



**Federal Aviation
Administration**

DBE/ACDBE Best Practices: Hot Topics and Metrics that Matter

Office Of Civil Rights

*ACHIEVING SAFETY
THROUGH DIVERSITY*

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Presentation Overview

- DBE & ACDBE Compliance Reviews Update
- Design-Bid-Build Contracts
- DBE/ACDBE Termination Process
- Goal Achievement Metrics
- Questions and Answers

DBE & ACDBE Compliance Reviews Update

- Monitoring Requirements
- DBE/ACDBE Program Training
- Delivery of the DBE/ACDBE Programs – Agency Support
- ACDBE Targeted Reviews

Design-Bid-Build Contracts

- Conditions of 49 CFR 26.53(b) cannot be met – names of DBEs, description of work, dollar amount of contracts
- As project is designed, anticipated commitments become actual commitment to a DBE
- Pre-Award Documents
- DBE Performance Plan
- Flexibility

DBE/ACDBE Termination Process

- Regulation found in 49 CFR Part 26.53(f)
- Prime MUST notify DBE/ACDBE of intent to terminate and copy airport staff
- Airport MUST allow five days for DBE/ACDBE to respond before approving termination request for good cause only
- Prime MUST receive written consent from airport to terminate & replace with another DBE/ACDBE firm
 - If DBE/ACDBE terminated or replaced without airport consent, Prime is not entitled to payment/credit for work performed by a replacement firm
- Prime MUST document and submit replacement DBE/ACDBE GFEs within “reasonable time” (seven-14 days) after obtaining approval to terminate & replace DBE/ACDBE firm

Goal Achievement Metrics

- DBE Race Neutral Participation
- Running Tally
- Participation Reporting

Questions and Answers

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