



Disadvantaged Business Enterprises (DBE) Program



Caltrans DBE Program

Applicability



- 1.** DBE requirements apply to all Subrecipients with contracting opportunities or “third-party” contracts for goods and/or services
- 2.** Subrecipients with operating assistance and non-vehicle capital projects (with contracting opportunities) must meet all requirements of Caltrans DBE program as they pertain to local agencies
- 3.** DBE requirements for vehicle projects are satisfied by the vehicle manufacturer and are not passed on to the Subrecipient



DBE Program Plan

- Subrecipients shall adhere to the Caltrans DBE Program Plan (2007)

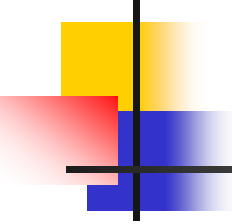
www.dot.ca.gov/hq/bep/dbe_program.htm



DBE Program Plan

Key points of the DBE Program Plan:

- Ensure DBE firms can compete fairly for federally funded transportation-related projects
- Identify and remove barriers to the bidding, award, and administration of U.S. DOT Federally-assisted contracts
- Increase the participation of all small business and DBE's in the procurement of materials, equipment and supplies



Implementation of the FY 2010 DBE Program

- For all FTA non-vehicle capital projects, Caltrans' overall goal is currently 4% race neutral



DBE Race Neutral Implementation Agreement

- All Subrecipients must submit a DBE Race-Neutral Implementation Agreement
- If the agreement was already submitted to DMT, there is no need to resubmit again



DBE Liaison Officer

- Subrecipients must designate a DBE Liaison Officer (DBELO), to be responsible for developing, implementing, and monitoring the DBE Program Plan
- DBELO ensures that the Subrecipient is fully and properly advised concerning DBE Program Plan matters



DBE Liaison Officer

DBELO Duties and Responsibilities include:

- Gather and report statistical data
- Review third party contracts and purchase requisitions for program compliance
- Ensure timely bid notices and requests for proposals
- Analyze DBE participation and identify ways to encourage small business participation



DBE Liaison Officer

(Continued)

- Participate in pre-bid meetings
- Act as an advisory to CEO/Governing Board on DBE matters and DBE race-neutral issues
- Provide all small businesses and DBE's with information and recommend sources to assist in preparing bids
- Plan and participate in DBE training sessions
- Provide outreach to all small businesses including DBEs and community organizations to fully advise them of contracting opportunities



Required Contract Clauses

- Non-discrimination clause
 - 49 CFR Part 26.13
- Prompt payment procedures to subcontractors
 - 49 CFR Part 26.29



Bidders List

Subrecipients will create and maintain a bidder's list consisting of information about all DBE and non-DBE firms that bid or quote on all Federal Aid Contracts



Subrecipient DBE Reporting

DBE Program

Awards/Commitments Form

- Subrecipient will submit bidder DBE information to DMT representative at Contract Award



Subrecipient DBE Reporting

DBE Program Actual Payments Form

- Subrecipients will submit Actual Payments Form with all requests for reimbursement to the DMT district representative



Caltrans Bi-Annual Reporting

- **DBE Semi-annual Reporting Form -
Caltrans will report to FTA:**
 - For the period of October 1st – March 31st
&
 - For the period of April 1st – September 30th



Location of DBE Forms

- DMT DBE webpage:

<http://www.dot.ca.gov/hq/MassTrans/DBE.html>



Where to Find a Certified DBE Contractor

- Caltrans Office of Business & Economic Opportunity (OBEO)

http://www.dot.ca.gov/hq/bep/find_certified.htm



Title VI Requirements



Title IV Requirements

- What is Required
 - Annual Certification and Assurance – FTA
C 4702.1A, Chapter IV, Section 1
 - Subrecipient Compliance Report
 - Due once every 3 years



Title VI – Requirements

■ Subrecipient Compliance Report

- Compliance Reports due in 2011
- DMT will be issuing guidance on competing and submitting this report



Title VI – Requirements

- Develop and Implement Complaint Procedures
- Maintain a record of investigations, complaints, and lawsuits filed against agency



Limited English Proficiency (LEP)

- Access for Limited English Proficiency Persons
Agency's plan for providing access to meaningful activities and programs for persons with limited English proficiency which was based on the DOT LEP guidance: FTA C 4702.1.A – Chapter IV, part 4; 49 CFR 21.5(b)
- Or a copy of the agency's alternative framework for providing access to activities and programs. Certain subrecipients, such as those serving very few LEP persons or those with very limited resources may choose not to develop a written LEP plan.
- Caltrans LEP Plan
 - http://www.dot.ca.gov/hq/bep/title_vi/LEP/index.htm



ADA Requirements



ADA Requirements

- Guarantees equal access opportunities for all individuals with disabilities in public accommodations, employment, transportation facilities, goods and services



ADA Requirements

ADA Requirements Apply to ALL Projects:

- Construction of Transit Facilities
- Procurement of Vehicles
- ADA Operating Projects
- Procurement of Other Equipment



Contact Information

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THANK YOU!!



QUESTIONS?

