

DBE ACCESS

HERE ARE SIX POPULAR MARKETING METHODS AND PLATFORMS TO CONSIDER BASED ON YOUR INDUSTRY...**PAGE 8**

DBE SMALL BUSINESS ANNUAL MEETING

STARTS
AUGUST 27, 2024

LEARN FROM INDUSTRY EXPERTS

This event is open to all businesses; small or large, architect-engineering firms, subcontractors, prime/ general contractors, small businesses, minority and women-owned businesses, construction industry suppliers/ vendors, local, state, federal procurement specialists, small business advocates and state DOT supportive Services Providers - are all welcome.

MORE INFO: PAGE 4

NEW FILING REQUIREMENT FOR SMALL BUSINESS OWNERS PAGE 6

BUTCH ELEY

Deputy Governor & Commissioner of Transportation

JESSICA STARLING

Director, TDOT Civil Rights Division

DAVID NEESE

Director, Small Business Development Program

DBE SUPPORTIVE SERVICES

Tyler Construction Engineers, P.C.



DBE ACCESS



TDOT
Department of
Transportation

SUMMER 2024

Table of Contents

03

New DBE Regulations

If you have not been keeping up with the latest DBE news, you may not be aware of the massive changes to this program that recently went into effect.

04

Why You Should Attend the 2024 DBE Small Business Annual Meeting

Business owners often experience many of the same issues and are eager to share those experiences to help and educate others. TDOT's 2024 DBE Annual Meeting is the perfect place for sharing and gathering TDOT information as well as for networking to help your business.

06

New Filing Requirement for Small Business Owners

Starting in 2024, there's a new federal requirement that may affect your business. Under the Corporate Transparency Act (CTA), most small businesses will need to file a Beneficial Owner Information (BOI) Report with the Financial Crimes Enforcement Network (FinCEN). Here's what you need to know:

07

How To Increase Your Success on Contracts

08

What Are The Top Marketing Tactics Used To Grow A Business?

Six popular marketing methods and platforms to consider based on your industry.

09

Professional Resources for DBE Small Businesses

The TDOT Supportive Services Program provides training and business assistance services to TNUCP and TDOT-certified DBEs.

10

In Remembrance of Mr. Marshall Tabb

11

DBE Spotlight Corner: The Cleaning Leaders, LLC

NEW DBE REGULATIONS

DAVID NEESE,

Small Business Development Program Director

Greek philosopher Heraclitus once stated that *“the only constant in life is change.”* If you are like me, you are not a big fan of change. I would rather have a workday where I can plan everything out, budget my time and gauge what can be accomplished for the day. However, this never happens. Every time I think I have a day like this, the figurative curveball flies right at me, bonks me on the head and all my plans go out the window.

But change is inevitable so we must embrace it or at least make the best of it. If you have not been keeping up with the latest DBE news, you may not be aware of the massive changes to this program that recently went into effect. On April 9th of this year, USDOT notified state DOTs that [49 CFR 26](#), the regulation that governs the federal DBE program, is having a major update and these rules would go into effect on May 9th (just one month later). This sent us scrambling to read through the new rules to see what all changed since the previous update. There are too many changes to go into, so I have highlighted a few below and included links to the DBE rules or forms. I highly encourage everyone to look at the USDOT Final Rule [website](#) (especially the [summary page](#)) as well as the full [DBE regulations](#) for more information.

INTERSTATE CERTIFICATION

Prior to the rule changes each state decided its process for certifying DBE firms from out-of-state. They could simply accept their home state certification, or they could ask for part or all of the home state’s file. This process has been drastically streamlined. Now, when applying to another state, a DBE needs to only submit three things: A cover letter specifying they want to be a DBE and listing all other states for which they may be certified; an electronic image of the directory from the home state showing their DBE certification; and a Declaration of Eligibility form. The new state then has 10 days to certify the firm as a DBE.

APPLICATION, PNW FORM AND PNW THRESHOLD

These three items have also been updated. The biggest change is in the Personal Net Worth (PNW) cap. The old threshold was \$1.32 million which has now increased to [\\$2.047 million](#).

