



**TREASURE
VALLEY TRANSIT**

**DISADVANTAGED BUSINESS
ENTERPRISE
AND
SMALL BUSINESS PROGRAMS**

FY 2022 – FY 2024


Terri Lindenberg, Executive Director

10-1-2021
Date

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Disadvantage Business Enterprise (DBE) and Small Business (SB) Programs

Treasure Valley Transit Inc. (hereafter referred to as TVT) has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (FTA), 49 CFR Part 26, and SAFETY-LU, and a Small Business (SB) program.

DBEs are for-profit small business concerns where socially and economically disadvantaged individuals own at least a 51% interest and also control management and daily business operations. Small businesses are certified as a Small Business by either number of employees or by revenue standards as established by the appropriate NAICS Code for their industry/business.

African Americans, Hispanics, Native Americans, Asian-Pacific and Subcontinent Asian Americans, and women are presumed to be socially and economically disadvantaged. Other individuals/firms can also qualify as socially and economically disadvantaged on a case-by-case basis.

It is the policy of TVT to ensure that DBEs are defined in 49 CFR Part 26, Small Businesses, have an equal opportunity to receive and participate in all FTA funded contracts. TVT's policy will:

1. Ensure nondiscrimination in the award and administration of all FTA funded contracts or other government contracts;
2. Ensure that "Non-discrimination" encompasses non-discrimination on the basis of race, color, national origin, or gender.
3. Ensure that the DBE and SB Program is narrowly tailored in accordance with applicable law;
4. Contract with the State of Idaho Transportation Department to manage TVT's DBE certification program.
5. Remove barriers to contract participation by DBE and SB firms where possible.
6. Require Offeror's document a Good Faith effort in supporting TVT's DBE goals.

Debbie Maxwell has been delegated as the DBE Liaison Officer and is responsible for implementing the DBE program. The DBE and SB programs have the same compliance priority as other legal obligations incurred by TVT in its federal and state grant agreements.

TerriLindenberg has disseminated this policy statement to TVT's Board of Directors and employees, published this policy on its web site and in its administrative lobby, and submitted it for publication in the Idaho Transportation Department's Disadvantaged Business Enterprise Directory.

Terri Lindenberg, Executive Director

Date of Signature

GENERAL REQUIREMENTS

Cross Reference

This document is referenced in the “TVT Procurement Policies and Procedures Manual” dated August 16, 2016. Any up-date or changes made to this manual must be reflected in TVT’s Procurement Policies and Procurement Manual.” Any up-dates or changes made to the Procurement Policies and Procedures Manual must be reflected in this manual.

Objectives

The objectives are found in the policy statement on the first page of this program.

Definitions

DBEs are for-profit small business concerns where socially and economically disadvantaged individuals own at least a 51% interest and also control management and daily business operations.

African Americans, Hispanics, Native Americans, Asian-Pacific and Subcontinent Asian Americans, and women are presumed to be socially and economically disadvantaged. Other individuals can also qualify as socially and economically disadvantaged on a case-by-case basis.

Non-discrimination Requirements

TVT will never exclude any person or firm from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR Part 26. This includes: African Americans, Hispanics, Native Americans, Asian-Pacific and Subcontinent Asian Americans, and women are presumed to be socially and economically disadvantaged. Other individuals can also qualify as socially and economically disadvantaged on a case-by-case basis.

In administering its DBE program, TVT will not, directly or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives of the DBE program with respect to African Americans, Hispanics, Native Americans, Asian-Pacific and Subcontinent Asian Americans, and women are presumed to be socially and economically disadvantaged. Other individuals can also qualify as socially and economically disadvantaged on a case-by-case basis.

Record Keeping Requirements

Reporting

TVT will report DBE participation to as follows:

TVT will report DBE participation using the Unified Report of DBE Awards or Commitments and Payment” (Semi-Annual Report). This report is due by June 1 and December 1 for each Federal fiscal year DBE Goals are set.

Record Keeping

In accordance with FTA regulations, TVT maintains its records for three years. In accordance with FTA mandatory contract clauses, contractors must maintain their records for three years and allow their records to be inspected by FTA employees, representatives or agents.

Procurement Procedures

TVT has contracted with the State of Idaho Transportation Department (ITD) to manage TVT.’s DBE Certification Program. TVT receives an electronic, updated DBE Directory monthly from the Idaho Transportation Department, EEO Office, DBE Supportive Services, Boise, Idaho. The DBE Directory includes name and address of the company, contact information, applicable NAICS codes, and public works numbers.

