

Washington Metropolitan Area Transit Authority
Board Action/Information Summary

<input checked="" type="radio"/> Action <input type="radio"/> Information	MEAD Number: 99998	Resolution: <input checked="" type="radio"/> Yes <input type="radio"/> No
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TITLE:

2009 Annual DBE Goal

PURPOSE:

To seek Board approval, as required by the Federal Transit Authority, of the proposed Annual Disadvantaged Business Enterprise Program (DBE) Goal for Federal Fiscal Year 2009. This action is in compliance with the Federal Transit Administration (FTA) regulations for federally-funded recipients, which require a recipient to submit an annual goal on August 1, of each calendar year.

DESCRIPTION:

The U.S. Department of Transportation, under 49 CFR Part 26, requires all recipients of federal funds to establish an annual goal for Disadvantaged Business Enterprise (DBE) participation on federally-funded contracts. WMATA held a public comment period informing the public of the proposed goal of 25% May 23, 2008 through July 7, 2008.

The U.S. Department of Transportation has adopted a formula to calculate the annual goal. Staff utilized the formula and asked the U.S. Department of Transportation to review the formula and methodology prior to preparation of the proposed goal. The empirical data was generated from the 2002 U.S. Census data on businesses located in the District of Columbia, Commonwealth of Virginia and the State of Maryland.

FUNDING IMPACT:

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

RECOMMENDATION:

That the Board of Directors approves the 2009 Annual DBE Goal of 25%.

PROPOSED AND ADOPTED:

SUBJECT: FISCAL YEAR 2009 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 (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 minorities and women 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 submit annually, a revised Disadvantaged Business Enterprise Program, which establishes an annual goal; and

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

WHEREAS, In accordance with federal regulations, Metro has informed the public of the proposed goal, by holding a public comment period from May 28 to July 14, 2008 and provided the opportunity for comment; now, therefore be it

RESOLVED, That the Metro 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

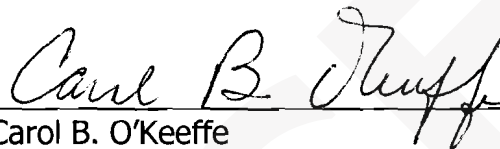
RESOLVED, That the Board of Directors adopts a final Disadvantaged Business Enterprise annual goal of 25% for Federal Fiscal Year 2009 for implementation of the Federal Transit Administration Regulations for federally-funded contracts, recognizing that the overall goal

overall goal will be achieved through 20% race-conscious and 5% 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,

A handwritten signature in black ink, appearing to read "Carol B. O'Keeffe", is written over a horizontal line.

Carol B. O'Keeffe
General Counsel