

POLICY STATEMENT

Section 26.1, 26.23 Objectives/Policy Statement

The Des Moines Area Regional Transit Authority (DART) has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. DART has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, DART has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of DART to ensure that DBEs, which are defined in Part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also our policy:

1. To ensure nondiscrimination in the award and administration of DOT-assisted contracts;
2. To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
3. To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs in DOT-assisted contracts;

The DART Finance Director has been delegated as the DBE Liaison Officer. In that capacity, the Finance Director is responsible for implementing all aspects of the DBE Program. Implementation of the DBE Program is accorded the same priority as compliance with all other legal obligations incurred by DART in its financial assistance agreements with the Department of Transportation.

DART has disseminated this policy statement to the DART Commission and all the components of our organization. DART has distributed this statement to DBE and non-DBE business communities that perform work for us on DOT-assisted contracts.

Signature: *Amanda Wanke*

Date: Mar 22, 2024

SUBPART A – GENERAL REQUIREMENTS

Section 26.1, 26.23 Objectives

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

Section 26.3 Applicability

DART is the recipient of federal transit funds authorized by Federal transit laws authorized by Titles I, III, V and VI of ISTEA, Pub. L. 102–240 or by Federal transit laws in Title 49, U.S. Code, or Titles I, III, and V of the TEA–21, Pub. L. 105–178. Titles I, III, and V of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU), Pub. L. 109–59, 119 Stat. 1144; and Divisions A and B of the Moving Ahead for Progress in the 21st Century Act (MAP–21), Pub. L. 112–141, 126 Stat. 405.

Section 26.5 Definitions

DART will adopt the definitions contained in Section 26.5 for this program.

Section 26.7 Non-discrimination Requirements

DART will never exclude any person 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 on the basis of race, color, sex, or national origin. In administering its DBE program, DART 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 individuals of a particular race, color, sex, or national origin.

Section 26.11 Record Keeping Requirements

Uniform Report of DBE Awards or Commitments and Payments 26.11(a)

DART will report DBE participation to FTA using the Uniform Report of DBE Awards or Commitments and Payments, found in Appendix B to the DBE regulation. FTA requires grantees to report in the Transit Award Management System ("TrAMS") on a semi-annual basis unless otherwise specified.

Bidders List 26.11(c)

DART will create a bidders list, consisting of information about all DBE and non-DBE firms that bid or quote on DOT-assisted contracts. The purpose of this requirement is to allow use of the bidder's list approach to calculating overall goals. The bidder list will include the name, address, DBE non-DBE status, age, NAICS code, and annual gross receipts of firms.

DART will collect this information in the following ways:

1. The Iowa Department of Transportation disseminates its DBE unified directory at least annually and updates this information regularly on its website.
2. Prime bidders are required to report the name and dollar amount of all firms who quote to them on subcontracts to DART.
3. The System for Award Management may be utilized by DART to obtain addresses of SBA's in both the Des Moines MSA and in Iowa for expanding DART's bidders list. The web address is listed as follows: <https://sam.gov/content/home>.

Section 26.13 Assurances

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

Federal Financial Assistance Agreement Assurance: 26.13(a)

DART shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE Program or the requirements of 49 CFR Part 26. The recipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. DART's DBE Program, as required by 49 CFR Part 26 and as approved by DOT, 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 DART of its failure to carry out its approved program, the Department may impose sanction as provided for under 49 CFR 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 financial assistance agreements with sub-recipients.

Contract Assurance: 26.13(b)

We will ensure that the following clause is placed in every DOT-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 DOT-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 recipient deems appropriate.

SUBPART B - ADMINISTRATIVE REQUIREMENTS

Section 26.21 DBE Program Updates

Since DART has received a grant of \$250,000 or more in FTA planning capital, and/or operating assistance in a federal fiscal year, DART will continue to carry out this program until all funds from DOT financial assistance have been expended. DART will provide the DOT with updates representing significant changes in the program.

