

DBE Program Update

OCTOBER 2018



Basic Requirements for DBE Program

- Ensure non-discrimination in the award and administration of contracts.
- Create a level playing field on which DBEs can compete fairly for contracts.

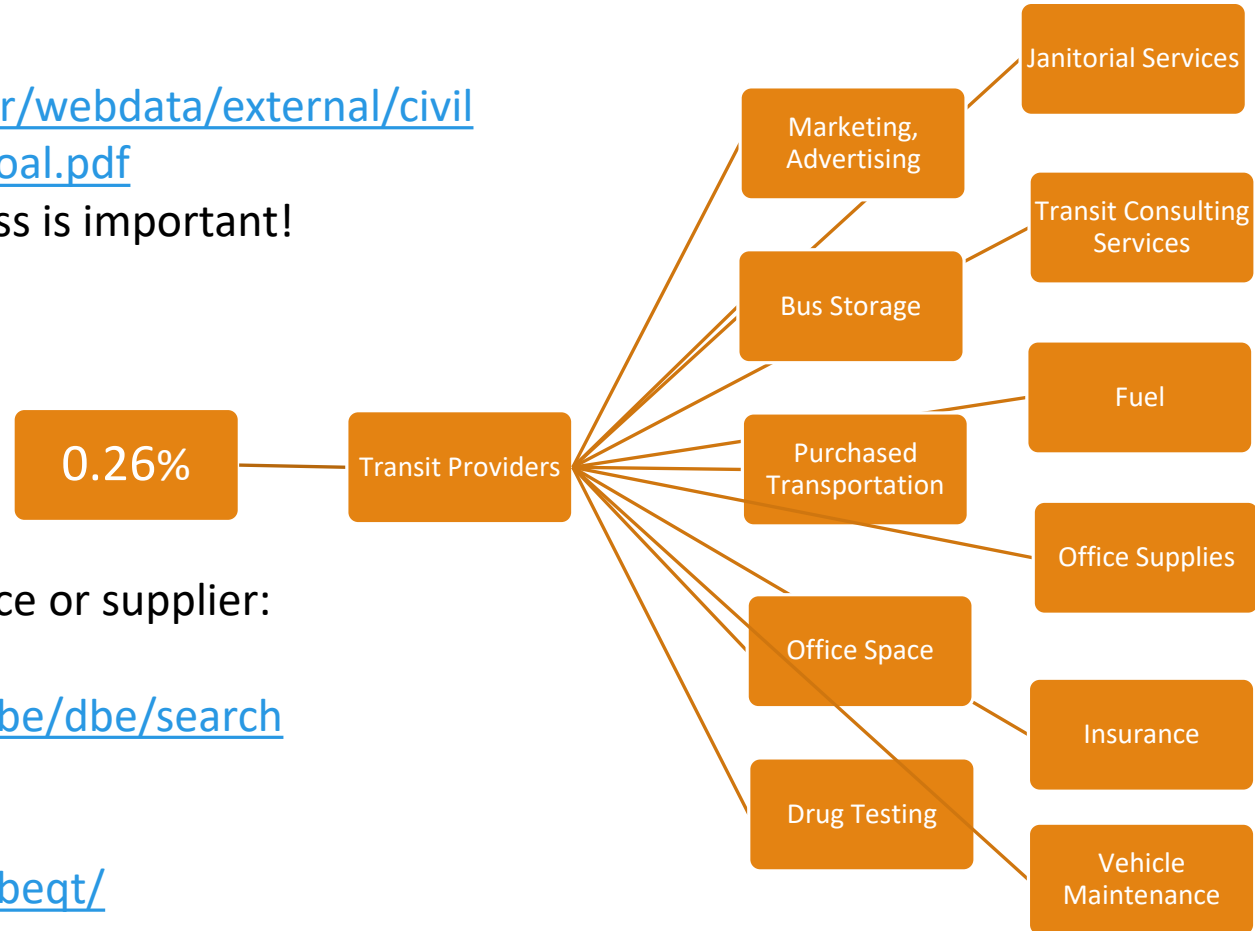
Overall DBE Goal

Federal Fiscal Year 2018-2020

Goal Setting Document:

https://www.mdt.mt.gov/other/webdata/external/civilrights/dbe/fy18-20_fta_dbe_goal.pdf

Your participation in the process is important!



Before contracting for a service or supplier:

- Check Directory:
<https://app.mdt.mt.gov/dbe/dbe/search>
- Submit a Quote Request:
<https://app.mdt.mt.gov/dbeqt/>

More bids = Better prices to you!

