

DBE/Small Business Workshop

June 12, 2015



Learning Objectives

- ▶ Benefits
- ▶ Purpose
- ▶ Eligibility Criteria
- ▶ Procurement Forecasts
- ▶ SunLine's Procurement Process
- ▶ Fostering Small Business

What are the benefits of becoming DBE certified?

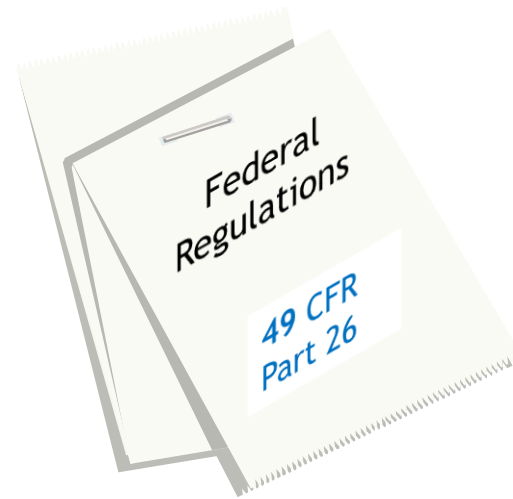
- ▶ Exposure
- ▶ Recognition
- ▶ Accessible
- ▶ Opportunities

Purpose of the DBE Program

- ▶ To ensure nondiscrimination in the award and administration of Federally funded contracts
- ▶ To create a level playing field on which DBE's can compete fairly for Federally funded contracts
- ▶ To ensure that the Agency's DBE Program is narrowly tailored and in accordance with applicable law
- ▶ To ensure that only firms that fully meet the eligibility standards are permitted to participate as DBE's
- ▶ To assist the development of firms that can compete successfully in the marketplace outside the DBE Program

DBE Certification

- ▶ The U.S. Department of Transportation (DOT) and the Federal Transit Administration (FTA) administer the DBE Program in accordance with the Federal Regulation 49 CFR Part 26.



Criteria for the DBE Certification

49 CFR, Part 26

- ▶ **Social and Economic Disadvantaged**
 - ▶ Must be a U.S Citizen (or resident alien)
 - ▶ Meet the federal definition of socially and economically disadvantaged
 - ▶ **Presumptive Groups Include**
 - ▶ Women
 - ▶ Black Americans
 - ▶ Hispanic Americans
 - ▶ Native Americans
 - ▶ Asian-Pacific Americans
 - ▶ Subcontinent Asian-Americans
 - ▶ Other groups designated by the Small Business Administration (SBA)
 - ▶ Submit a signed, notarized certification that each presumptively disadvantaged owner is, in fact, socially and economically disadvantaged

Criteria for the DBE Certification

49 CFR, Part 26

▶ Personal Net Worth

- ▶ Disadvantaged persons having a personal net worth of less than \$1,320,00.00 can be considered as a potential qualified DBE
- ▶ Each owner must submit a signed, notarized Personal Net Worth (PNW) statement with supporting documentation

▶ Business Size Standard

- ▶ Must be a small business
- ▶ Must not have annual gross receipts over \$23,980,00.00 in the previous three fiscal years

▶ Ownership

- ▶ Must be a for-profit small business
- ▶ At least 51% owned and controlled by one or more individuals who are both socially and economically disadvantaged

Criteria for the DBE Certification

49 CFR, Part 26

▶ Independence

- ▶ The firm must be an independent business and not dependent on its relationship with another firm(s)

▶ Management and Control

- ▶ Must possess the power to direct and make the day-to-day as well as long-term decisions on matters of management, policy and operations
- ▶ Must hold the highest officer position
- ▶ In a corporation, disadvantaged owners must control the board of directors
- ▶ In a partnership, one or more disadvantaged owners must serve as general partners, with control over all partnership decisions

California Certifying Agencies

- ▶ City of Los Angeles
- ▶ Los Angeles County Metropolitan Transportation Authority (METRO)
- ▶ California Department of Transportation (CALTRANS)

DBE Unified Certification Program (UCP)

- ▶ The purpose of the UCP is to provide “one-stop shopping”
- ▶ CALTRANS maintains database - updated daily
 - ▶ http://www.dot.ca.gov/hq/bep/find_certified.htm
- ▶ DBE certification does not expire
- ▶ The DBE regulation allows for firms to be suspended for various reasons, including death or incarceration of majority owner or other non-compliance with requirements. The database will indicate if a firm is suspended.

