

PROPOSED & ADOPTED:

SUBJECT: FY 2007 OVERALL DISADVANTAGED BUSINESS ENTERPRISE GOAL

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

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

WHEREAS, It is the policy of WMATA that businesses owned and controlled by minorities and women shall have the opportunity to participate in WMATA federally-assisted contracts; and

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

WHEREAS, The annual DBE 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, WMATA has informed the public of the proposed goal and provided the opportunity for comment; now, therefore be it

RESOLVED, That the WMATA Board of Directors (Board) 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 that neither WMATA, 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 required public comment period was held from June 1-July 17, 2006, and all questions were answered; and be it further

RESOLVED, That the Board adopts a final DBE annual goal of 16% for Federal Fiscal Year 2007 for implementation of the FTA Regulations for federally-funded contracts, recognizing that the overall goal will be achieved through 15% race-conscious and 1% race-neutral measures and be established on a contract-by-contract basis; and be it further

RESOLVED, That the Interim General Manager is hereby authorized to submit the foregoing goal to the FTA; and be it finally

RESOLVED, That this Resolution shall be effective immediately.

Reviewed as to form and legal sufficiency,



Carol B. O'Keeffe 5/26/06
General Counsel