After receiving notice that any vendor is interested in bidding on the published procurement, TVT adds the vendor to the Bidder’s List. TVT also reviews the DBE Directory for local DBE firms for smaller purchases and will contact three or more vendors to confirm they wish to receive a copy of the solicitation documents.

TVT will make every effort to “unbundle” large contracts where possible so DBE and SB firms may have an opportunity to bid pieces of the project. Most of TVT’s procurements are small in nature (with the exception of bus purchases), so the State of Idaho’s DBE list is reviewed when developing a scope-of-work and preparing bid lists.

TVT provides the DBE Supportive Services office with Request for Bids/Proposal procurement information for their immediate distribution to potential DBE bidders. TVT posts its procurement solicitation documents on its web site, www.treasurevalleytransit.com for immediate accessibility by the general public and any interested vendor. The web site address is included in the description of the procurement information provided to the DBE Supportive Service Officer.

In addition, TVT will require prime contractors to submit documentation concerning their Good Faith efforts to comply with TVT’s DBE contracting goal. Contract clauses in all applicable Requests for Proposals or Requests for Bids will require prime contract bidders to report the names/addresses, and other helpful information, of all firms who quote to them on subcontracts.

Definition: DBE/SBLO – Disadvantaged Business Enterprise/Small Business Liaison Officer. See TVT’s Disadvantaged Business Enterprise and Small Business Program manual.

Certification: The Contracting Officer shall verify bidder/offeree's certification as a DBE by reviewing the Idaho Department of Transportation's DBE web site of current certified DBE businesses.

The Contracting Officer should consider whether the commitment of the lowest offeror in meeting TVT's contracting goals in relationship to the commitment percentages documented in other offeror's bid documents. For example when the apparent successful bidder/offeree fails to meet the contract goal, but others meet or exceed the goal, the Contracting Officer may reasonably raise the question of whether, with additional reasonable efforts, the apparent successful bidder/offeree could have met the goal.

If the apparent successful bidder fails to meet the goal, but meets or exceeds the average DBE participation obtained by other bidders, the Contracting Officer may view this, in conjunction with other factors, as evidence of the apparent successful bidder having made a good faith effort and can classify the apparent successful bidder as being responsive. However, if the apparent successful bidder/offeree is not able to justify a Good Faith effort in meeting TVT's DBE goals, then the Contracting officer may deem the apparent successful bidder/offeree as non-responsive and go to the next highest apparent successful bidder for analysis.

During the above analysis, the Contracting Officer should involve the DBE Liaison Officer to assist in the review and determination of the final, successful bidder/offeree. Please see additional procurement procedures concerning a contractor's Good Faith Efforts under the section below titled **GOALS, GOOD FAITH EFFORTS, AND COUNTING.**

After award, the Contracting Officer shall complete the "FYXX Procurement Log" providing the contract award number, the date of award, the name of the successful firm, a synopsis of the scope-of-work, and the dollar value of the award. The "FYXX Procurement Log" may be used by the DBE/SBLO when completing any DBE or SB reporting requirement.

Federal Financial Assistance Agreement

TVT has signed the following assurances, applicable to all FTA-assisted contracts and their administration:

Assurance

TVT shall not discriminate on the basis of categories set by 49 CFR Part 26 which includes: African Americans, Hispanics, Native Americans, Asian-Pacific and Subcontinent Asian Americans, and women are presumed to be socially and economically disadvantaged. Other individuals can also qualify as socially and economically disadvantaged on a case-by-case basis, in the award and performance of any FTA assisted contract or in the administration of its DBE Program. TVT shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of FTA assisted contracts. TVT's DBE Program, as required by 49 CFR Part 26 and as approved by FTA, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to TVT of its failure to carry out its approved program, the Department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement

under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 *et seq.*).

This language will appear in appropriate financial assistance agreements with sub-grantees and contractors as is stated in 26.13(a).

Contract Assurance

TVT will ensure that the following clause is placed in every applicable FTA-assisted contract and subcontract:

The contractor, sub-recipient, or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of FTA assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the TVT deems appropriate.

ADMINISTRATIVE REQUIREMENTS

DBE Program Updates

TVT receives Federal Transit Administration (FTA) planning, capital and/or operating assistance, and may award contracts (excluding transit vehicle(s) purchased) exceeding \$250,000 in FTA funds in Federal Fiscal Years 2022 to 2024. TVT will continue to carry out this DBE program until all funds from FTA financial assistance have been expended. TVT will provide to FTA updates representing significant changes in the program.

Policy Statement

The Policy Statement is elaborated on the first page of this program. Circulation of this policy will be submitted for inclusion in the State of Idaho's EEO Office, DBE Supportive Service's "DBE News" letter and shall be posted on TVT's web site.