PROMPT PAYMENT

Beginning with contracts awarded in TDOT’s June 2024 Letting, all DBE subcontractors must verify the payments made to them each month. This used to be an optional step but has now been made mandatory to help ensure payment to the DBEs are timely and there is more real-time monitoring.

SUPPLYING

The new rule changes also ushered in a new subcategory for supplying: [Distributors](#). A Distributor is “an established business that engages in the regular sale or lease of the items specified by the contract,” but differs from a [Regular Dealer](#) in that it neither has inventory or distribution equipment for the supplies. Distributors assume liability for supplies from the point of origin (e.g., a manufacturer’s facility), assuming all risk for the item. Unlike Regular Dealers who can receive 60% credit toward the goal, Distributors may only count 40%. To help ensure that the DOT is receiving the correct credit amount, any DBE who is supplying must complete a [DBE Regular Dealer – Distributor Affirmation Form](#) at the time of their bid.

These are a few of the changes implemented to strengthen the Department of Transportation’s DBE and ACDBE Program. We realize that DBEs, primes and others are not going to know all of these rules or have the level of familiarity that we do with these regulations, so we encourage you to contact the office for assistance as it applies to the program. We are here to help you succeed so please feel free to reach out to us anytime at TDOT.DBE.Program@tn.gov.



Reasons to Attend the 2024 DBE Small Business Annual Meeting

VICTOR C. TYLER, P.E., MASCE, TSPE,
Construction Cost & Pricing Consultant

Business owners often experience many of the same issues and are eager to share those experiences to help and educate others. TDOT's 2024 DBE Annual Meeting is the perfect place for sharing and gathering TDOT information as well as for networking to help your business.

Successful business owners clearly understand that networking is a valuable resource and is essential in building a business, but there is a challenge. To get busy owners away from their office and projects requires a very special event, an event with specialized people sharing knowledge that can lead to profitable opportunities. That's the goal of TDOT's 2024 DBE Annual Meeting - sharing quality information.

The DBE Annual Meeting offers informative sessions and classroom presentations with knowledgeable and well-versed speakers. There's no replacing a face-to-face handshake with key decision makers, being one-on-one and up-close with those that can impact your bottom line. It's the perfect time to network with DBE Owners, Prime Contractors and key TDOT decision makers who are responsible in large part for the distribution of vital and timely TDOT information.

**THE 2024 TDOT DBE SMALL BUSINESS MEETING...
A NETWORKING EVENT YOU DON'T WANT TO MISS!**

Keep in mind, Tennessee has approved a \$15-Billion, 10 Year Transportation Plan. As a prime or sub-contractor working or wanting to work with TDOT, this event will provide you with information on TDOT's projects and goals you do not want to miss!

It is not too late for DBEs and Prime Contractors to sign up for this year's DBE Annual Meeting; don't procrastinate, sign-up today. We look forward to seeing you there!

REGISTRATION LINK:
[TDOT DBE Small Business Annual Meeting](#)

MEETING HOTEL LINK:
[SONESTA Nashville Airport Hotel](#)

DATE:
Tuesday, August 27, 2024

TIME:
7:00 a.m. - 5:30 p.m.

LOCATION:
SONESTA Nashville Airport, 600 Marriott Drive, Nashville, TN 37214



DBE Small Business Annual Meeting
SONESTA Nashville Airport, 600 Marriott Drive, Nashville TN 3214

ARE YOU CONTRACT READY?
TDOT's \$15 Billion 10-Year Transportation Plan
Build With Us To Modernize Tennessee's Transportation System

TUESDAY, AUGUST 27, 2024

7:00 am - 4:00 pm **Registration & Continental Breakfast**
(Exhibitor Table Setup)

8:15 am - 8:30 am **Welcome Remarks**
David Neese – Program Manager, TDOT Small Business Development Program
Jessica Starling – Director, TDOT Civil Rights Division

8:30 am - 9:10 am **Chris Smith**, Senior Surety Broker & Advisor, Anderson & Catania Surety Services, LLC

BREAK

DBE Panel Discussion: Power of Collaborating - Networking - Partnering
Moderator: Dewayne Scott (TDS & Associates, LLC)

9:15 am - 10:05 am **Proposed Panel**
Reggie Polk- Polk & Associates Construction, Inc
Wiley Richards & Terrell Richards - W & T Contracting Corporation
Willie Frazier – A-1 Electrical Contractors, Inc.

