

RESOLUTION NO. R-2022-020

A RESOLUTION setting Yakima Transit's Disadvantaged Business Enterprise Program goals.

WHEREAS, in 1983, Congress enacted the Department of Transportation's (DOT) requirement for a Disadvantaged Business Enterprise (DBE) Program; and

WHEREAS, the objectives of the program are to ensure nondiscrimination in the award and the administration of DOT-assisted contracts in the Department's financial assistance programs; and

WHEREAS, the DBE program is to create a level playing field on which DBEs can compete fairly for DOT-assisted contracts; ensuring that the Department's DBE program is narrowly tailored in accordance with applicable law; and

WHEREAS, the DBE program ensures that only firms that fully meet this eligibility standards are permitted to participate as DBEs; helping to remove barriers to the participation of DBEs in DOT-assisted contracts and to assist the development of firms that can compete successfully in the marketplace outside the DBE program; and,

WHEREAS, providing appropriate flexibility to recipients of Federal financial assistance in establishing and providing opportunities for DBEs; and,

WHEREAS, the City of Yakima (City) operates a public transit system for use by the general public regulated by the Federal Transit Administration (FTA), an agency of the DOT, and is subject to FTA requirements including requirements to maintain an up-to-date DBE Program with goals that are adjusted every three years; and,

WHEREAS, Yakima Transit has reviewed available DBE vendors and has updated their goals as required under 49 CFR Part 26. Following a public notice, Yakima Transit's DBE goal remains at zero since Yakima Transit projects or services that would be funded with FTA funds, have no registered DBE's in the Office of Minority & Women's Business Enterprises state directory for those classifications, now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YAKIMA:

The City of Yakima DBE Program Goals for Yakima Transit, attached and incorporated hereto, is hereby approved and adopted for implementation by the City of Yakima Transit Division, as of the date of this resolution's enactment by the City of Yakima City Council.

ADOPTED BY THE CITY COUNCIL this 15th day of February, 2022.

ATTEST:



Sonya Clear Tee, City Clerk





Janice Deccio, Mayor



**BUSINESS OF THE CITY COUNCIL
YAKIMA, WASHINGTON
AGENDA STATEMENT**

Item No. 6.E.
For Meeting of: February 15, 2022

ITEM TITLE: Resolution setting Yakima Transit's Disadvantaged Business Enterprise program goals

SUBMITTED BY: Scott Schafer, Public Works Director
Alvie Maxey, Transit Manager - 576-6415
Gregory Story, Transit Assistant Manager - 576-6422

SUMMARY EXPLANATION:

The United States Department of Transportation's (DOT) objectives for the Disadvantaged Business Enterprise (DBE) Program (49 CFR Part 26) is to ensure there is no discrimination in the award and administration of DOT-assisted contracts, create a level playing field, remove barriers to participation in DOT contracts, and promote the use of DBEs in federally-assisted contracts & procurement activities.

The Federal Transit Administration (FTA) requires Yakima Transit to have a DBE program because Yakima Transit spends more than \$250,000 on planning, capital, or operating activities. Because Yakima Transit crosses the federal spending threshold, Yakima Transit is required to set a DBE goal every three years and provide outreach to women and minority owned businesses meeting the minimum qualifications (must be a small business owned by a woman or minority, owner must have a personal net worth of less than \$1.32M). The program requires an in depth accounting of the individual's assets and income, to ensure that the individual is in fact economically disadvantaged.

The DBE goal is based on Yakima Transit's anticipated federal contracting opportunities with available DBEs. Following public outreach efforts, Yakima Transit still does not have any anticipated contracting opportunities during the three-year period with registered DBEs; as a result, Yakima Transit's DBE goal remains at zero. Furthermore, Yakima Transit cannot contract with DBE contractors, unless they are the most qualified bidder.

Enclosed is a City memo from the City Purchasing Manager to the FTA Regional Civil Rights Officer for Region 10 outlining Yakima Transit's DBE Program Outreach and Goal Setting. There are six registered disadvantaged business enterprise (DBE) organizations in the Yakima Region. Yakima Transit's planning projects will not be able to utilize any of the DBEs over the next three years because we do not have any projects specific to the services they offer. As a result, Yakima

Transit's DBE goal remains at zero.

ITEM BUDGETED: NA

STRATEGIC PRIORITY: Public Trust and Accountability

APPROVED FOR SUBMITTAL BY THE CITY MANAGER

RECOMMENDATION:

Adopt Resolution

ATTACHMENTS:

| | Description | Upload Date | Type |
|---|---------------------------------------|--------------------|-----------------|
| ▣ | Resolution Transit DBE Program | 1/28/2022 | Resolution |
| ▣ | DBE Program Goal Setting and Outreach | 12/29/2021 | Backup Material |