DBE & SB Liaison Officer (DBE/SBLO)

TVT has designated the following individual as its DBE/SB Liaison Officer:

Debbie Maxwell
1136 W. Finch Drive
Nampa, ID 83651
Phone: 208-463-9111, fax 208-465-1803.
E-mail: debbie@treasurevalleytransit.com

The DBE/SBLO is responsible for implementing all aspects of the DBE/SB program and ensuring that TVT complies with all provision of 49 CFR Part 26. The DBE/SBLO has direct, independent access to the Executive Director of TVT concerning DBE program and SB program matters. An organization chart displaying the DBE/SBLO's position in the organization is found in Attachment 1 to this program. The DBE/SBLO, while maintaining oversight responsibilities, may delegate some or all of the DBE/SBLO tasks to other TVT staff members.

The DBE/SBLO is responsible for developing, implementing and monitoring the DBE program, in coordination with other appropriate officials. The DBE/SBLO does not have any staff to assist with the administration of this program. The duties and responsibilities include the following:

1. Gathers and reports statistical data and other information as required by FTA.
2. Reviews third party contracts and purchase requisitions for compliance with this program.
3. Works with all departments to set overall annual goals.
4. Ensures that bid notices and requests for proposals are available to DBEs and SB firms in a timely manner.
5. Identifies contracts and procurements so that DBE goals are included in solicitations (both race-neutral methods and contract specific goals attainment and works with other TVT staff in identifying ways to improve progress.)
6. Analyzes TVT's progress toward attainment
7. Advises the Executive Director and/ Board of Directions on DBE or SB matters and achievements.
8. Chairs the DBE Advisory Committee if one is established.
9. Participates in procurement pre-bid meetings.
10. Post DBE and SB training opportunities and/or internet links to training organizations on the TVT web site

DBE Financial Institutions

It is the policy of TVT to investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community, to make reasonable efforts to use these institutions, and to encourage prime contractors on FTA-assisted contract to make use of these institutions.

To date, TVT has identified the following situation: There are no DBE financial institutions in the State of Idaho. Information on the availability of such institutions in the State of Idaho can be obtained through the State of Idaho's website.

Prompt Payment Clause

TVT will include the following clause in each applicable FTA-assisted prime contract:

The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than 30 calendar days from the receipt of each payment the prime contract receives from TVT. The prime contractor agrees further to return retainage payments to each subcontractor within 30 calendar days after the subcontractors work is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following TVT's written approval. This clause applies to both DBE and non-DBE subcontracts.

DBE Directory

TVT participates in the State of Idaho's Unified Certification Program. A current directory of all certified DBE firms may be obtained by contacting

Idaho Transportation Department
EEO Office, DBE Supportive Services
P. O. Box 7129
Boise, ID 83707-1129
(208) 334-4442 or (800) 634-7790
Fax: (208) 332-7812
[www:itd.idaho.gov/civil](http://www.itd.idaho.gov/civil)

Overconcentration

TVT has not identified any over concentration of certified DBE companies in the types of services and work performed by TVT.

Monitoring and Enforcement Mechanisms

TVT will take the following monitoring and enforcement mechanisms to ensure compliance with 49 CFR Part 26.

1. TVT will bring to the attention of the State of Idaho's DBE program any false, fraudulent, or dishonest conduct in connection with the program, so that FTA can take the steps (e.g., referral to the Department of Justice for criminal prosecution, referral to the FTA Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided in 26.109.
2. TVT will consider similar action under our own legal authorities, including responsibility determinations in future contracts. Attachment 3- Monitoring and Enforcement Mechanisms - lists the regulation, provisions, and contract remedies available to TVT in the events of non-compliance with the DBE regulation by a participant in our procurement activities.
3. TVT will also provide a monitoring and enforcement mechanism to verify that work committed to DBEs at contract award is actually performed by the DBEs. This will be accomplished by:

- A. Requiring contractors to submit DBE data using the Forms in Attachment 5 (TVT participates in the Idaho Unified Certification Program and does not provide DBE firms certification forms. TVT refers firms to the DBE Supportive Services Office.)
 - B. Having a staff member and/or a member of the Board of Director's survey the workers to make sure they are working for the listed DBE.
4. TVT will keep a running tally of actual payments to DBE firms for work committed to them at the time of contract award. The running tally shall include a quarterly comparison to the actual goal to monitor attainment to commitments.

GOALS, GOOD FAITH EFFORTS, AND COUNTING

Set-asides or Quotas

TVT will not use quotas in any way in the administration of this DBE program.

