



Disadvantaged Business Enterprise (DBE) Compliance: MPO's & RPC's

External Civil Rights Division
Missouri Department of Transportation



Overview

- Intent of the DBE Program
- Eligibility Requirements for DBE Certification
- DBE Program & Procurements
- DBE Process
- DBE Compliance FAQ
- Upcoming Events



Intent of the DBE Program

- Ensure nondiscrimination
- Create a level playing field for DBEs
- Narrowly tailored program
- Remove barriers

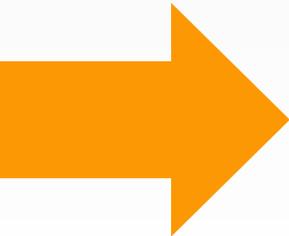


Eligibility for DBE Certification

- For-profit business
- Must be at least 51% owned and controlled by a socially and economically disadvantaged individual(s)
- Personal net worth of less than \$1.32 million
- The owner must be a U.S. citizen or permanent resident
- \$28.48 million in average gross receipts

DBE Work scopes

- Construction
 - Hauling
 - Landscaping
 - Traffic Control
 - Pavement Marking
 - Liquid Asphalt
 - Concrete
 - Steel
 - Pipe
 - Excavation
 - Signage
 - Electrical
 - Guardrail
 - Fencing
- Professional Service
 - Surveying
 - Design
 - Traffic Plans
 - Geotechnical
 - Environmental
 - Historic Preservation
 - Public Involvement





Planning Agencies & the DBE Program

- As planning partners, MPO's & RPC's receive pass through FHWA & FTA (USDOT) funds from MoDOT
- Federal funds = federal requirements attached
- Federally funded procurements must undergo DBE goal evaluation, goal setting, DBE monitoring, & closeout
- MPO's more likely to procure work than RPC's.
- More involvement if agency is administering LPA funds.



Definition: Procurements

- Procurements: Public solicitation of services requiring RFP issuance.
- Procurements utilizing federal funds which have multiple subcontracting opportunities must be evaluated for a DBE goal.



DBE Goal Process

- DBE goal evaluation information for public procurements must be sent to ECR at dbe@modot.mo.gov
- Solicitation to include established DBE goal
- Responsive bidders/offerors requirements



DBE Concurrence

- Selected proposal & draft contract must be sent to dbe@modot.mo.gov for review & concurrence
- ECR verification of DBE participation
- ECR notification of DBE concurrence
- Project award following receipt of DBE concurrence



DBE Monitoring & Closeout

- DBE participation on each invoice submittal
- At project closeout, submit final DBE participation
- DBE goal attainment verified by ECR



FAQ: DBE Compliance

Q: Can my agency provide DBE concurrence, monitoring, & closeout?

A: Yes & no. It's helpful for subrecipients to conduct a preliminary check, but ultimately, MoDOT is responsible for ensuring DBE compliance on subrecipient funds.

Q: Why isn't there a dollar threshold for procurements that require DBE evaluation?

A: DBE requirements are in place regardless of contract size – the spirit of the law is to provide a level playing field when those opportunities exist.



FAQ: DBE Compliance

Q: If a DBE goal is set at 0%, are concurrence & closeout processes still required?

A: Yes. This is to ensure all contracting dollars are accounted for, not solely those that have an established DBE goal.

Q: What if I am unsure if a procurement opportunity necessitates a DBE goal evaluation?

A: Contact ECR & we would be glad to help make this determination.

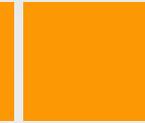
Upcoming Event: DBE Symposium

- March 28, 2023: 8:00 a.m. – 4:30 p.m.
- In Person: Courtyard Marriott, Columbia, MO
- [Register here](#)



Lunch and Learns

- February 28th – MBE/WBE/SBE Certifications
- March 28th - ECR Symposium – Columbia, MO
- April 27th – Workforce Development
- May 25th – SL & SE District Update
- June 29th – KC & NW District Update
- July 27th – NE & CD District Update
- August 31st – SW District Update



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