

RESOLUTION NO. 2009-59

AUTHORIZING THE ESTABLISHMENT OF AN OVERALL ANNUAL GOAL FOR DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION IN THE AUTHORITY'S FEDERALLY FUNDED CONTRACT PROCUREMENT OPPORTUNITIES FOR FEDERAL FISCAL YEAR 2010, AND ITS SUBMISSION TO THE FEDERAL TRANSIT ADMINISTRATION IN COMPLIANCE WITH ALL APPLICABLE REGULATIONS

WHEREAS, 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 20% for DBE participation in federally funded contracts awarded by the Authority in FFY 2010; 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 2010 commencing October 1, 2009 and ending September 30, 2010.

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 20% of the total dollar amount of federally funded contracts awarded by the Authority during FFY 2010.

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 2010 is subject to review, modification, and approval by the Federal Transit Administration.

Section 4. That this resolution shall become effective immediately upon its adoption.

Adopted: July 28, 2009



President

Attest: 

CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

TITLE/DESCRIPTION: FEDERAL FISCAL YEAR 2010 OVERALL ANNUAL DBE GOAL	Resolution No.: 2009-59
	Date: July 23, 2009
	Initiator: Office of Business Development
ACTION REQUEST: <input 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 2010.
- 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 Overall Annual DBE participation goal each Federal Fiscal Year.

The purpose of the DBE program is to help create a level playing field as related to past community-wide disparities in local contracting opportunities, so that DBE firms can more fairly compete in all facets of local contracting opportunities. The program objectives are to increase the number and quality of bids received and contracting done with DBE firms.
- 3.0 **PROCUREMENT BACKGROUND:** Does not apply.
- 4.0 **DBE/AFFIRMATIVE ACTION BACKGROUND:** In compliance and conformity with federal regulations and guidelines, the Authority proposes an Overall Annual Goal of 20% relative to DBE participation in the aggregate of all federally-assisted contracts of \$25,000 or more awarded by the Authority during FFY 2010.
- 5.0 **POLICY IMPACT:** This action is required to comply with 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 Overall Annual DBE Goal would adversely impact and delay the awarding and approval of grants by FTA.

- 8.0 RECOMMENDATION: The proposed Federal Fiscal Year 2010 DBE goal was reviewed by the Committee of the Whole at its June 2, 2009 meeting and recommended for approval by the Board of Trustees. Staff recommends approval of the resolution to establish an Overall Annual Goal of 20% for DBE participation in federally assisted contracts for FFY 2010.
- 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