Reporting DBE Participation



Agency | Vehicle | Quarterly | Summary | Reports HATS  

Quarterly Expenses Information

Agency Id:
Fiscal Year:
Quarter:
Funding Type:

Fare Revenue:
Miscellaneous Revenue:
Budget Adjustment Response:
Expense Details:

Operating Expenses

	Direct Cost	In-Kind	DBE
1. Labor			
Driver Wages	<input type="text" value="24000.00"/>	<input type="text" value="2000.00"/>	
Mechanic Wages	<input type="text" value="8000.00"/>		
Dispatcher Wages	<input type="text" value="4500.00"/>		
2. Fringe Benefits			
Fringe Benefits Distribution	<input type="text" value="2100.00"/>		
3. Services			
Professional and Technical Services	<input type="text" value="1900.00"/>	<input type="text" value="750.00"/>	<input type="text"/>
Advertising Fees	<input type="text" value="560.00"/>		<input type="text"/>
Custodial Services (bus-related only)	<input type="text"/>		<input type="text"/>
Other Services	<input type="text" value="600.00"/>		<input type="text"/>
4. Materials and Supplies Consumed			
Fuel and Lubricants	<input type="text" value="6500.00"/>	<input type="text" value="2000.00"/>	<input type="text"/>
Other Materials and Supplies	<input type="text" value="250.00"/>		<input type="text"/>
5. Purchased Transportation Services			
Purchased Transportation Service	<input type="text" value="550.00"/>		<input type="text"/>

Each Quarter, make sure to:

- Check DBE Directory: <https://app.mdt.mt.gov/dbe/dbe/search>
- Indicate DBE Firm Name in Details Section

What Happens If We Don't Meet Our Goal?

MDT has to:

- Analyze reasons for the difference between the goal and DBE awards for the year
- Establish specific steps and milestones to correct the problems identified in the analysis to enable the State to meet the goal for the next fiscal year

DBE Participation Report (Uniform Report) for Fiscal Year 2018 due by December 1, 2018

Shortfall Analysis due by December 15.

If FTA determines shortfall analysis is not sufficient, they issue a Shortfall Corrective Action letter or a reasonable cause notification and MDT may have to enter conciliation agreement to correct non-compliance.

Corrective Action may be race conscious measures.

What is your feedback for Shortfall Analysis?

What services can we provide to help you meet the goal next year?

Contact me with any comments, concerns, or suggestions:

Megan Handl, mhandl@mt.gov , 406-444-6324

Contract Requirements

- Bidder's Lists
- Prompt Payment
- Return of Retainage
- Monitoring and Enforcement – Commercially Useful Function

U.S. Department of Transportation Announces \$366.2 Million in Grants to Modernize and Improve America's Bus Infrastructure Nationwide

9/25/2018

Constructing facilities = more subcontracting opportunities

We may need to re-evaluate goal.

Federal Transit Administration							
About		Funding		Regulations & Guidance			
Grant Programs		▼		MONTANA TOTAL: \$4,453,704			
Program Pages		▼		MT	City of Billings	The City of Billings will receive funding to purchase replacement buses and associated equipment. The project will decrease maintenance costs and increase efficiency of repairs.	\$1,360,000
Applicants		▼		MT	Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation	The Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation will receive funding to construct a new transit facility. The new facility will provide transit vehicle storage, maintenance facilities, administrative space and a waiting area for passengers.	\$2,765,664
Grantee Tools		▼		MT	Confederated Salish & Kootenai Tribes	The Confederated Salish & Kootenai Tribes will receive funding to purchase new ADA vehicles and bus shelters. The project will allow the Tribe, which provides transit services to the community and the public, to meet growing demand.	\$328,040
Contact Your Regional Office							
FAQ		▼					

Relevant FTA Review Questions for Transit Providers

1. Were the overall DBE goals submitted? Do the work areas discussed correspond to current grants?
2. What is the process to ensure contracting activities and those of its subrecipients are incorporated into overall goal setting?
3. In setting its most recent overall goal, how did the State conduct a consultative process? Did the State publish a notice of the goal?
4. If the State plans to meet DBE goals using race-conscious methods in the 9th circuit, was a disparity study conducted?
5. If the State plans to meet the DBE goal using only race-neutral measures, has it achieved its goal in the past two fiscal years? If not, is there any evidence to support the use of race-conscious means?
6. Has the State submitted the Uniform Report?
7. What are the procedures used to ensure that DBE reports are complete and include all FTA-funded contracting activity of the State and any applicable subrecipients?
8. For each of the past three completed Federal fiscal years, what has been the State's goal achievement? Is it below the overall goal established? If less than the overall goal, when did the State conduct the required shortfall analysis?

Relevant FTA Review Questions for Transit Providers

9. How has the State implemented the element in its DBE program for fostering small business participation? How has this improved DBE participation?
10. What portion of its overall goal did the State project meeting race neutrally? What steps has the State taken to implement the race neutral measures noted in goal? How has this increased DBE participation?
11. What prompt payment and return of retainage clauses are included in FTA-funded procurements? How does the state monitor and enforce these clauses?
12. How does the state monitor contractors and subrecipients to ensure that DBE obligations are fulfilled? What enforcement mechanisms does the State use for DBE requirements?
13. How does the State monitor projects to ensure that DBEs are actually performing the work committed to at the time of contract award? How often does the State review contracting records for compliance with DBE requirements? How does the State monitor worksites for compliance with DBE requirements?
14. Who is the lead agency for the UCP?