BREAK

Room A

Room B

Opportunities for Contractors, Engineers, and Suppliers

TDOT P3 and Alternative Delivery Defined

Moderator: Brian Egan- Dir. Construction Div

Moderator: Victor Tyler - Tyler Construction Engineers, P.C./ Supportive Services Consultant

- 10:10 am - 11:00 am**
- **Dexter Justis** - TDOT Region 1 Project Mgmt
 - **Mike O'Donnell**- TDOT Region 2 Project Mgmt
 - **Sarah Fugate**- TDOT Region 3 Project Mgmt
 - **Brandon Akins**-TDOT Region 4 Project Mgmt

- **Clayton Markham** - Dir., Alternative Contracting
- **Bryan Ledford**- Exec. Director, TDOT P3
- **Chad Schulhauser**- Dir. TDOT Professional Services

BREAK

11:05 am - 11:55 am **Room A (REPEAT)**
Opportunities for Contractors, Engineers, and Suppliers

Room B (REPEAT)
TDOT P3 and Alternative Delivery Defined

BREAK

CRD Awards Luncheon

Brief Remarks:

- Jessica Starling** - TDOT Director of Civil Rights Division
- Daniel Hinton** - FHWA, Tennessee Division Administrator
- Kent Starwalt** - TRBA, Executive Vice President

12:00 - 1:30 pm

Overview of the State's 10 Year Transportation Modernization Act
TDOT Leadership Team

CRD Bridge Builder Awards (*Prime, DBE, TDOT Employee*)

1:30 pm – 5:30 pm **Marketplace Hall and Business Networking Reception**

5:30 pm **End of Annual Meeting**



NEW FILING REQUIREMENT FOR SMALL BUSINESS OWNERS: BENEFICIAL OWNER INFORMATION REPORT

JAY B. MERCER, E.A.,

Financial Management consultant/
TDOT Supportive Services Consultant

Starting in 2024, there's a new federal requirement that may affect your business. Under the Corporate Transparency Act (CTA), most small businesses will need to file a Beneficial Owner Information (BOI) Report with the Financial Crimes Enforcement Network (FinCEN). Here's what you need to know:

WHAT IS THE CTA?

The Corporate Transparency Act aims to enhance transparency in business ownership and combat illicit activities such as money laundering and terrorist financing.

WHO NEEDS TO FILE?

If your business is a corporation, LLC, or similar entity created or registered with a secretary of state, you'll likely need to file. Exceptions include publicly traded companies and certain regulated entities like banks and insurance companies.

If your company was formed or registered with the state before January 1, 2024, you must file an initial BOI report by January 1, 2025. For businesses created or registered on or after January 1, 2024, the deadlines are as follows:

- Companies created between January 1, 2024, and January 1, 2025, have 90 days from their creation date to file.
- Companies created on or after January 1, 2025, have 30 days from their creation date to file.

The BOI report must include information about the company's beneficial owners and company applicants. This includes:

- Full legal name
- Date of birth
- Residential address
- Unique identifying number from an acceptable identification document (e.g., passport, driver's license)
- An image of the identification document

WHAT IS A BENEFICIAL OWNER?

A beneficial owner is defined as any individual who directly or indirectly:

- Exercises substantial control over the company
- Owns or controls at least 25% of the company's ownership interests.

HOW TO FILE?

Reports must be filed electronically through FinCEN's secure filing system. FinCEN will provide detailed instructions and technical guidance on their website: <https://www.fincen.gov/boi>.