Overall Goals

A description of the methodology to calculate the overall goal and the goal calculations can be found in Attachment 4: Overall Goal Calculation, to this program. This section of the program will be updated bi-annually.

Methodology used to Calculate Overall Goal – See Attachment 4 for more detailed information.

Step 1: Determine the base figure for the relative availability of DBEs.

Step 2: Determine an adjusted figure for the relative availability of DBEs.

New Procurements for FY 2022-2024:

- a. McCall Transit Center Property
- b. (5) Medium Duty ADA Cutaway Bus
- c. (3) ADA Conversion Vans
- d. Fleet Maintenance
- e. Accounting Oversight
- f. Fuel Card Management Services

Continuing Project Goal Computations: Based on prior experience, and given there are no identified DBE firms/individuals for any of the following procurements, TVT is submitting an FY 2015 DBE goal of 0.05%. This goal incorporates the additional procurements as described above.

DBE'S FOR IDENTIFIED PROCUREMENTS

| Procurement | # Cert. DBE | DBE + Non-DBE |
|-------------|-------------|---------------|
| | | |
| | | |
| | | |
| | | |

Bidders Lists:

As noted in Attachment 3, TVT uses the Disadvantaged Business Enterprise (DBE) Directory to determine available and certified DBE firms.

Geographic Area:

The major concentration of population in TVT's ten county service area is located Southwest Idaho. There is a corridor along U.S. Highway 55 with additional communities such as McCall and Cascade. Southwest Idaho's population is still classed as mostly rural except the Boise urbanized area.

Given the sparse nature of the geographic area and using Nampa as the center of a circle, TVT used a 150 mile radius when calculating both DBE and non-DBE firms, which might be considered both ready and willing contractors. Information is generally obtained through internet research, using yellow pages, and local telephone books.

Methodology for Determining Adjusted Goal

1. Numerator: The eligible DBE firms listed above are identified as certified DBE firms in the State of Idaho DBE Directory and are located within a 150 mile radius of Nampa.
2. Denominator: The Non-DBE number represent the number of firms obtained from the Sources of Information Contacts as listed above. The DBE firms were then added to the Non-DBE firms for the total number used as the denominator.
3. By dividing the numerator by the denominator, TVT will obtain a DBE goal for each of the identified classifications.
4. Based on a conversation with the Idaho Department of Transportation, DBE Program, TVT learned there were no identified DBE firms in any of the above identified procurement categories in the State of Idaho.

Transit Vehicle Manufacturers Goals

Whether TVT develops its own vehicle procurement Request for Bid or piggybacks on another FTA government contract, it will require each transit vehicle manufacturer or distributor, as a condition of being authorized to bid or propose on FTA-assisted transit vehicle procurements, to provide documentation that the Manufacturer has an FTA approved DBE plan. Alternatively, TVT may, at its discretion and with FTA approval, establish project-specific goals for DBE participation in the procurement of transit vehicles in lieu of the TVM complying with this element of the program.

Breakout of Estimated Race-Neutral & Race-Conscious Participation

Efforts to reach the determined DBE goal shall be based on Race Neutral participation only. Breakouts of Estimated Race-Neutral & Race-Conscious Participation are not appropriate for the State of Idaho.

Contract Goals

TVT will use only race neutral contracting procedures to reach its DBE goal.

Good Faith Efforts Procedures

Demonstration of good faith efforts

The obligation of the bidder/offeror who is subcontracting some portion of the scope-of-work, is to make good faith efforts in obtaining certified DBE firms to act as subcontractors to the prime contractor. The bidder/offeror can demonstrate good faith efforts by

- documenting their request to the Idaho Department of Transportation's DBE Unified Certification Program advertise TVT's solicitation documents to all certified DBE firms, and
- requesting any interested DBE firm contact the bidder/offeror for additional information on subcontracting opportunities, and
- documenting contacting any interested DBE or SB firm that has contacted the bidder/offeror for further contracting information, and
- document posting a request for DBE and Small Business firms contact the bidder/offeror for information on subcontracting opportunities, and
- Where appropriate on service or construction contracts, to provide a legal notice in the local newspaper advertising for DBE and Small Business subcontractors

The following personnel are responsible for determining whether a bidder/offeror who has not met the contract goal, has documented sufficient good faith efforts to be regarded as either **responsive or responsible**: Terri Lindenberg, Executive Director.

TVT will ensure that all information is complete and accurate and adequately documents the bidder/offer's good faith efforts before TVT commit to the performance of the contract by the bidder/offeror.

Notice of Award to the next apparent successful bidder/offer shall not be made until after the five (5) day request for administrative reconsideration period has passed.