Section 26.25 DBE Liaison Officer

DART has designated the following individual as our DBE Liaison Officer:

Finance Director
620 Cherry Street
Des Moines, IA 50309
515-283-8100

In that capacity, the DBELO is responsible for implementing all aspects of the DBE program and ensuring that DART complies with all provisions of 49 CFR Part 26. The DBELO has direct, independent access to DART's Chief Executive Officer concerning DBE program matters. An organization chart displaying the DBELO's position in the organization is found in Attachment 1 to this program. The DBELO is responsible for developing, implementing and monitoring the DBE program, in coordination with other appropriate officials. The DBELO has a staff of 3 to assist in the administration of the program. The duties and responsibilities include the following:

Finance Director/DBELO – Amber Dakan

1. Works with Grants Program Administrator to set overall annual goals.
2. Participates with the legal counsel and project director to determine contractor compliance with good faith efforts.

3. Provides DBEs with information and assistance in preparing bids, obtaining bonding and insurance.
4. Plans and participates in DBE training seminars.
5. Advises the Chief Executive Officer/DART Commission on DBE matters and achievement.
6. Acts as liaison to the continued development of the Uniform Certification Process in Iowa.

Grants Program Administrator – Mike Tiedens

1. Prepares three-year DBE goal and DBE plan updates as deemed necessary.
2. Reviews DART's progress toward goal attainment and identifies ways to improve progress.

Accounts Payable Specialist – Elaine German

1. Gathers and reports statistical data and other information as required by DOT.
2. Reviews DBE directory for new vendors, informs staff of changes to existing DART contractors.
3. This directory is the UCP Directory, as all DBEs are certified through the Iowa DOT.

Procurement Manager – Mike Gulick

1. Reviews third party contracts and purchase requisitions for compliance with this program.
2. Ensures that bid notices and requests for proposals are available to DBEs in a timely manner.
3. Identifies contracts and procurements so that DBE goals are included in solicitations (both race neutral methods and contract specific goals attainment and identifies ways to improve progress.
4. Plans and participates in DBE training seminars.
5. Participates in pre-bid meetings (as needed).
6. Maintains DBE Bidders List throughout the year.
7. The Iowa DOT retains a consultant to aid DBE firms. This aid includes:
 - Assistance in the preparation of the certification application
 - Information about how to obtain bidding documents and plans
 - Assistance in reading plans
 - Assistance in dealing with contractors
 - Information about dealing with the Iowa DOT
 - Assistance in developing loan packages and financial statements

Section 26.27 DBE Financial Institutions

It is the policy of DART 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 DOT-assisted contract to make use of these institutions. We have made the following efforts to identify and use such institutions:

1. Review the Iowa DOT DBE plan and Directory for DBE financial institutions annually
2. Provide DBE financial institution information to prime contractors on DOT-assisted contracts.

The FDIC website <https://www.fdic.gov/regulations/resources/minority/MDI.html> lists financial institutions owned and controlled by socially and economically disadvantaged individuals.

Pinnacle Bank of Marshalltown, IA, is identified as a "Minority Depository Institution", currently the only one in the state.

Additional information regarding the institution can be obtained from the Iowa DOT DBE Liaison Officer; Director of the Office of Employee Services; Iowa DOT; 800 Lincoln Way; Ames, IA 50010. DART will re-evaluate the availability of DBE financial institutions annually.

Section 26.29 Prompt Payment Mechanisms

Prompt Payment 26.29(a)

DART will include the following clause in each DOT-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 days from the receipt of each payment the prime contract receives from DART. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of DART. This clause applies to both DBE and non-DBE subcontracts.

Retainage 26.29(b)

The prime contractor agrees to return retainage payments to each subcontractor within 30 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 written approval of DART. This clause applies to both DBE and non-DBE subcontracts.

Monitoring and Enforcement 26.29(d)

DART has established the following procedures to monitor and enforce that prompt payment and return of retainage are in fact occurring:

1. Request verification from prime contractors that subcontractors were paid within the timeframe specified in 26.29. The frequency will depend on the size/scale of the project.
2. Hold payment to prime contractor until subcontractor is paid.
3. If payments were still not made, DART would consider any future bids non-compliant due to a lack of good faith.

