

**Washington Metropolitan Area Transportation Authority
Board Action/Information Summary**

Action
 Information

MEAD Number:

Resolution:
 Yes No

PURPOSE

The purpose of this action is to seek approval and adoption of the 25% Disadvantaged Business Enterprise (DBE) Annual Goal (23% Race Conscious/2% Race Neutral) for Federal Fiscal Year 2008.

DESCRIPTION

The Department of Transportation, under 49 CFR, Part 26, requires all recipients of Federal funds to establish an annual goal for DBE participation on federally funded contracts. WMATA informed the public via newspaper and website of the proposed goal. The public comment period started on May 25 and ended with a public meeting on July 9, 2007. One company attended the public meeting; Mr. Vernon Wade, President of Wade Enterprises, Inc. Mr. Wade stated "he was not a certified DBE with WMATA; however, he was attending the meeting to learn more about WMATA and any potential opportunities."

The Department of Transportation has adopted a formula to calculate the annual goal. Staff utilized the formula and asked the Department of Transportation to review the formula and methodology prior to preparation of the proposed goal. The empirical data was generated from the WMATA Uniform Certification Program Directory of Certified DBE vendors, the WMATA Vendor Registration System and the 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

That the Board of Directors adopt the 25% Annual DBE Goal (23% Race Conscious/2% Race Neutral) for Federal Fiscal Year 2008.

PROPOSED & ADOPTED:

SUBJECT: FY 2008 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, by holding a public comment period from May 25 to July 9 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

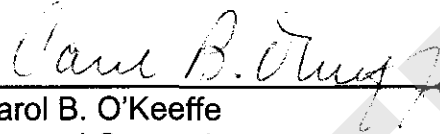
RESOLVED, That it is the policy of the Board that neither WMATA, nor any of its contractors or vendors, shall discriminate on the basis of race, color, national origin, sex or any other unlawful basis in the award and performance of contracts or subcontracts; and be it further

RESOLVED, That the Board adopts a final DBE annual goal of 25% for Federal Fiscal Year 2008 for implementation of the FTA Regulations for federally-funded contracts, recognizing that the overall goal will be achieved through 23% race-conscious and 2% 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 FTA; 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

PROPOSED