Information to be submitted

TVT treats applicable bidder/offers' compliance with good faith efforts' requirements as a matter of responsiveness.

Each solicitation for which a contract goal has been established will require the bidders/offers to submit the following information:

1. The names and addresses of DBE firms that will participate in the contract;
2. A description of the work that each DBE will perform;
3. The dollar amount of the participation of each DBE firm participating;
4. Written and signed documentation of commitment to use a DBE subcontractor whose participation it submits to meet a contract goal;
5. Written and signed confirmation from the DBE that it is participating in the contract as provided in the prime contractors commitment and
6. If the contract goal is not met, evidence of good faith efforts.

Administrative reconsideration

Within five (5) business days of being informed by TVT that it is not responsive because it has not documented sufficient good faith efforts, a bidder/offeror may request administrative reconsideration. The five business day period shall start on the forth business day after the notice to the bidder/offeror was post marked. Bidder/offeror shall make this request in writing to the following reconsideration official: Ms. Susie Hicks Chairman of TVT Board of Directors, (208) 794-0451, e-mail: susiehicks55@outlook.com. The reconsideration official will not have played any role in the original determination that the bidder/offeror did not document sufficient good faith efforts. If Ms. Hicks should no longer be the reconsideration Official then the then current reconsideration official will be identified along with contact information, in the notification letter to the bidder/offeror.

As part of this reconsideration, the bidder/offeror will have the opportunity to provide written documentation or argument concerning the issue of whether it met the goal or made adequate good faith efforts to do so. The bidder/offeror will have the opportunity to meet in person with our reconsideration official to discuss the issue of whether it met the goal or made adequate good faith efforts to do. TVT will send the bidder/offeror a written decision on reconsideration, explaining the basis for finding that the bidder did or did not meet the goal or make adequate good faith efforts to do so. The result of the reconsideration process is not administratively appealable to the Department of Transportation.

Good Faith Efforts when a DBE is replaced on a contract

TVT will require a contractor to make good faith efforts to replace a DBE that is terminated or has otherwise failed to complete its work on a contract with another certified DBE, to the extent needed to meet the contract goal. TVT will require the prime contractor to notify the DBE Liaison officer immediately of the DBE's inability or unwillingness to perform and provide reasonable documentation.

In this situation, TVT will require the prime contractor to obtain TVT's prior approval of the substitute DBE and to provide copies of new or amended subcontracts, or documentation of good faith efforts.

If the contractor fails or refuses to comply in the time specified, our contracting office will issue an order stopping all or part of payment/work until satisfactory action has been taken. If the contractor still fails to comply, the contracting officer may issue a termination for default proceeding.

Sample Bid Terms and Conditions:

The requirements of 49 CFR Part 26, Regulations of the U.S. Department of Transportation, apply to this contract. It is the policy of TVT to practice nondiscrimination based on race, color, sex, or national origin in the award or performance of this contract. All firms qualifying under this solicitation are encouraged to submit bids/proposals. Award of this contract will be conditioned upon satisfying the requirements of this bid specification. These requirements apply to all bidders/offerors, including those who qualify as a DBE. A DBE contract goal of .05% percent has been established for this contract. The bidder/offeror shall make good faith efforts, as defined in Appendix A, 49 CFR Part 26 to meet the contract goal for DBE participation in the performance of this contract.

The bidder/offeror will be required to submit the following information: (1) the names and addresses of DBE firms that will participate in the contract; (2) a description of the work that each DBE firm will perform; (3) the dollar amount of the participation of each DBE firm participating; (4) Written documentation of the bidder/offeror's commitment to use a DBE subcontractor whose participation it submits to meet the contract goal; (5) Written confirmation from the DBE that it is participating in the contract as provided in the commitment made under (4); and (5) if the contract goal is not met, evidence of good faith efforts.

Counting DBE Participation

TVT. will count DBE participation toward overall and contract goals as provided in 49 CFR 26.55. TVT's DBE goal for FY 2022-2024 is .05%.

CERTIFICATION PROCEDURES

Unified Certification Programs

The Unified Certification Program (UCP) is administered by the Idaho Transportation Department, EEO Office, DBE Supportive Services. The UPC meets all requirements of this section. Please see Attachment 4 for a copy of the State of Idaho UPC Agreement.

Procedures for removing DBE's firms are administered by the Idaho Transportation Department, EEO Office, DBE Supportive Services.

Removal of DBE Firms

Removal of DBE Certification from ineligible DBE firms is the responsibility of the Idaho Transportation Department, EEO Office, DBE Supportive Services, P. O. Box 7129, Boise, ID 83707-1129 under the UCP. TVT is a participant in the Idaho Unified Certification Program.