Section 26.31 Directory

The State of Iowa released their unified statewide directory under the Iowa Department of Transportation in February 2002. DART utilizes the Iowa DOT directory identifying all firms eligible to participate as DBEs. The directory lists the firm's name, address, phone number, date of most recent certification, and the type of work the firm has been certified to perform as a DBE by NAICS code. The Iowa DOT revises the printed Directory annually and updates regularly on its website.

The Iowa DOT DBE program is described online at:

<https://iowadot.gov/civilrights/documents/DBEProgram.pdf>

DART refers all new vendors, bidders and subcontractors to the preceding site for a DBE application or if they have questions regarding the certification process.

Civil Rights Bureau
Office of Employee Services
Iowa Department of Transportation
800 Lincoln Way
Ames, Iowa 50010
Phone: 515-239-1422

The Iowa DOT directory may be found in Attachment 2 to this program document or at the following website: <https://secure.iowadot.gov/DBE/Home/Index/>.

Section 26.33 Overconcentration

DART does not have overconcentration in one or more types of work. We will re-evaluate the need for such a program every three years.

Section 26.35 Business Development Programs

DART has not established a business development program. We will re-evaluate the need for such a program every three years.

Section 26.37 Monitoring and Enforcement Mechanisms

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

1. DART will bring to the attention of the Iowa Department of Transportation any false, fraudulent, or dishonest conduct in connection with the program, so that DOT can take the steps provided in 26.109.
2. DART will consider similar action under our own legal authorities, including responsibility determinations in future contracts. Attachment 3 lists the regulation, provisions, and contract remedies available to us in the events of non-compliance with the DBE regulation by a participant in our procurement activities.
3. DART 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 through the bidding process, on-site monitoring, payroll reviews, and maintenance of reports through the accounting department for quarterly DBE process. DART will include a certification of contract reviews and monitoring at contract close-out on projects which DBEs are participating.
4. DART will keep a running tally of actual payments to DBE firms for work committed to them at the time of contract award.

Section 26.39 Small Business Participation

DART has incorporated the following non-discriminatory elements to its DBE program as of July 1, 2013 (and updated in 2023), in order to facilitate competition on DOT-assisted public works projects by small business concerns (both DBEs and non-DBE small businesses).

- DART will unbundle large contracts to make them more accessible to small businesses (when feasible).
- DART will require prime contractors to identify small business subcontracts on projects over \$2.5 million.
- DART will establish a race-neutral small business set-aside for prime contracts under \$250,000 (or close). The set-aside will be done annually through consultation with the finance and procurement departments and assessment of upcoming projects. DART will provide a reasonable number of prime contracts for small businesses and expects to award a minimum of two contracts annually.
- DART will promote the small business element of the DBE plan by notifying potential bidders of projects and pre-bid meetings through the Iowa DBE directory and the local office of the Small Business Administration. DART will also post the information on its website under "procurements" and also on its e-procurement system (which can be accessed under "procurements").

A small business will be defined according to the Small Business Administration (SBA) standards found in 13 CFR part 121. To meet the size requirements of the small business program, a firm, including its affiliates, must have average annual gross receipts, over the firm's previous three fiscal years that do not exceed size standards in a particular area of work (NAICS code).

The size standards and limits by NAICS code can be found at <https://www.ecfr.gov/current/title-13/chapter-I/part-121/subpart-A/subject-group-ECFR12a11421b08a31/section-121.201>.

The North American Industry Classification System (NAICS) codes can be found at <https://www.census.gov/naics/>.

A certified DBE firm is presumed eligible to participate in a small business program. All other firms claiming Small Business status will need to provide verification with their bid submittals. Small Business certifications from other agencies will be accepted as long as their program meets the requirements specified in 49 CFR part 26.

SUBPART C – GOALS, GOOD FAITH EFFORTS, AND COUNTING

Section 26.43 Set-asides or Quotas

DART does not use quotas in any way in the administration of this DBE program.

Section 26.45 Overall Goals

In accordance with Section 26.45, DART will submit its triennial overall DBE goal to FTA on August 1st of the year specified by FTA.

DART will also request use of project-specific DBE goals as appropriate and/or will establish project specific DBE goals as directed by FTA.

