

# EXECUTIVE SUMMARY



**To:** Bogdan Vitas, City Manager

**Cc:** David Fernandez, Assistant City Manager  
Shawn Smith, City Attorney

**From:** Norman Whitaker, Director / KWDoT

**Date:** April 3, 2014

**Subject:** Resolution to Approve and Adopt City of Key West Department of Transportation's Tri-ennial Disadvantaged Business Enterprise as required by Federal Transit Administration (FTA) regulations.

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## **Action Statement:**

This is a request for approval and adoption of the City of Key West Department of Transportation (KWDoT) Tri-ennial Federal Transit Administration (FTA) Disadvantaged Business Enterprise (DBE) Program Policy Plan Update and Attachment D – Goal Setting Methodology.

## **Project History:**

The U.S Department of Transportation and the Federal Transit Administration (FTA) require public transit service agencies who receive Federal or State funding to provide an approved and full disclosed "Disadvantaged Business Enterprise" (DBE) Program Plan document. The purpose of which is to ensure disadvantaged businesses have equal and in some cases, even priority status, with regard to purchases and procurements that may become available as a result of the grant funded dollars or projects.

To be considered disadvantaged, a small business must be owned by a member of a minority group or a person with a disability. The U.S Department of Transportation requires local transportation agencies that receive federal financial assistance to establish goals for the participation and allow DBE's to fairly compete for transportation-related contracts.

City of Key West Department of Transportation (KWDoT) first established the departmental DBE Transportation Program Plan in June 2005, and again updated the document in 2008. As of March 2010, the Goal and Calculation process has transitioned from an annual update to a tri-ennial update with public advertisement and comment period 45 days prior to August 1<sup>st</sup>.

On April 5, 2013, KWDoT has made minor revisions per DBE guidelines and comments received from the FTA Civil Rights Officer. KWDoT submitted and received approval of their Title VI Program Plan documents on January of 2014.

The revisions being made at this time are the following:

- DBE Liaison Office (DEBELO) Carolyn Haia to Norman Whitaker
- Subpart C – Goals, Good Faith Efforts, and Counting
- Attachment D – Section 26.45 Overall Goal Calculation

## **Option #1:**

Option #1 would see the City approve and adopt the Tri-ennial DBE Program Plan for Key West Department of Transportation, dated 2015 – 2017.

**Advantages**

The advantage to passing this resolution ensures the City of Key West will continue to receive funding from FTA and FDOT for operating and capital assistance projects. Additionally, this will increase the opportunity of registered DBE's to compete for; and potentially win, any current or future bid opportunities with KWDoT in the area of public transit services or capital project procurements.

These Program Plan documents are valid for a three (3) year period. They are not due again to FTA or FDOT until June 2017.

**Disadvantages**

There are no disadvantages to Option #1.

**Fiscal Impact**

The fiscal impact of submitting this Tri-ennial DBE update to FTA and FDOT is that our programs and services continue to be eligible for Federal and State funding assistance, without interruption due to issues of non-compliance.

**Option #2:**

Option #2 would see the City not approve the resolution as requested.

**Advantages**

There is no advantage to not passing this resolution and the City's DoT DBE Program Plan update.

**Disadvantages**

The disadvantage of not passing this resolution as requested, the City would not be eligible for funding assistance.

**Fiscal Impact**

The fiscal impact of not submitting the tri-ennial update to KWDoT's DBE program policies would be that the City would no longer be able to receive federal transit related funding and a greater level of local share would be required to continue to provide public transit services

**Recommendation:**

KWDoT recommends Option #1 at this time.

CH/nw

Attachments

File: Executive Summary (DBE Triennial Update) 2014-04-03