACE HALL OPENS</b>
11:30 am –1:00 pm	<b>LUNCH &amp; LEARN SESSION</b> An Interview with Shelton A. Russell - Publisher of American DBE Magazine
1:00 pm –4:30 pm	<b>MARKETPLACE HALL RE-OPEN</b> Wellness Considerations In Business / Career
2:15 pm –3:15 pm	<b>GENERAL SESSION 2</b> LEGAL TOPICS IN THE TRANSPORTATION CONSTRUCTION INDUSTRY
3:15 pm –3:20 pm	<b>BREAK</b>
3:20 pm – 4:30 pm	<b>GENERAL SESSION 3</b> WORKFORCE CHALLENGES AND OPPORTUNITIES
4:30 pm – 5:30 pm	<b>BUSINESS NETWORKING MEET &amp; GREET RECEPTION</b> Enjoy hot appetizers, hors d'oeuvres, door prizes ... riddles... drawings ...networking

## TUESDAY, AUGUST 29, 2023

7:00 am	<b>REGISTRATION (Continental Breakfast)</b>
8:00 am –8:10 am	<b>WELCOME</b>
8:10 am –9:20 am	<b>GENERAL SESSION 4</b> WORK WITH US – CONSTRUCTION ACTIVITY IN TENNESSEE
9:20 am –9:30 am	<b>BREAK</b>
9:30 am –10:40 am	<b>GENERAL SESSION 5</b> EMERGING TECHNOLOGIES IN TRANSPORTATION CONSTRUCTION
10:40 am –10:50 am	<b>BREAK</b>
10:40 am –10:50 am	<b>GENERAL SESSION 6:</b> ELECTRIFICATION OF TRANSPORTATION ASSETS
12:00 pm –1:30 pm	<b>LUNCHEON &amp; CIVIL RIGHTS DIVISION BRIDGE AWARDS</b> <b>TDOT Leadership Roundtable</b> Presentation of <b>CIVIL RIGHTS BRIDGE AWARDS DBE, PRIME AND TDOT EMPLOYEE</b>
2:00 pm	<b>ANNUAL MEETNG ENDS</b>

### **DBE COMPANY ON THE MOVE! CONGRATULATIONS TO UNIVERSAL SCREEN, INC.**

PHONE: 931-489-0045 | [WWW.UNIVSCREEN.COM](http://WWW.UNIVSCREEN.COM)

Lucy Gallamore, President and Owner of Universal Screen, Inc., has been in business for 14 years and recently cut the ribbon at the open house for their new location at 2504 Cayer Lane, Suite D., Columbia, TN.

Universal Screen offers a one-stop shop for a variety of DOT and Non-DOT collections, testing, and wellness services to fulfill all of their client's local and nationwide needs.

**We look forward to your continued success!**







## TDOT 2023 Construction Letting Dates:

August 18

October 6

November 3

(Mowing & Litter Removal),

December 8

The TDOT Civil Rights Division Small Business Development Program and its Supportive Services Consultants offer a variety of training classes designed to assist USDOT certified DBE firms to succeed in the transportation construction industry. Seminars and informational meetings are made available throughout the state. The primary focus of these seminars is to disseminate industry specific information on estimating and bidding, strategic marketing, job cost accounting, cash flow management, business planning, leadership development directly to your email inbox.

Our Supportive Services Consultants are ready and waiting to assist.

Please Note:

Beginning in 2022 ,TDOT began utilizing AASHTOWare Project Civil Rights & Labor (CRL) as a requirement of contract compliance for submitting and certifying contractor payrolls. **Special Provision 107CP** was added to ALL CONTRACTS that year using this new functionality, which is required for the prime contractor and all subcontractors. The **Certified Payrolls Webpage** gives the contractors guidance on steps they need to take to begin this functionality in AASHTOWare. If you have any questions, please visit our **website** or contact us at **TDOT.CONSTRUCTIONLaborUsers@tn.gov**.

**“YOUR WORK IS GOING TO FILL A LARGE PART OF YOUR LIFE, AND THE ONLY WAY TO BE TRULY SATISFIED IS TO DO WHAT YOU BELIEVE IS GREAT WORK. AND THE ONLY WAY TO DO GREAT WORK IS TO LOVE WHAT YOU DO.”**

**– STEVE JOBS, FOUNDER**

### TDOT Civil Rights Division Small Business Development Program Team

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