The process generally used by DART to establish overall DBE goals is as follows:

1. In step 1, DART's base figures were calculated to determine the relative availability of DBEs in specific areas of expertise using the State of Iowa Directory of Certified Disadvantaged Business Enterprises and NAICS codes census information.
2. In step 2, DART's figure of the actual DBE participation in the US DOT-assisted contracts during the previous years were considered and the base number was adjusted accordingly.

Before establishing the overall goal each time, DART will consult with Iowa DOT, minority, women's, general contractor groups and other small businesses to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBE's, and DART's efforts to establish a level playing field for the participation of DBE's.

Following this consultation, DART will publish a notice of the proposed overall goals, informing the public that the proposed goal and its rationale are available for inspection during normal business hours at DART's office for 30 days following the date of the notice, and informing the public that DART and the FTA will accept comments on the goals for 45 days from the date of the notice. This publication will be posted in the local newspaper (Des Moines Register), trade publication (Passenger Transport), minority-focused media (currently Black Iowa News and Iowa Urban Media), and DART's website (<https://www.ridedart.com/>). Normally, DART will issue this notice by June 1 of each three year period. The notice will include addresses to which comments may be sent and addresses where the proposal may be reviewed.

Our overall goal submission to FTA will include: the goal (including the breakout of estimated race-neutral and race-conscious participation, as appropriate); a copy of the methodology, worksheets, etc., used to develop the goal; a summary of information and comments received during this public participation process and our responses; and proof of publication of the goal in media outlets listed above.

DART will begin using our overall goal on October 1 of each three-year period unless we have received other instructions from FTA. If DART establishes a goal on a project basis, we will begin using our goal by the time of the first solicitation for an FTA-assisted contract for the project. Our goal will remain effective for the duration of the three-year period established and approved by FTA.

Section 26.47 Goal Setting & Accountability

If the awards and commitments shown on DART's Uniform Report of Awards or Commitments and Payments at the end of any fiscal year are less than the overall applicable to that fiscal year, staff will:

1. Analyze in detail the reason for the difference between the overall goal and the actual awards/commitments
2. Establish specific steps and milestones to correct the problems identified in the analysis
3. Retain information/records the analysis and efforts made for at least three years

Section 26.49 Transit Vehicle Manufacturers Goals

DART will require each transit vehicle manufacturer, as a condition of being authorized to bid or propose on FTA-assisted transit vehicle procurements, to certify that it has complied with the requirements of this section. Alternatively, DART 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.

Section 26.51 Meeting Overall Goals/Contract goals

DART will meet the maximum feasible portion of its overall goal using race-neutral means of facilitating DBE participation. In order to do so DART will unbundle large contracts to make them more accessible to small businesses; encourage prime contractors to subcontract portions of the work that they might otherwise perform themselves; and provide technical assistance, communications programs and other support services to facilitate consideration of DBE's and other small businesses.

DART will use contract goals to meet any portion of the overall goal DART does not project being able to meet using race-neutral means. Contract goals are established so that, over the period to which the overall goal applies, they will cumulatively result in meeting any portion of our overall goal that is not projected to be met through the use of race-neutral means.

DART will establish contract goals only on those DOT-assisted contracts that have subcontracting possibilities. DART need not establish a contract goal on every such contract, and the size of contract goals will be adapted to the circumstances of each such contract (e.g., type and location of work, availability of DBEs to perform the particular type of work.)

DART will express contract goals as a percentage of the total amount of a DOT-assisted contract.

Section 26.53 Good Faith Efforts Procedures

Awards of Contracts with a DBE Contract goal 26.53(a)

In those instances where a contract-specific DBE goal is included in a procurement/solicitation, DART will not award the contract to a bidder who does not either:

1. Meet the contract goal with verified, countable DBE participation
2. Documents it has made adequate good faith efforts to meet the DBE contract goal, even though it was unable to do so.

It is the obligation of the bidder to demonstrate it has made sufficient good faith efforts prior to submission of its bid.

Evaluation of Good Faith Efforts 26.53 (a&c)

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 responsible: The Finance Director and Procurement Manager.

