



**APPROVED**

JUL 18 2000

OFFICE OF THE  
CITY CLERK

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DEPARTMENT OF  
PUBLIC WORKS

CITY OF SACRAMENTO  
CALIFORNIA

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TECHNICAL SERVICES  
DIVISION

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June 23, 2000

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT: DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM FOR  
FEDERAL-AIDE TRANSPORTATION PROJECTS – REAFFIRMATION OF  
ANNUAL GOAL**

**LOCATION AND COUNCIL DISTRICT:** Citywide

**RECOMMENDATION:**

This report recommends that the City Council adopt the attached resolution, which reaffirms the City's minimum Disadvantaged Business Enterprise (DBE) utilization goal for Federal-Aide Transportation projects for the 2000-2001 Federal fiscal year at twenty percent (20%) and reaffirms the City's DBE Program for Federal-Aide Transportation projects subject to Federal Highway Administration (FHWA) approval of the new Caltrans DBE Program for local agencies.

**CONTACT PERSON:** Craig Lymus, Construction Contract Officer 264-5524

**FOR COUNCIL MEETING OF:** July 18, 2000

**SUMMARY**

The Federal Highway Administration (FHWA), through the State Department of Transportation (Caltrans), requires that all agencies adopt an annual goal of Disadvantaged Business

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Enterprise (DBE) utilization in all program activities funded wholly or in part by any Federal-Aide transportation monies. The DBE category includes both Minority Business Enterprises (MBE) and Women Business Enterprises (WBE). The City of Sacramento's DBE goal will remain at 20% until revised by the Caltrans program, which is pending approval by FHWA.

**COMMITTEE/COMMISSION ACTIONS:**

None

**BACKGROUND INFORMATION:**

The City's current DBE program, which was adopted in January 1989, is in a form pre-approved by Caltrans and includes all the necessary references and terms required by the Federal-Aide Highway Act of 1987. Caltrans has submitted a revised DBE program to FHWA subject to FHWA approval. Local agencies are required to continue with the existing program goals or develop a new program methodology and goals with Caltrans approval. The City's staff has elected to maintain the existing goals in lieu of changing the current DBE program.

The City is required annually to reaffirm its Disadvantaged Business Enterprise (DBE) Program for Federal-Aide Transportation projects and publish such reaffirmation in a local newspaper (attachment) in order to continue to receive funding from the Federal Government for eligible transportation projects. The City is reimbursed by the State under the various programs for between 50% and 100% of eligible costs. In order to maintain eligibility, the City Council must readopt the annual minimum DBE utilization goal for Federal-Aide Transportation projects and must reaffirm the DBE program.

**FINANCIAL CONSIDERATION:**

Reaffirmation of the annual DBE utilization goal is required so that the City retains its eligibility to receive Federal Aide Transportation reimbursements through Caltrans.

**ENVIRONMENTAL CONSIDERATIONS:**

Pursuant to Section 15378 (b) (2) this type of general policy and procedure making is not a project under the California Environmental Quality Act.

**POLICY CONSIDERATIONS:**

This report is consistent with the Council's policy to utilize DBE's in all aspects of contracting to the maximum extent possible and to substantially increase DBE utilization in all activities funded wholly or in part by any Federal-Aide Transportation monies.

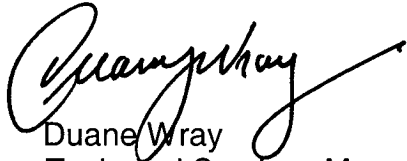
**ESBD EFFORTS:**

The Emerging and Small Business Development Program is not considered for this action. Disadvantaged Business Enterprises (DBE) requirements as defined in CFR 49 Part 23 and

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the City's approved Caltrans DBE program are considered for this action. Continuing the City's' annual minimum DBE utilization goal will ensure the City's efforts that DBE firms have the maximum opportunity to compete for and perform contracts.

Respectfully submitted,



Duane Wray  
Technical Services Manager

RECOMMENDATION APPROVED:



ROBERT P. THOMAS  
City Manager

APPROVED:



Mike Kashiwagi  
Director of Public Works

**APPROVED**

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CITY CLERK

**RESOLUTION NO. 2000-428**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**RESOLUTION REAFFIRMING THE CITY'S DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM AND ANNUAL DBE UTILIZATION GOAL FOR FEDERAL-AIDE TRANSPORTATION PROJECTS**

**WHEREAS, THE SACRAMENTO CITY COUNCIL FINDS AND DETERMINES AS FOLLOWS:**

1. It is the policy of the City of Sacramento to utilize Disadvantaged Business Enterprises (DBE) as defined in CFR 49 Part 23 in all aspects of contracting to the maximum extent feasible. This policy includes a commitment to substantially increase DBE utilization in all program activities funded wholly or in part by any U.S. Department of Transportation model element.
2. The City should ensure DBE firms have the maximum opportunity to participate in the performance of contracts and subcontracts funded by federal aide-funds. In this regard, the City and its contractors and subcontractors should take all reasonable steps in accordance with CFR 49 Part 23 to ensure the DBE firms have the maximum opportunity to compete for and perform contracts funded by federal-aide funds.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:**

1. The City's annual overall minimum Disadvantaged Business Enterprise utilization goal for Federal Aid Transportation projects for the 2000/2001 Federal fiscal year shall be set at twenty percent (20%).
2. The City's Disadvantaged Business Enterprise Program for Federal Aid Transportation projects is hereby reaffirmed.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_