

**DEPARTMENT OF TRANSPORTATION**  
DIVISION OF MASS TRANSPORTATION MS 39  
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*Flex your power!  
Be energy efficient!*

February 18, 2009

Dear FTA Grant Subrecipient and District Transit Representative:

The Division of Mass Transportation (DMT) must ensure that our subrecipients of the Federal Transit Administration (FTA) Section 5310-Elderly Individuals and Individuals with Disabilities Program, Section 5311-Nonurbanized Area Formula Program, Section 5316-Job Access and Reverse Commute Program, and Section 5317-New Freedom Program funds meet applicable Disadvantage Business Enterprise (DBE) requirements when funds are used in whole or in part to finance procurement and contracts of non-vehicle products and service(s). To this end, subrecipients must adhere to the California State DBE Program Plan as it applies to local agencies. The DBE Program Plan can be found at the following web address: [http://www.dot.ca.gov/hq/bep/documents/dbe/dbe\\_program\\_plan\\_final.pdf](http://www.dot.ca.gov/hq/bep/documents/dbe/dbe_program_plan_final.pdf). The DBE Program Plan is based on the United States Department of Transportation 49 CFR, Part 26 requirements.

Subrecipients must submit a DBE Race-Neutral Implementation Agreement (Implementation Agreement). The DMT has recently updated the Implementation Agreement in coordination with our civil rights and legal offices. Although your agency may be a subrecipient of two or more FTA programs; however, subrecipients will need to resubmit only one updated DBE Race-Neutral Implementation Agreement regardless of grant funding to the California Department of Transportation, Division of Mass Transportation, by March 9, 2009. Please find the Implementation Agreement form online at: <http://www.dot.ca.gov/hq/MassTrans/DBE.html>.

Upon receipt of the signed Implementation Agreement, we will send you the updated twice yearly DBE Awards Commitment and Actual Payments form due each April 15<sup>th</sup> and October 15<sup>th</sup>. These forms can also be found at <http://www.dot.ca.gov/hq/MassTrans/DBE.html>.

If you have any questions, please contact your DMT representative. For Section 5310, please contact Cindy Chiaverini at (916) 654-6990; for Section 5311, please contact James Ogonna at (916) 651-6116; and for Sections 5316 and 5317, please contact Tracey Frost at (916) 654-8222.

Sincerely,

**ORIGINAL SIGNED BY**

KIMBERLY GAYLE  
Office Chief  
Federal Transit Grants Programs

c: Tracey Frost, Department of Transportation  
Cindy Chiaverini, Department of Transportation  
James Ogonna, Department of Transportation