

Useful Links

49 CFR Part 26

http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr26_main_02.tpl

49 CFR Part 23

http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr23_main_02.tpl

DOT's DBE program website

<https://www.civilrights.dot.gov/disadvantaged-business-enterprise/dbe-guidance>

FAA dbE-Connect National Certification Directory

<https://faa.dbesystem.com>

County Business Pattern Information

<http://www.census.gov/econ/cbp/index.html>

FAA dbE-Connect System (Reporting)

<https://faa.dbconnect.com/FAA/login.asp>

NAICS Information

<http://www.census.gov/eos/www/naics/>

Airport Business Diversity Conference

<http://amac-org.com/>

DOCR Decisions, Eligibility Standards, Regulations

<https://www.transportation.gov/civil-rights/disadvantaged-business-enterprise/search-dbe-appeals-and-denials>

DBE/ACDBE Team

Visit our Website to contact your
Regional DBE/ACDBE Compliance
Specialist:

http://www.faa.gov/about/office_org/headquarters_offices/acr/bus_ent_program/

Other DOT Small Business Info:

SMALL BUSINESS DEVELOPMENT PROGRAM:

<http://www.sbo.faa.gov/sbo/procurementforecast.cfm>

DOT PROCUREMENT ASSISTANCE DIVISION:

<http://www.transportation.gov/osdbu/procurement-assistance/talk-dot-small-business-specialist>

DOT DEPARTMENTAL OFFICE OF CIVIL RIGHTS:

<https://www.civilrights.dot.gov/>



Federal Aviation
Administration

Office of Civil Rights

DBE and ACDBE Programs

"Achieving Safety Through Diversity"



Michael Freilich
Director, National External
Operations Program

Greetings,

The Disadvantaged Business Enterprise (DBE) program is designed to help ensure that there is a level playing field for socially and economically disadvantaged firms to compete for airport contracting and concession opportunities.

Airport sponsors in the United States that receive FAA grants for airport planning or development, who will award prime contracts the cumulative total value of which exceeds \$250,000 in a fiscal year, must have a DBE program and meet related requirements as a condition of receiving these funds.

The ACDBE Program applies to primary/commercial service airports that receive AIP funding and that have concession revenues of \$200,000 or more for either car rental or non-car rental concessions.

This is an important program for qualified firms that are ready, willing and able to work at an airport. Under the Airport Improvement Program (AIP), the FAA awards over \$3 billion in federal assistance to airport sponsors annually. In a typical year, airports award over \$200 million in contracts to DBEs, and airport concession DBEs earn over \$1 billion in revenues.

To participate, firms must be certified by a state Unified Certification Program (UCP) agency as DBEs, or as Airport Concession DBEs (ACDBEs). Each state UCP ensures that firms meet strict standards to be certified as DBEs or ACDBEs.

DBE goals are not quotas, but simply an estimate, based on relative availability, of what participation would be expected in the absence of discrimination. Airports must make good faith efforts to meet their overall goal, and account for cases in which they fall short of their goals.

The DBE program meets federal constitutional requirements for programs which consider race or gender.

The DBE program provides a vehicle for increasing participation by bona fide small firms, owned and controlled by a socially and economically disadvantaged individual(s), certified to participate as DBEs in DOT federally assisted programs. DOT DBE regulations require state and local transportation agencies that receive DOT financial assistance, to establish goals for the participation of DBEs. Each DOT-assisted State and local transportation agency is required to establish annual DBE goals, and review the scopes of anticipated large prime contracts throughout the year and establish contract-specific DBE subcontracting goals.

In addition to establishing goals, state and local recipients may also certify the eligibility of DBE firms to participate in DOT-assisted projects. Some groups are presumed to be socially and economically disadvantaged for the purposes of participation in this program. In 1987 Congress added women to the groups presumed to be disadvantaged. The main objectives of the DBE Program are:

- To ensure that small disadvantaged business enterprises (DBE) can compete fairly for federally funded transportation-related projects.
- To ensure that only eligible firms participate as DBEs.
- To assist DBE firms in competing outside the DBE Program.

There has been, since 1983, a statutory provision requiring DOT to ensure that at least 10% of the funds authorized for the highway and transit financial assistance programs be expended with DBEs. DOT has established a single DBE goal, encompassing both firms owned by women and minority group members.

To be certified as a DBE, a firm must be a small business owned and controlled by socially and economically disadvantaged individuals. Certifiers

make the determinations based upon on-site visits, personal interviews, reviews of licenses, stock ownership, equipment, bonding capacity, work completed, resume of principal owners and financial capacity.

All offices within the Office of the Secretary (OST) and Operating Administrations (OA) involved in program operation and oversight share important responsibilities in ensuring nondiscrimination in the award and administration of DOT's federally assisted contracts. These responsibilities require systematic coordination to ensure: (1) the DBE program is administered properly, (2) all regulatory provisions are appropriately implemented by DOT recipients, and (3) information about the program and its operation is communicated by the Department in a consistent, unified way to all parties and stakeholders.

These offices include elements from the:

- Office of the Secretary-the Departmental Office of Civil Rights (DOCR)
- Office of the General Counsel (OGC)
- Office of Small Disadvantaged Business Utilization (OSDBU)

as well as from the three OAs distributing financial assistance to DOT recipients:

- Federal Aviation Administration (FAA)
- Federal Highway Administration (FHWA)
- Federal Transit Administration (FTA)

The DOCR acts as the lead office in OST for the DBE program. In this capacity, the DOCR coordinates the Department's oversight of the DBE program.