DEADLINES FOR UPDATES AND CORRECTIONS

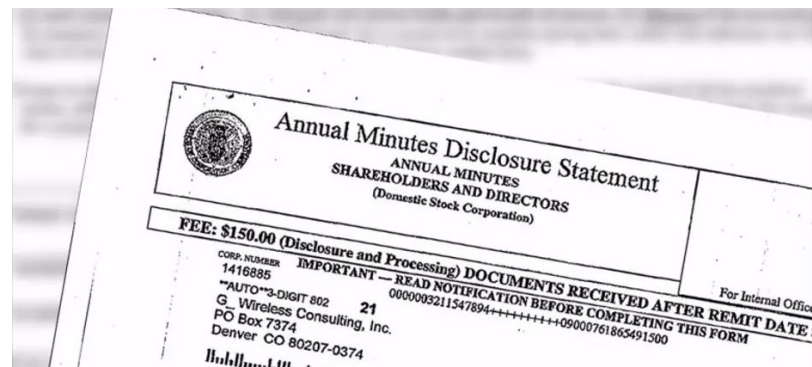
Businesses must file an updated report within 30 days if there are changes to the previously reported information, such as changes in beneficial owners or their details. If inaccuracies are found, corrections must be submitted within 30 days of discovery.

PENALTIES FOR NON-COMPLIANCE

Failing to file the required BOI report or providing false information can result in severe penalties. Civil penalties can be up to \$500 for each day the violation continues, while criminal penalties may include fines of up to \$10,000 and imprisonment for up to two years. Additionally, senior company officers may be held personally liable for failure to comply.

NEED HELP?

For more detailed information and assistance with filing your BOI report, visit the FinCEN website <https://www.fincen.gov/boi> or contact your tax advisor.



HOW TO INCREASE YOUR SUCCESS ON CONTRACTS

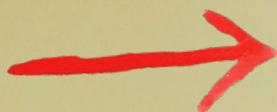


- Develop a Best Practice Checklist.
- Maintain proactive communication.
- Attend project meetings.
- Follow proper communication channels (subcontractors should communicate with owners or engineers only through the Prime).
- Primes must run project meetings effectively.
- Designate someone to write the meeting minutes.
- Review meeting minutes and have corrections made for any erroneous or inaccurate statements.
- Review the scope before signing a subcontract.
- Inform your project team what was agreed upon in the subcontract agreement.
- Your supervisory personnel on the project must be competent and communicate well.
- Always negotiate disputes expeditiously with the intent of achieving an equitable agreement.
- Document your phone calls, conversations, and meetings.
- Communicate projects with key stakeholder(s).

FINANCIAL CHECK-UP

SANDRA WEBB

QuickBooks Pro-Advisor / TDOT
Supportive Services Consultant



Schedule a financial check-up for your business at the end of the second quarter to see what adjustments you may need to make at this point.

Make sure your Bank Reconciliation reflects current to date balance(s).

Check your Account Receivable Aging Detail to see what is outstanding that needs to be collected or written off.

Check your Profitability Statement to see what jobs have been profitable and if they were not, why.

Look at your Project Cost Detail.

Look at your Profit and Loss Statement & Balance Sheet through the end of the second quarter for accuracy and compare it to the same period of previous year.

Look at your Budget and see if you are meeting your current projection.

Take a good look at the next six months to see how it looks.

WHAT ARE THE TOP MARKETING TACTICS USED TO GROW A BUSINESS?

CURTIS WEBB,
Strategic Marketing & Business Development /
TDOT Supportive Services Consultant

As my good friend Jay B. Mercer, a consultant with the Tyler Team, would say, "It depends." In the world of marketing, it depends on who's looking for the product or service you're offering. If you are working in the construction industry, social media marketing may not be your first or second marketing choice for that industry. Maybe a networking and/or partnering event with your area's industry influencers and leaders would be a more effective way of increasing your business opportunities. You may want to develop an old school referral program called "word-of-mouth marketing" and leverage your existing customers to encourage new ones to try your service.

Here are six popular marketing methods and platforms to consider based on your industry:

SOCIAL MEDIA MARKETING

If your customers spend a lot of time on social media, this is definitely the platform to be on. This is where a lot of marketing promotions are being viewed and discussed. The benefit of this platform is that it also allows direct lines of communication to your end-users or decision makers.