Monitoring and Enforcement Mechanisms

TVT has several remedies and mechanisms available to enforce the DBE requirements contained in its contracts, including, but not limited to, the following:

1. Suspension or debarment proceedings pursuant to 49 CFR part 26
2. Enforcement action pursuant to 49 CFR part 31
3. Prosecution pursuant to 18 USC 1001.

COMPLIANCE AND ENFORCEMENT

Information, Confidentiality, Cooperation

TVT will safeguard from disclosure to third parties information that may reasonably be regarded as confidential business information, consistent with Federal, state, and local law.

As a public non-profit agency as defined by Idaho Code Title 40, Chapter 21, and as a Federal Transit Administration sub-grantee, TVT is governed by both federal and the State of Idaho laws and regulations.

Notwithstanding any contrary provisions of state or local law, TVT will not release personal financial information submitted in response to the personal net worth requirement to a third party (other than FTA) without the written consent of the party whose net worth information is being requested.

Monitoring Payments to DBEs

TVT will require prime contractors to maintain records and documents of payments to DBEs for three years following the performance of the contract. The records will be available for inspection upon request by any authorized representative of TVT or FTA. This reporting requirement also extends to any certified DBE subcontractor.

TVT will perform interim audits of contract payments to DBEs. The audit will review payments to DBE subcontractors to ensure that the actual amount paid to DBE subcontractors equals or exceeds the dollar amounts states in the schedule of DBE participation.

Attachments

The following is a list of all attachments to this document.

| | |
|--------------|---|
| Attachment 1 | Organizational Chart |
| Attachment 2 | DBE Directory for Building and Construction Related Firms |
| Attachment 3 | Overall Goal Calculation |
| Attachment 4 | DBE/SB Certification Form |

Small Business Development Program

TVT shall review service or construction contracts for breaking out the larger prime contract into one or more smaller prime contracts to ensure prime contracting opportunities for Small Businesses.

TVT's Small Business Development program consists of the following activities:

1. TVT will list all procurements on it's web site – www.treasurevalleytransit.com
2. TVT will post procurements in the local newspaper in accordance with federal and state of Idaho procurement regulations.
3. TVT will request the ITD DBE Unified Program Office, Idaho Department of Transportation, Idaho Transportation Department, PO Box 7129, Boise, ID 83707-1129, submit TVT's procurement solicitations to all of the Department's certified DBE vendors and Small Businesses.
4. TVT shall require prime contractor's to identify all Small Business subcontractors (if any, the scope of work to be performed by the subcontractor, and the dollar value of the subcontract. TVT. shall also require the Subcontract verify its participation in the contract and that the subcontractor is a small business. The SB subcontractor must self-certify to being a small business by completing the DBE/SB Certification form included in the solicitation package.
5. TVT shall include all appropriate mandatory FTA procurement clauses and provide a self-certification form in each of its procurement solicitation packages.
6. TVT shall post on its web site notification of Small Business Training Opportunities provided by ITD or by other sources. Where possible, this will include a link to the organization providing the training.

Verification of Small Business self-certification shall be accomplished by the Procurement Officer contacting the DBE Program Coordinator (see above) as state contractors must provide documentation showing a three year gross revenue average. For those companies not showing

on the State's vendor list, TVT will accept the self-certification unless it has reasons to question the information provided by the bidder/offeror. Then the Contracting Officer can contact the local office of government contracting as follows:

Office of Government Contracting
San Francisco Area Office
U. S. Small Business Administration
455 Market Street 6th Floor
San Francisco, CA 94105
Tel: (415) 744-8429

A copy of the "Contractor's Disadvantaged Business Enterprise (DBE) AND Small Business (SB) Size Certification Form" is attached as Attachment 6

