

RESOLUTION NO. 2005 - 93

AUTHORIZING THE ESTABLISHMENT OF AN OVERALL ANNUAL GOAL FOR DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION FOR FEDERAL FISCAL YEAR 2006, REVOKING RESOLUTION NO. 2004-101 WHICH ESTABLISHED A DBE GOAL FOR FFY 2005, EFFECTIVE JULY 19, 2005 AND HEREBY ESTABLISH THE 2005 FFY DBE GOAL IN RESPONSE TO THE FEDERAL TRANSPORTATION ADMINISTRATION REVIEW

WHEREAS, the Transportation Equity Act for the 21st Century and the Federal Transit Administration regulations for the Disadvantaged Business Enterprise (DBE) program, Section 49 of the Code of Federal Regulations Part 26, require the establishment of an overall goal for the participation of Disadvantaged Business Enterprises in federally funded contracts; and

WHEREAS, the Authority's DBE Program requires that the General Manager/Secretary-Treasurer establish an overall goal for the use of Disadvantaged Business Enterprises in contracts let by the Greater Cleveland Regional Transit Authority during each Federal Fiscal Year (FFY); and

WHEREAS, pursuant to the Federal Transit Administration DBE Program guidelines, the Authority has developed the overall annual goal of 18% for DBE participation in federally funded contracts awarded by the Authority in FFY 2006; and

WHEREAS, the General Manager/Secretary-Treasurer has met with executive staff to finalize the overall annual goal for DBE participation in Authority contracts during FFY 2006 commencing October 1, 2005.

WHEREAS, pursuant to Resolution No. 2004-101, the Board of Trustees authorized the establishment of an overall annual goal of 21% for Disadvantaged Business Enterprise participation for Federal Fiscal Year 2005.

WHEREAS, the annual goal for DBE participation in Authority contracts during FFY 2005 has been revoked in response to review by the Federal Transit Administration and a goal of 17% has been established for FFY 2005.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That the overall annual goal for DBE participation is set at 18% of the total dollar amount of federally funded contracts awarded by the Authority during FFY 2006.


Section 2. That the General Manager/Secretary-Treasurer is directed to advise the Federal Transit Administration accordingly and publish this goal in accordance with the requirements of the DBE Program.

Section 3. That the annual goal hereby established for FFY 2006 is subject to review and approval by the Federal Transit Administration.

Section 4. That Resolution 2004-101, which established a DBE goal for FFY 2005, is hereby revoked effective July 19, 2005, and the Board of Trustees hereby establishes the FFY 2005 DBE goal at 17%, in response to the Federal Transit Administration review.

Section 5. That this resolution shall become effective immediately upon its adoption.

Adopted: July 19, 2005



President

Attest: 

CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

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TITLE/DESCRIPTION: AUTHORIZING THE ESTABLISHMENT OF AN OVERALL ANNUAL GOAL FOR DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION FOR FEDERAL FISCAL YEAR 2006, REVOKING RESOLUTION NO. 2004-101 WHICH ESTABLISHED A DBE GOAL FOR FFY 2005, AND HEREBY AUTHORIZING, EFFECTIVE JULY 19, 2005, THE FFY 2005 DBE GOAL ESTABLISHED IN RESPONSE TO THE FEDERAL TRANSPORTATION ADMINISTRATION REVIEW	Resolution No.: 2005- 93
	Date: July 14, 2005
	Initiator: Office of Business Development
ACTION REQUEST: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 **PURPOSE/SCOPE:** This action will allow the Authority to establish an Overall Annual Goal for Disadvantaged Business Enterprise (DBE) participation for Federal Fiscal Year 2006, revoke the previously adopted Resolution No. 2004-101 approving an Overall Annual Goal for FFY 2005, and establish a new Overall Annual Goal for FFY 2005 in response to review by the FTA.
- 2.0 **DESCRIPTION/JUSTIFICATION:** Pursuant to the Federal Transit Administration (FTA) regulations for its DBE program, Section 49 of the Code of Federal Regulation Part 26, as amended, the Greater Cleveland Regional Transit Authority, as a recipient of funding from the FTA, is required to establish an annual DBE participation goal each Federal Fiscal Year.

 The purpose of the DBE program is to encourage and create a level playing field for DBEs so they can fairly compete in all facets of the Authority's purchasing activities. The program objective will have a positive impact on the number and quality of the bids received as well as the image of the Authority in the DBE community.

 The Authority has developed the overall annual goal of 18% for DBE participation in federally funded contracts awarded by the Authority in FFY 2006.

 The FFY 2005 annual goal for DBE participation in Authority contracts during 2005 has been revoked in response to the FTA review and a goal of 17% has been established for FFY 2005.
- 3.0 **PROCUREMENT BACKGROUND:** Does not apply.
- 4.0 **DBE/AFFIRMATIVE ACTION BACKGROUND:** Does not apply.
- 5.0 **POLICY IMPACT:** This action is consistent with the requirements of the Authority's DBE Program and the Code of Federal Regulations, 49 CFR Part 26.
- 6.0 **ECONOMIC IMPACT:** This action supports the continuation of GCRTA's eligibility for federal financial assistance. The Federal Transit Administration provides grants in support of GCRTA's Capital Program.
- 7.0 **ALTERNATIVES:** Disapprove the establishment of the overall annual goal for DBE participation. Disapproval of the FTA overall DBE annual goal would impact and delay the approval of grants by FTA.

- 8.0 RECOMMENDATION: The Executive Committee of the Board of Trustees reviewed the proposed Overall Annual DBE Goal for FFY 2006 at its July 5, 2005 meeting, as well as the proposal to establish a new goal for FFY 2005 in response to the review by FTA and recommended approval of both actions to the full Board of Trustees. It is recommended that the resolution to establish an Overall Annual goal of 18% for DBE participation in federally funded contracts for FFY 2006 and to establish a new overall annual goal of 17% for FFY 2005 be approved for the Authority.
- 9.0 ATTACHMENTS: Does not apply.

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.



CEO, General Manager/Secretary-Treasurer