The process used to determine whether good faith efforts have been made by a bidder are as follows:

1. Soliciting through all reasonable and available means (e.g. attendance at pre-bid meetings, advertising and/or written notices) the interest of all certified DBEs who have the capability to perform the work of the contract. The bidder must solicit this interest within sufficient time to allow the DBEs to respond to the solicitation. The bidder must determine with certainty if the DBEs are interested by taking appropriate steps to follow up initial solicitations.
2. Selecting portions of the work to be performed by DBEs in order to increase the likelihood that the DBE goals will be achieved. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate DBE participation, even when the prime contractor might otherwise prefer to perform these work items with its own forces.
3. Providing interested DBEs with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation.
4. See Appendix A to Part 26 for additional information.

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

Information to be Submitted 26.53(b)

DART treats bidder/offers' compliance with good faith efforts' requirements as a matter of responsibility.

Each solicitation for which a contract goal has been established will require the bidders/offerors 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
6. If the contract goal is not met, evidence of good faith efforts

Administrative Reconsideration 26.53(d)

Within **30** days of being informed by DART that it is not responsible because it has not documented sufficient good faith efforts, a bidder/offeror may request administrative reconsideration. Bidder/offerors should make this request in writing to the following reconsideration official:

DART Chief Executive Officer
620 Cherry Street
Des Moines, IA 50309
515-283-8100

The reconsideration official will not have played any role in the original determination that the bidder/offeror did not document sufficient good faith efforts.

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. DART 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 Terminated/Replaced on a Contract with Contract Goals 26.53(f)

DART requires that prime contractors not terminate a DBE subcontractor listed on a bid/contract with a DBE contract goal without DART's written consent. Prior written consent will only be provided where there is "good cause" for termination of the DBE firm, as established by Section 26.53 (f)(3) of the DBE regulation.

Before transmitting to DART its request to terminate, the prime contractor must give notice in writing to the DBE of its intent to do so. A copy of this notice must be provided to DART prior to consideration of the request to terminate. The DBE will then have five (5) days to respond and advise DART of why it objects to the proposed termination.

In those instances where "good cause" exists to terminate a DBE's contract, DART will require the prime 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. We 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, we will require the prime contractor to obtain our prior approval of the substitute DBE and to provide copies of new or amended subcontracts, and/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 Specification

The requirements of 49 CFR Part 26, Regulations of the U.S. Department of Transportation, apply to this contract. It is the policy of DART 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 ____ 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.

Section 26.55 Counting DBE Participation

DART will count DBE participation toward overall and contract goals as provided in 49 CFR 26.55.

SUBPART D - CERTIFICATION STANDARDS

Section 26.61-26.73 Unified Certification Process

DART no longer certifies DBE's but participates within the Unified Certification Program as described below in SUBPART E. To be certified as a DBE, a firm must meet all certification eligibility standards. The Iowa DOT certifies all DBEs within the State of Iowa and DART will direct any potential DBEs to certify under this unified process.

SUBPART E - CERTIFICATION PROCEDURES

Section 26.81 Unified Certification Programs

DART is a member of a Unified Certification Program (UCP) administered by the Iowa Department of Transportation. The UCP meets all of the requirements of this section. DART will use and count for DBE credit only those DBE firms certified by the Iowa UCP. DBE certification applications may be requested through the following contact at the Iowa DOT:

DBE Compliance Officer
Civil Rights Bureau
Iowa DOT
800 Lincoln Way
Ames, IA 50010
515-239-1414

The following has the description of the UCP:

<https://iowadot.seamlessdocs.com/f/DBEProgramUniformCertificationApplication>

Section 26.83-26.91 Procedures for Certification Decisions

For information about the certification process or to apply for certification, firms should contact the Iowa Civil Rights Administrator listed in 26.81.

A link to Iowa's UCP certification procedures and program is included under 26.81.

Any firm or complainant may appeal the decision in a certification matter to the US DOT. Such appeals may be sent to:

U.S. Department of Transportation
Departmental Office of Civil Rights
Disadvantaged Business Enterprise Division (S-33)
S33AppealsManagementRecords@dot.gov

We will promptly implement any DOT certification appeal decision affecting the eligibility of DBEs for our DOT-assisted contracting.