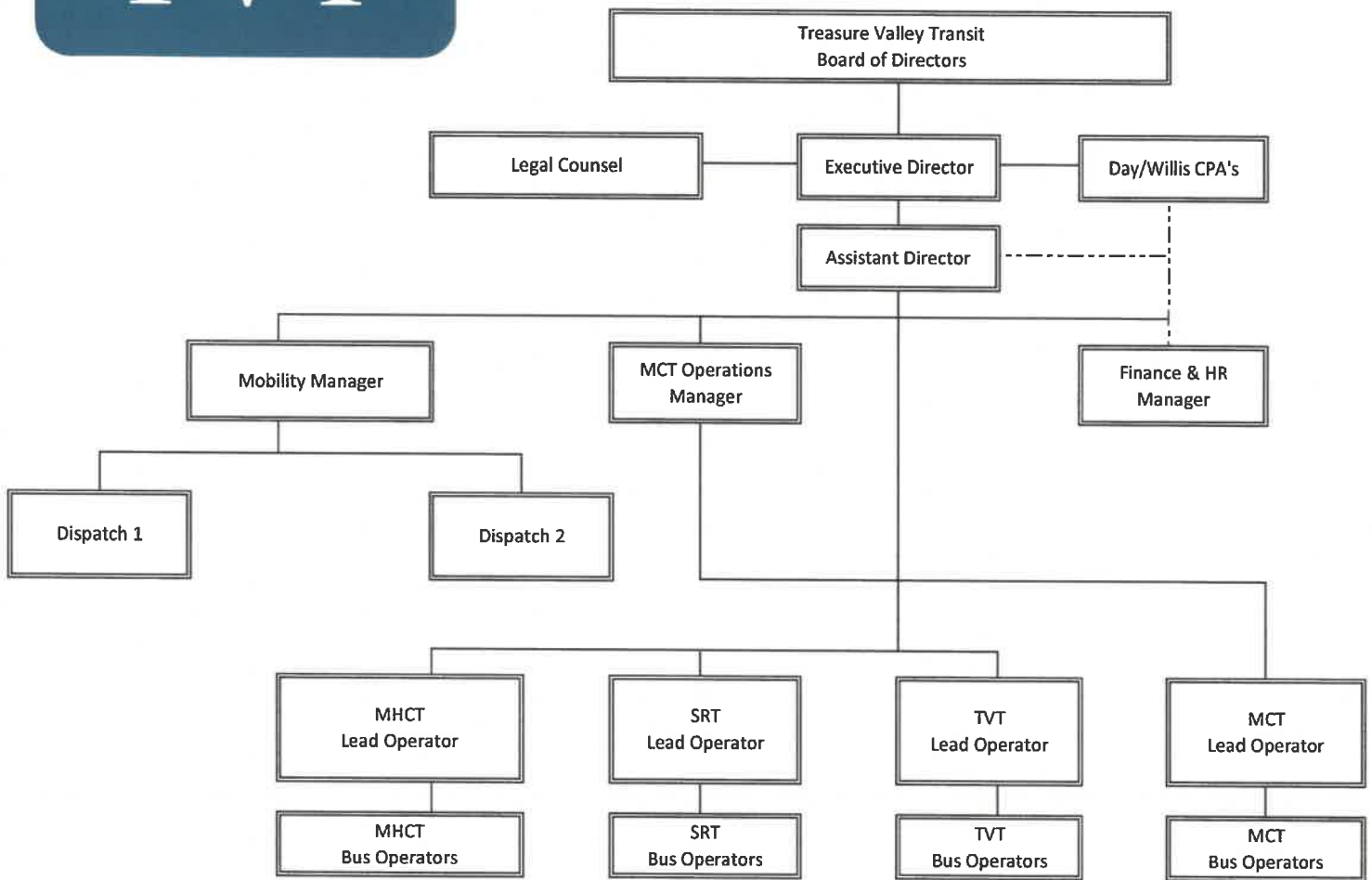
ATTACHMENT 1

TVT's Organizational Chart



TREASURE VALLEY TRANSIT

Organizational Chart



Date: April 12, 2022

ATTACHMENT 2

**DBE Directory for Building and Construction Related Firms
as Listed by the State of Idaho Unified Certification Program Office**

A complete and current DBE Directory may be found at www.itd.idaho.gov/civil.

ATTACHMENT 3

Overall Goal Calculation

Amount of Goal

TVT's overall goal for the following time period FY 2022 – 2024 is the following: .05 % of the Federal financial assistance TVT will expend in FTA-assisted contracts exclusive of FTA funds to be used for the purchase of transit vehicles.

Methodology used to Calculate Overall Goal

Step 1: Determine the base figure for the relative availability of DBEs.

Step 2: Determine an adjusted figure for the relative availability of DBEs.

History: Historically, TVT has not met the threshold requirements for a DBE program.

Continuing Project Goal Computations: TVT sends the legal notice for the procurements to the State of Idaho Transportation's DBE Supportive Service office. The DBE Supportive Service Office then sends the legal notice out to all DBE's via email with a copy to TVT for TVT's files. The following categories were listed within the 150 miles radius. However, TVT is hopeful DBE firms will be identified prior to the bidding process and/or there will be additional, and as yet unidentified, procurements which will provide the opportunity for DBE participation.

