



Finance, Administration and Oversight Committee

Action Item III-C

July 9, 2009

**Disadvantaged Business Enterprise Goal
Setting and Small and Local Business Programs**

Washington Metropolitan Area Transit Authority
Board Action/Information Summary

<input checked="" type="radio"/> Action <input type="radio"/> Information	MEAD Number: 100394	Resolution: <input checked="" type="radio"/> Yes <input type="radio"/> No
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TITLE:

FY2010 Annual DBE Program Goal

PURPOSE:

The purpose of this action is to seek approval of the proposed Annual Disadvantaged Business Enterprise (DBE) Program goal for Federal Fiscal Year 2010. This is in compliance with the Federal Transit Administration (FTA) regulations for federally-funded recipients. Metro informed the public via newspaper, email and website of the proposed goal. The public comment period started May 28 and a public meeting was held on June 26, 2009. The public comment period will end July 13.

DESCRIPTION:

The U.S. Department of Transportation (USDOT), under 49 CFR, Part 26, requires recipients of federal funds to establish an annual goal for DBE participation on federally-funded contracts. The Board previously approved the required 45-day public comment period. Metro has informed the public of the proposed goal of 25% (19% race-conscious, 6% race-neutral) by holding a public comment period from May 28 to July 13, 2009. Staff used guidelines developed by the USDOT to calculate the annual goal. The empirical data was generated from 2002 U.S. Census data on businesses.

FUNDING IMPACT:

The FTA requires an annual DBE goal as part of the certifications and assurances necessary to receive grant funding.

RECOMMENDATION:

Approval of the proposed federal FY 2010 DBE Goal of 25%.



FY 2010 Annual Disadvantaged Business Enterprise Program Goal

Presented to the Board of Directors:

The Finance, Administration and Oversight Committee

July 9, 2009





FY 2010 Disadvantaged Business Enterprise Program Goal

Public Comment Period

- In compliance with the Code of Federal Regulation (49 CFR 26) and Metro Board approval on May 28, 2009, Metro initiated a 45-day public comment period on the proposed Federal Fiscal Year 2010 DBE Goal
- Outreach efforts for the Public Comment Period included:
 - Dissemination of the public notice beginning on May 28, 2009
 - Advertisement of the notification of the proposed goal and public meeting in the Washington Post
 - Solicitation of public comments via email through our weekly email alerts
 - Public Meeting on June 26, 2009
- The public responses were positive



Recommendation

- Approve DBE Goal of 25% of FFY 2010



Small and Local Business Program

The Washington Metropolitan Area Transit Authority Office of Procurement and Materials (PRMT) Small and Local Business Program

“Metro Opens Doors For
Small and Local Businesses”