Procurement Forecasts - Capital Projects

Federally Funded Only

- ▶ Replacement Bus Lifts
 - ▶ \$400,000
- ▶ New Asset Management Tool
 - ▶ \$500,000
- ▶ Transit Enhancements - Bus Shelters
 - ▶ \$1,177,987
- ▶ Bus Rehabilitation
 - ▶ \$2,255,000
- ▶ Facility Improvements
 - ▶ \$200,000

SunLine/FTA Procurement Overview



Procurement Overview

- ▶ **Micro Purchases**

- ▶ Purchases less than or equal to \$3,000
 - ▶ Rotated among small businesses

- ▶ **Small Purchases**

- ▶ Materials, Supplies, Equipment and Services
 - ▶ Greater than \$3,000 and less than \$100,000
- ▶ Public Works
 - ▶ Greater than \$3,000 and less than \$25,000

Procurement Overview

- ▶ **Formal Purchases**
 - ▶ Materials, Supplies, Equipment and Services
 - ▶ Greater than or equal to \$25,000
 - ▶ Materials, Supplies, Equipment and Services
 - ▶ Greater than or equal to \$100,000 (itemized)
 - ▶ Public Works
 - ▶ Greater than or equal to \$25,000

Procurement Overview

- ▶ Types of Procurement
 - ▶ Written Requests for Quotes (RFQ)
 - ▶ Invitation for Bid (IFB)
 - ▶ Request for Proposal (RFP)

Procurement Overview

- ▶ Board of Directors Approval
 - ▶ Purchases and contracts over \$100,000
 - ▶ Change orders and contract amendments greater than or equal to \$25,000

Project Opportunities

- ▶ Services
- ▶ Public Works
- ▶ Vehicles
- ▶ Technology Hardware and Software
- ▶ Parts
- ▶ Miscellaneous

Small Business Overview



Fostering Small Business

- ▶ Race neutral and gender neutral
- ▶ Agencies are encouraged to unbundle larger projects to allow small firms to bid on DOT funded projects
 - ▶ Solicitations are reviewed by the DBELO
- ▶ In multi-year design-build contracts or other large contracts requiring bidders on the prime contract to specify elements of the contract or specific subcontracts that are of a size that small businesses, including DBEs, can reasonably perform.
- ▶ Identifying alternative acquisition strategies and structuring procurements to facilitate the ability of consortia or joint ventures consisting of small businesses, including DBEs, to compete for and perform prime contracts

Doing Business with SunLine

▶ Getting Started

▶ <https://www.sunline.org>

The screenshot displays the SunLine Transit Agency website. At the top, the SunLine logo is accompanied by the slogan "Driven to create clean air transit. Enjoy the Ride." Below the logo is a navigation menu with options: Home, About SunLine, Routes & Schedules, Fares & Programs, SunDial, Alternative Fuels, and TAXI. A dropdown menu is open under "About SunLine", listing: Agency Overview, Board of Directors, Employment, Doing Business with SunLine (highlighted), Planning Department Programs, Contact Administration Office, and Affiliates. The main content area features a "Vendor Account" section with a registration form. The form includes fields for "First Name", "Last Name", "E-Mail Address", "Password", and "Password Confirmation", each with a red asterisk indicating a required field. A "Register" button is visible at the bottom of the form.

DBE and SBE Program Regulations

- ▶ DOT's Office of Small and Disadvantaged Business Utilization (OSDBU)
<http://www.dot.gov/osdbu/>
- ▶ Federal Transit Administration - Disadvantaged Business Enterprise
<http://www.fta.dot.gov/civilrights/12326.html>
- ▶ Small Business Administration
<https://www.sba.gov/>

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Questions?