Please see Attachment 6 or follow the Iowa UCP guidelines for the appeal process at:

<https://iowadot.gov/civilrights/disadvantaged-business-enterprise-program-dbe/dbe-program>

SUBPART F - COMPLIANCE AND ENFORCEMENT

Section 26.109 Information, Confidentiality, Cooperation

DART will safeguard from disclosure a third party's information that may reasonably be regarded as confidential business information, consistent with Federal, state, and local law. A summary of Iowa's FOIA law can be found at the following site: <http://www.nfoic.org/iowa-foia-laws>.

Notwithstanding any contrary provisions of state or local law, DART will not release personal financial information submitted in response to the personal net worth requirement to a third party (other than DOT) without the written consent of the submitter.

Monitoring Payments to DBEs

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

DART 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

Attachment 1	Organizational Chart
Attachment 2	DBE Directory
Attachment 3	Monitoring and Enforcement Mechanisms
Attachment 4	Goal Setting Methodology
Attachment 5	Good Faith Efforts Forms
Attachment 6	Certification Forms
Attachment 7	Regulations: 49 CFR Part 26

Attachment 1

Organizational Chart

Attachment 2

DBE Directory – Unified Certification Program (UCP) Directory

<https://secure.iowadot.gov/DBE/Home/Index/>

Attachment 3

Monitoring and Enforcement Mechanisms

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

1. Breach of contract action, pursuant to the terms of the contract
2. Breach of contract action, pursuant to Iowa State code

In addition, the federal government has available several enforcement mechanisms that it may apply to firms participating in the DBE problem, 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

DART will monitor DBE activities through the use of the DBE Compliance Verification Checklist. The checklist is a document that DART will use on-site on public improvement activities to verify the following activities:

1. Observe and document the type of work being undertaken
2. The DBE firm has control over the methods of work and equipment needed for their contractual obligations
3. No one other than the DBE has worked on the items identified in their contractual obligations
4. The DBE firm uses their own, leased, or rented equipment to fulfill their contractual obligations
5. If the DBE firm is a sub-contractor, they are not using any of the prime contractor's employees or equipment
6. No one other than the DBE is furnishing materials for their contractual obligations

Attachment 4

Section 26.45 – Overall Goal Calculation

Attachment 5

Forms for Demonstration of Good Faith Efforts

(Forms are provided as part of solicitation documents)

Attachment 6

Certification Forms

DART no longer certifies DBEs and therefore no application is attached. The State of Iowa is now under the Unified Certification Program and all certifications go through the Iowa Department of Transportation. DART refers and assists all new or interested vendors/firms in contacting the following for an application and additional explanation of the DBE program:

DBE Compliance Officer
Civil Rights Bureau
Iowa DOT
800 Lincoln Way
Ames, IA 50010
515-239-1414

As stated previously, DART no longer certifies DBE eligibility or removes DBEs from eligibility. This is currently the responsibility of the Iowa Department of Transportation under the Unified Certification Program, which began in February 2002. The procedures for removal can be viewed through the following Iowa DOT website address:

<https://iowadot.gov/civilrights/documents/DBEProgram.pdf>.