Small and Local Business Program

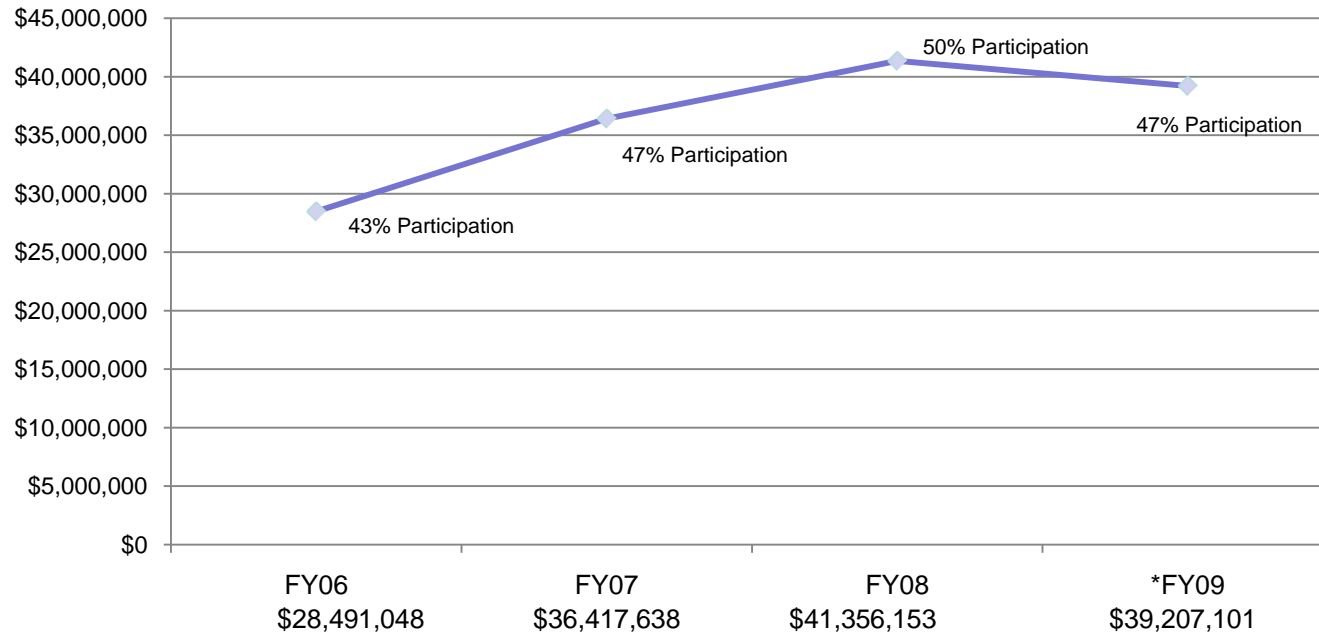
Program Overview

- Metro's program is designed to enhance opportunities for small businesses in the District of Columbia, Maryland, and Virginia.
- Adopted by Metro's Board in 2005.
- The program provides preference to qualified small and local businesses on non-Federally funded purchases under \$100,000.
- For bid evaluation purposes, the requirement is to add 5% to the pricing of all vendors that do not qualify as small and local businesses. Then, that number is compared to those offered by qualified small and local businesses.



Small and Local Business Program Program Achievement

Total Simplified Acquisitions Procured with Metro's Small and Local Businesses



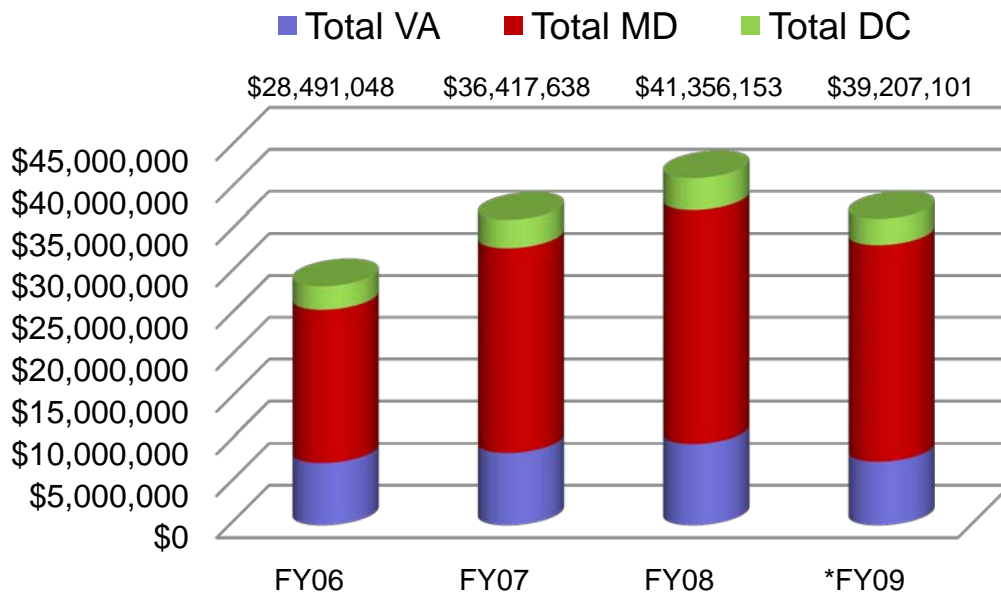
- Since FY 2006, 47% of the dollars spent by Metro on purchases of \$100K or lower have been spent with Small and Local Businesses
- **Total dollars awarded to small and local businesses: \$145,471,940**

