

BECO LPA/SUBRECIPIENT NEWSLETTER



Business Engagement and Compliance

LPA/SUBRECIPIENT PROGRAM

PURPOSE

To assist the Local Public Agencies (LPAs) and Subrecipients (SRs) in its compliance with the DBE/EEO/OJT federal requirements.

COMPLIANCE IS OUR DRIVER,

OPPORTUNITY IS OUR DESTINATION!

Disadvantaged Business Enterprise (DBE) Program Overview

The Arizona Department of Transportation (ADOT) is responsible for implementing the Disadvantaged Business Enterprise (DBE) Program pursuant to [49 CFR Part 26](#). It is ADOT's policy to ensure that DBEs, as defined in 49 CFR Part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. Effective DBE Program implementation includes providing oversight and monitoring of the local public agencies (LPAs) and subrecipients' (SRs) DBE activities, which is a function administered by ADOT Business Engagement & Compliance Office (BECO).

What is BECO?

BECO facilitates access and equal opportunity for DBEs to participate in federal-aid transportation projects and helps promote a diverse contracting workforce while fulfilling its federal obligations and requirements. BECO works with ADOT staff and LPA/Subrecipients to:



Provide DBE recruitment and certification, supportive services, on-the-job (OJT) training programs;



Promote the development of disadvantaged and small businesses;



Ensure compliance with DBE, EEO, and OJT federal regulations; and,



Provide compliance monitoring and oversight and cultivate partnerships with businesses and stakeholders.

BUSINESS ENGAGEMENT & COMPLIANCE OFFICE

1135 N. 22nd Avenue, Mail Drop 154A
Phoenix, AZ 85009

Office (602) 712-7761 • Fax (602) 712-8429

<http://www.azdot.gov/business/business-engagement-and-compliance>

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ABCs of DBE Program Compliance

- ➔ All FHWA-funded projects must be submitted to BECO to be assessed for a DBE goal.
- ➔ All LPAs/Subrecipients must submit DBE Goal Worksheet to BECO. BECO determines from the submitted DBE goal worksheet if a contract is race-conscious or race-neutral
- ➔ Race-Conscious vs. Race Neutral contracts

Race-Conscious (RC)

- Contracts that have DBE goals and DBE availability
DBE goal is assessed by completing the [DBE Goal Setting Worksheet](#) and emailing to adotgoals@dbesystem.com. For applicable DBE Goal Setting Worksheets, contract language, affidavits and assurances, visit <http://www.azdot.gov/business/business-engagement-and-compliance/disadvantaged-business-enterprise-program/contract-compliance>.
- DBE Goal must be included in the project solicitations.

Race-Neutral (RN)

- Contracts that have no DBE goals or DBE availability
- Bidder/Offeror has voluntarily chosen to use DBEs on contract
- Prime consultant/contractor is a DBE

ADOT DBE Participation Goals

FHWA	7.76 %*	(RC: 5.08%; RN: 2.68%)
FTA	3.82 %	RN
FAA	3.30 %	RN

* Next triennial DBE goal will be determined in September 2014.

Subrecipient Compliance

The DBE Program requirements apply to all recipients and subrecipients of federal highway (FHWA), transit (FTA), and airport (FAA) funds to ensure nondiscrimination in the award and administration of USDOT-assisted transportation contracting.

The DBE Program requirements pursuant to [49 CFR Part 26](#), apply to *all* programs funded in whole or in part with federal funds made available by ADOT.

The local municipalities or agencies must either adopt BECO's DBE Plan ([ADOT FHWA DBE Program Plan](#)) or develop an equivalent plan. If an equivalent plan is developed, the DBE Plan must be approved by BECO and Federal Highway Administration. Subrecipients must ensure the DBE program's compliance of its subrecipients, contractors, and subcontractors.

POINTS OF CONTACT:

LPA/Subrecipient
DBE Certification/Renewals
DBE Goal
Federal Reports

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Click here for full [BECO Staff Directory](#).

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FREQUENTLY ASKED QUESTIONS

If I need help filling out the *DBE Goal Setting Worksheet* or other forms, who can I contact?

Call the BECO at (602) 712-7761 or email ContractorCompliance@azdot.gov.

When can I expect my DBE goal assessment?

Expect the DBE Goal assessment within 10 business days from submittal date to adotgoals@dbesystem.com. If not, contact the BECO at (602) 712-7761 or email at ContractorCompliance@azdot.gov.

A firm cannot meet the DBE goal in the proposal or bid. What should it do?

Contact BECO immediately for guidance. BECO requires good faith efforts (GFEs) from prime consultant/contractor when the established DBE goals for a contract cannot be met. The GFE must provide sufficient documentation that the prime consultant/contractor performed its due diligence by taking all necessary and reasonable steps to secure DBE participation. Examples of GFEs include but are not limited to, personal contacts, follow-ups, earnest negotiations with the DBEs, etc.

What is the difference between contract goal vs. commitment?

Goal is the value of DBE work stated as a percentage of total contract value.

Commitment is the Consultant's/Bidder's listing of DBE firms that will participate on the contract and the amount of each firms' participation.

Communication and Outreach

Site visits (Meet-and-Greet), just-in-time project training, workshops and the monthly newsletter are just a few of BECO's effort to assist you in the implementation of your projects and meeting your federal-aid requirements.

Remember . . . we are just an email or a phone call away and we would love to hear from you.

LPAs and Subrecipients are invited to attend the:

2013 ADOT DBE Central Arizona Conference

Thursday, September 19, 2013
Desert Willow Conference Center
4340 East Cotton Center Blvd.
Phoenix, AZ 85040

Registration, sponsor, and exhibitor information is available at <http://centralarizonaconference.eventbrite.com/>

Register today!



Relevant sessions pertinent to LPAs/Subrecipients include:

- DBE Goal Setting
- On-Calls and GFEs
- CUF Review
- LPAs/SR Compliance

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