DBE'S FOR IDENTIFIED PROCUREMENTS

| Procurement | # Cert. DBE | DBE + Non- DBE | Cost |
|--------------------|------------------------|---------------------------|-------------|
| | | | |
| | | | |
| | | | |
| | | | |
| Total | | | |
| | | | |

Bidders Lists:

As noted in Attachment 3, TVT has used the Disadvantaged Business Enterprise (DBE) Directory to determine available and certified DBE firms.

Geographic Area:

The major concentration of population in TVT's ten county service area is located Southwest Idaho. There is a corridor along U.S. Highway 55 with additional communities such as McCall and Cascade. Southwest Idaho's population is still classed as mostly rural except the Boise urbanized area.

Given the sparse nature of the geographic area and using Nampa as the center of a circle, TVT used a 150 mile radius when calculating both DBE and non-DBE firms, which might be considered both ready and willing contractors. Information is generally obtained through internet research, using yellow pages, and local telephone books.

TVT also publishes contracting opportunities in the Idaho Transportation Department's "Disadvantaged Business Enterprise (DBE) Directory" which is available to any one requesting a copy. Information is also available on its website – www.itd.idaho.gov/civil. TVT also publishes in the local newspaper and TVT's website www.treasurevalleytransit.com

Sources of Information

1. Do you have any information concerning DBE firms and/or Non-DBE firms who are willing and able to perform construction work/landscaping/paving in McCall, Idaho?
Contacts:

1. Telephone books and Internet Research
2. McCall Chamber of Commerce
3. Idaho Transportation Department, EEO Office, DBE Supportive Services

NAICS Codes

NAICS Code Support – 1-888-756-2427

| NAICS CODES | CLASSIFICATION | # Certified DBE | #NON-DBE | DBE GOAL |
|-------------|----------------|-----------------|----------|----------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Methodology for Determining Adjusted Goal

1. Numerator: The eligible DBE firms listed above are identified as certified DBE firms in the State of Idaho DBE Directory and are located within a 150 mile radius of Nampa.
2. Denominator. The Non-DBE number represent the number of firms obtained from the Sources of Information Contacts as listed above. The DBE firms were then added to the Non-DBE firms for the total number used as the denominator.
3. By dividing the numerator by the denominator, TVT will obtain a DBE goal for each of the identified classifications.
4. Idaho has a total of 220 DBE firms. One reason for the difference between the ITD goal of 10% and TVT's goal is the large number of DBE firms working in highway related construction and in consulting services. Many of these firms are located in the Boise area.

Public Participation

TVT publishes its goal information:

1. On www.treasurevalleytransit.com
2. With the ITD DBE Unified Certification Program Office

ATTACHMENT 4

Disadvantaged Business Enterprise (DBE) AND Small Business (SB) Size Certification Form.

TO BE SUBMITTED WITH PROCURMENT BID DOCUMENT

DISADVANTAGED BUSINESS ENTERPRISE (DBE) SECTION

TVT's DBE goal is ____%.

- 1) Written documentation of the bidder's/offeror's commitment to use a DBE subcontractor whose participation will contribute towards TVT's meetings its DBE goal of ____%.
- 2) The undersigned bidder/offeror will satisfy the requirements of the bid specification by subcontracting a total of ____% of the prime contract to DBE firms.
- 3) I hereby attest by my signature below that _____ made a good faith effort to subcontract to DBE firms but was unable to include a DBE as a subcontractor or _____ DBE certification is not required as _____ is not a DBE firm and will not be subcontracting to any other firm.

*Examples of Good Faith Effort are included in the FTA Mandatory Clause Small Business.

Required information for both DBE firms and/or Small Business (SB) Firms. A firm can be both a DBE and a SB.

- 1) The bidder/offer must identify by company name and contact, the scope-of-work, and the total price of each DBE/SB contract on a separate paper or document for each subcontractor.
- 2) Bidder/offeror must provide written confirmation from the DBE/SB firm that the DBE/SB firm is participating in the contract as provided in the prime contractor's (bidder/offeror) commitment as described above and must include proof from the Idaho Department of Transportation's DBE Unified Certification Program that the subcontracting firm is a certified DBE. See below for SB self-certification.

SMALL BUSINESS (SB) SECTION

Bidder/Offeror or SB Subcontractor must fill-in the following blanks.

I, _____ do hereby certify that the firm of _____ is a small business as it has less than _____ employees and its annual gross sales are less than \$ _____.
SB certification is not applicable to (firm) _____

To be completed by TVT Staff: For purposes of this contract, a firm is considered a small business if it has less than ____ employees and its annual gross sales are less than \$ _____.

Printed Name: _____ Signature _____

Bid Number _____ Date _____