Note:* Figures for FY09 reflect dollar amount through June 19, 2009



Small and Local Business Program Program Achievement

Breakdown of Simplified Acquisitions procured with Metro's Small and Local Businesses by Jurisdictions



	DC	VA	MD
FY 06	\$2,796,902	\$7,440,939	\$18,253,207
FY 07	\$3,386,676	\$8,640,533	\$24,390,474
FY 08	\$3,803,129	\$9,705,909	\$27,847,115
FY 09	\$3,463,630	\$8,116,427	\$27,627,044

- Metro currently has 2,941 firms registered as small and local businesses. Of this amount:
 - 15% are based in the District of Columbia (448)
 - 57% are based in Maryland (1,679)
 - 28% are based in Virginia (814)



Small and Local Business Program

Program Outreach (For FY 2009)

July 2008

- Board of Trade (Washington, D.C.)
- Prince George's County Metro Vendor Day (Maryland)
- DC Economic Partnership

August 2008

- Metro DBE Women's Vendor Day (Washington, D.C.)

September 2008

- Women's Small Business Legislative Networking (Washington, D.C.)
- Women Presidents' Educational Organization (Washington, D.C.)

October 2008

- "2008 Annual Ward 8 Economic Development Summit" (Washington, D.C.)

November 2008

- Metropolitan Washington Airports Authority "18th Annual Business Opportunity Seminar" (Virginia)
- Laborers' International Union of North America & Metro – Construction Opportunities Forum (Washington, D.C.)
- Prince George's Chamber of Commerce 2008 Showcase (Maryland)

March 2009

- "2009 Regional Procurement Expo" (Arlington, VA)

June 2009

- Procurement Opportunities Fair (Maryland)

SUBJECT: FY 2010 DISADVANTAGED BUSINESS ENTERPRISE PROGRAM GOAL

RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

WHEREAS, The Washington Metropolitan Area Transit Authority (Metro) is a recipient of federal assistance from the U.S. Department of Transportation and the Federal Transit Administration; and

WHEREAS, It is the policy of Metro that businesses owned and controlled by socially and economically disadvantaged individuals shall have the opportunity to participate in Metro federally-assisted contracts; and

WHEREAS, The U.S. Department of Transportation enacted 49 C.F.R. Part 26, effective March 4, 1999, under which recipients of federal financial assistance are required to annually submit a revised Disadvantaged Business Enterprise Program, which establishes an annual goal; and

WHEREAS, The annual Disadvantaged Business Enterprise Program goal is required to be bifurcated between race-conscious and race-neutral measures; and

WHEREAS, In accordance with 49 C.F.R. Part 26.45 and Board of Directors approval, Metro has provided for public participation in the goal-setting process by publishing notice of the proposed goal, providing a public comment period from May 28 to July 13, 2009, and holding a public meeting on June 26, 2009; now, therefore be it

RESOLVED, That the Board of Directors affirms the policy of nondiscrimination and compliance with federal requirements for engaging in affirmative action in contracting; and be it further

RESOLVED, That it is the policy of the Board of Directors that neither Metro, nor any of its contractors or vendors, shall discriminate on the basis of race, color, national origin, sex or any other unlawful basis in the award and performance of contracts or subcontracts; and be it further

RESOLVED, That the Board of Directors adopts a final Disadvantaged Business Enterprise Program annual goal of 25% for Federal Fiscal Year 2010 for implementation of the Federal Transit Administration Regulations for federally-funded contracts,

recognizing that the overall goal will be achieved through 19% race-conscious and 6% race-neutral measures and be established on a contract-by-contract basis; and be it further

RESOLVED, That the General Manager is hereby authorized to submit the foregoing goal to the Federal Transit Administration; and be it finally

RESOLVED, That this Resolution shall be effective immediately.

Reviewed as to form and legal sufficiency,



Carol B. O'Keeffe
General Counsel