NETWORKING & PARTNERSHIPS

Building relationships with other business owners and industry leaders can open doors to new business. The goal is to allow owners to leverage each other's resources and gain exposure to new opportunities.

REFERRAL PROGRAMS

Referral programs incentivize existing customers and associates to refer new business. It's effective because it capitalizes on word-of-mouth marketing, leverages trust between the referrer and prospect, that often results in additional business.

EMAIL MARKETING

Email Marketing allows you to communicate directly with decision makers. It's effective with creating leads, promoting products and/or services, and driving interest. It's a great, effective, low-cost marketing tool.

INFLUENCER MARKETING

Shopping for and partnering with influencers in your service niche can help you reach people who have notable credibility in your service industry. Influencer marketing is effective because it leverages the trust and good will that an influencer has and allows you to established credibility with new potential customers.

CONTENT MARKETING

Content marketing involves creating and showcasing relevant content to attract and engage customers. Through a website or software app, you can typically produce effective content that allows you to showcase your expertise, build trust and generate new customers.

Marketing is all about generating interest. You must understand how to reach the decision maker or end-user within your industry. Once that's determined, then you will be in a better position to choose a marketing platform to communicate from.

For more information contact

DBE_supportive_services@tyler-engineers.com



PROFESSIONAL RESOURCES FOR DBE SMALL BUSINESSES

DAVID NEESE

Small Business Development Program Director



The TDOT Supportive Services Program provides training and business assistance services to TNUCP and TDOT-certified DBEs. The benefit of DBEs participating in the activities of this program can help facilitate their development into viable, self-sufficient businesses capable of competing for, and performing on, Federally-assisted highway projects.

TDOT Supportive Services consultants are ready and waiting to assist you with ANY questions you may have! Have a nagging HR question that has been on your mind? Want to set up a job cost accounting system for your company but don't know the first step? Want to diversify your business but not sure which direction to take? Want to know the easiest and best ways to maximize your estimating and bidding resources?

Supportive Services provide DBE firms with general and firm-specific training and technical assistance to help them to become more competitive within the transportation

industry. This program will give DBE firms an opportunity to gain a competitive edge within and outside the highway industry. This valuable resource strives to assist DBE firms to become self-sufficient in their respective industries. A variety of training programs and technical assistance is provided by the Supportive Services consultant to assist DBEs in meeting these goals.

Supportive Services is managed by experienced industry management consultants at Tyler Construction Engineers, P.C., located at 810 Dominican Drive, Suite 313, Nashville, Tennessee. Supportive Services is here for you! Our consultants are a valuable resource with a vast range of knowledge and expertise available to meet you at your convenience at your office or project site.

Victor C. Tyler, P.E., Cost & Pricing / A/E/C Management Consultant

Curtis Webb, Strategic Marketing / Business Development

Jay B. Mercer, E.A., QuickBooks Pro-advisor / Small Business Tax Specialist

Sandra T. Webb, QuickBooks Pro-advisor / Certified Payroll Consultant

Teresa C. Daniel, PHR, Human Resource Consultant / Leadership Development

The answers are at your fingertips with Consultants on Call. It's that easy! Please contact Supportive Services at 1.888.385.9022 or email at DBE_Supportive_Services@tyler-engineers.com, or visit <https://tylerengineers.com/supportive-services>.

IN REMEMBRANCE OF MR. MARSHALL TABB

Marshall Tabb, Lead Consultant with Tyler Construction Engineers, P.C. passed away April 22, 2024.

Marshall was an expert in Accounting and Financial Management Analysis and was known to be a dynamic speaker that kept his audience at the edge of their seats.

Marshall was an avid supporter of the TDOT Supportive Services and Small Business Development Program and a friend to everyone he met. Over the past 25 years Marshall presented numerous one-on-one consultant sessions, workshops, seminars, and was a well-known and well-loved personality at the TDOT DBE Small Business Annual Meetings.

Everyone who met Marshall learned something from him. He once mentioned he learned more from his clients than they learned from him. Marshall's wealth of knowledge about accounting, financial management and business leadership was very important to the small business community.

