

Resolution # TC - 1885
Annual DBE Transit Goal

WHEREAS, in February of 1999, the federal government implemented regulations for Disadvantaged Business Enterprises (DBE; 49 CFR Part 26); and

WHEREAS, the federal regulations require recipients of Federal Transportation funds to develop DBE programs with respect to such funds; and

WHEREAS, the Colorado Department of Transportation (CDOT) has a program for its Federal-aid Highway funds that has been approved by the United States Department of Transportation through the Federal Highway Administration; and

WHEREAS, CDOT has been requested by the Federal Transit Administration (FTA) to submit a separate annual DBE goal for the Sections 5304 (planning), 5310 (capital and mobility management), 5311 (administrative, operating, and capital), 5316 (administrative, operating, planning, capital, and mobility management), 5317 (operating, capital, and mobility management) and 5303 (Consolidated Planning Grants provided to the Metropolitan Planning Organizations - MPO) Federal Transit grant funds that it receives through the FTA; and

WHEREAS, the Federal Regulations establish a methodology for states to follow for establishing an annual DBE goal; and

WHEREAS, the Transit and Rail Division of CDOT followed that process to establish an annual DBE goal for the Sections 5304 (planning), 5310 (capital and mobility management), 5311 (administrative, operating, and capital), 5316 (administrative, operating, planning, capital, and mobility management), 5317 (operating, capital, and mobility management) and 5303 (Consolidated Planning Grants provided to the Metropolitan Planning Organizations - MPO) Federal Transit funds that it administers; and

WHEREAS, those goals reflect the DBE availability, DBE utilization, and possible subcontracting opportunities; and

WHEREAS, the DBE goal setting methodology used by the Transit and Rail Division of CDOT is consistent with the Federal Regulations; and

WHEREAS, the Commission now wishes to establish a goal of 4.75% DBE participation on Transit funds that CDOT receives from the FTA, excluding funds that are used for wages/salaries and transit vehicle capital, for the 2011, 2012 and 2013 Federal fiscal years;

NOW THEREFORE BE IT RESOLVED, that CDOT Transit Unit's DBE plan shall be as follows:

1. The Transit and Rail Division of CDOT shall strive for a 4.75% goal each year for FFYs 2011, 2012 and 2013 in terms of DBE participation in Sections 5304 (planning), 5310 (capital and mobility management), 5311 (administrative, operating, and capital) 5316 (administrative, operating, planning, capital, and mobility management), 5317 (operating, capital, and mobility management) and 5303 (Consolidated Planning Grants provided to the Metropolitan Planning Organizations - MPO) FTA-funded contracting opportunities for professional services, personal services, and commodities.
2. The 4.75% FFYs 2011-2013 DBE goal for such work will be implemented by the setting of appropriate, narrowly-tailored goals on each Section 5304 (planning), 5310 (capital and mobility management), 5311 (administrative, operating, and capital), 5316 (administrative, operating, planning, capital, and mobility management), and 5317 (operating, capital, and mobility management) FTA-funded projects and/or contract, depending on the regional availability of DBEs, according to the goal setting methodology used in computing this tri-annual goal. The MPO Unit in the Division of Transportation Development will administer the FTA Section 5303 Consolidated Planning Grants provided to the MPO's.
3. The Transit and Rail Division of CDOT shall monitor participation of DBEs in accordance with the goal setting methodology used in setting this annual goal for Federal Transit Sections 5304 (planning), 5310 (capital and mobility management), 5311 (administrative, operating, and capital), 5316 (administrative, operating, planning, capital, and mobility management), 5317 (operating, capital, and mobility management) and 5303 (Consolidated Planning Grants provided to the Metropolitan Planning Organizations - MPO) grants. In addition, the Division of Transit and Rail of CDOT shall use that information in setting appropriate annual goals in the future.