Those of us who worked with Marshall, greatly benefited from his presence. His supportive personality was second to none.

Marshall's lifetime of dedication, support and self-sacrifice serve as a monument to the exemplary man he was. His humility, integrity, and hard work continue to inspire those who knew him. Marshall Tabb will be truly missed!

**THE TYLER GROUP & TDOT CIVIL RIGHTS
DIVISION AND SMALL BUSINESS
DEVELOPMENT STAFF**





DBE SPOTLIGHT CORNER

THE CLEANING LEADERS, LLC

SANDRA POTTER, FOUNDER AND OWNER

<https://www.thecleaningleaders.com/>

From a full-time registered nurse to a DBE, woman-owned small business leader, Sandra Potter's journey is a testament to her determination and entrepreneurial spirit. In 2007, she founded The Cleaning Leaders, a humble cleaning service that has since evolved into a multifaceted enterprise specializing in construction site cleaning, pressure washing, asbestos abatement, and selective demolition.

Sandra credits her success to building meaningful, genuine relationships and taking pride in delivering quality service to her internal and external customers. Her commitment to caring for her employees as much as she cares for her customers has proven to be a valuable asset. She shared, "When you care, it speaks volumes, and everyone can win." Delivering quality, safety, and innovative service are key values that work for Sandra and her team.

Beyond her business, Sandra has also proven to be a trusted mentor and leader, championing women entrepreneurs. She provides single moms with a pathway to create their own business space to adequately provide for their families.

Her willingness to mentor and support her competitors is a testament to her belief in shared success. As she says, "You can't take it with you and everyone can have a piece of the pie."

Over the years, The Cleaning Leaders have become synonymous with trust, integrity, and quality by building trusted partnerships in the construction industry with renowned companies such as Skanska, Turner, Hansel Phelps, Messer, Bell, and many others. Sandra's dedication to excellence has also led the business to contribute to prominent projects, including the BNA Airport expansion, MSL Stadium construction, and JW Marriott Hotel, to name a few.

When asked what the next chapter for her as a leader and The Cleaning Leaders was, Sandra stated she would continue focusing on her customer's needs.

"Don't do the business you want to do but focus on what the customers want and need you to do for them."

This motto has been a game changer for her and her team. When her customers request a specific service she does not provide, she will set out to educate herself, provide training for her staff, and become an expert. She also says, "When you build trusted and quality relationships, your customers will look to you for what they need next."

This is a reminder to keep an eye on Sandra Potter and The Cleaning Leaders as they continue to expand their service lines to contribute to the construction industry. We are excited to see where Sandra and her team will show up and show out next as The Cleaning Leaders!



2024 TDOT DBE SMALL BUSINESS ANNUAL MEETING



Are You Contract Ready? Build With Us: TDOT's \$15 Billion 10-Year Transportation Plan.

This "ONE DAY EVENT" is all about helping you understand TDOT'S \$15 Billion 10-Year Transportation Plan!

As a prime or sub-contractor doing work or wanting to do work with TDOT, this event will provide you with information on TDOT's projects and goals that you do not want to miss!

FREE TO ATTEND

Tuesday, August 27, 2024
7:00 a.m. - 5:30 p.m.
SONESTA Nashville Airport,
600 Marriott Drive, Nashville, TN 37214

WHAT TO EXPECT

- Workshops
- Panel Discussions
- Presentation of TDOT's Transportation Modernization Plan
- Networking Opportunities For Meaningful Relationships





TDOT 2024 Construction Letting Dates:

August 16, 2024

October 4, 2024

November 1, 2024 (Mowing & Litter Removal)

December 6, 2024

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.

“IF YOU COULD GET ALL THE PEOPLE IN THE ORGANIZATION ROWING IN THE SAME DIRECTION, YOU COULD DOMINATE ANY INDUSTRY, IN ANY MARKET, AGAINST ANY COMPETITION, AT ANY TIME.”

— PATRICK LENCIONI, AUTHOR & CREATOR OF THE 6 TYPES OF WORKING GENIUS

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