Attachment 7

Regulations: 49 CFR Part 26

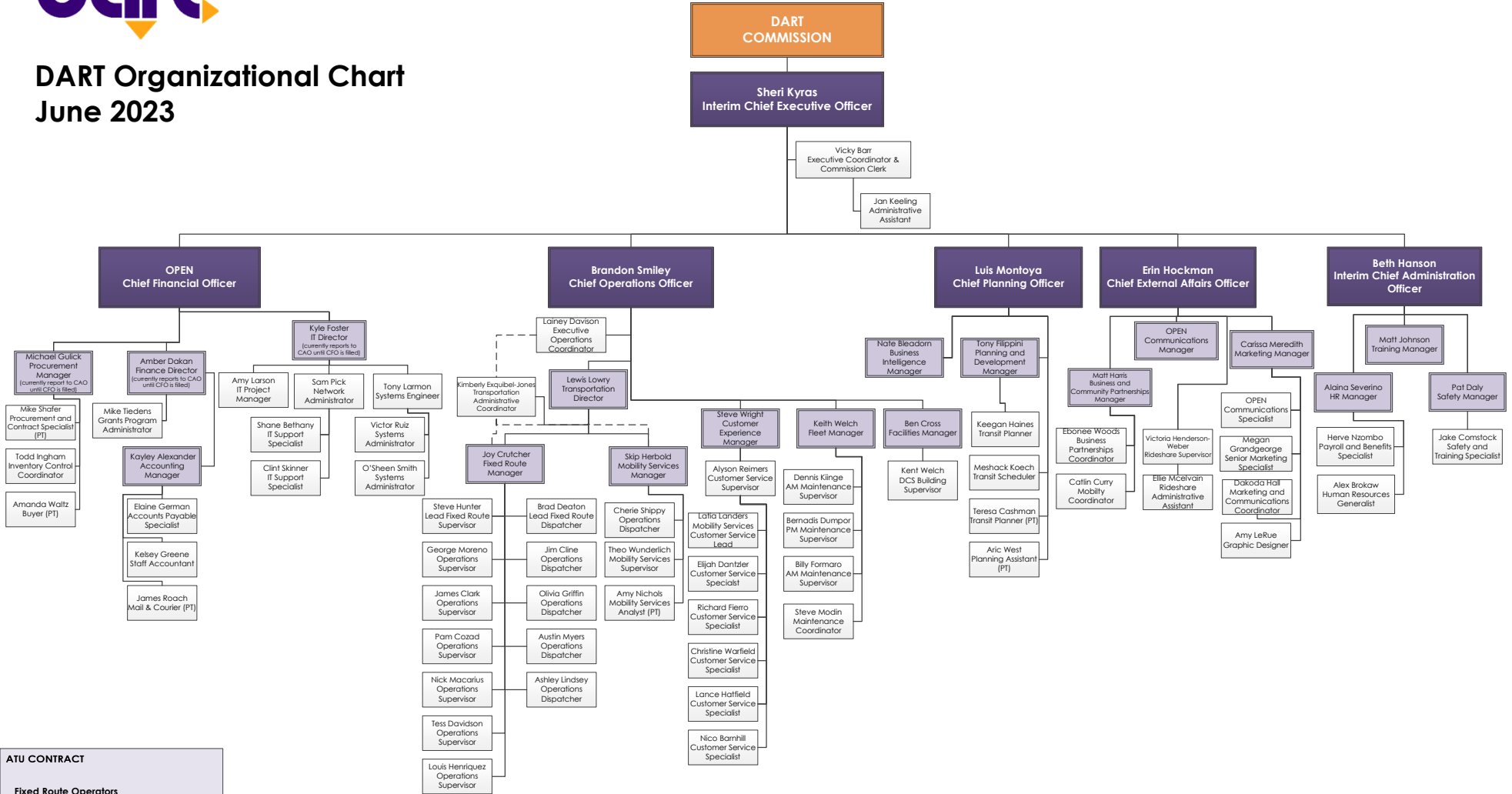
Part 26, Participation by Disadvantaged Business Enterprises in Department of Transportation Assistance Programs may be viewed at <https://www.ecfr.gov/current/title-49/subtitle-A/part-26?toc=1>

All attachments will be made available in printed format upon request.



DART Organizational Chart

June 2023



ATU CONTRACT

Fixed Route Operators
Full-Time – 112
Part-Time – 20

Maintenance Personnel
Technicians – 21
EV Technician – 1
Body Shop – 2
Bus Servicers – 8
Utility Person – 1
Tire Person – 1
Interior Cleaners – 3
Grounds Personnel – 2

Parts Room
Parts Clerk – 1

TOTAL POSITIONS: 172
TOTAL FTE's: 162.5

TEAMSTERS CONTRACT

Paratransit Operators
Full-Time – 22
Part-Time – 18

TOTAL POSITIONS: 40
TOTAL FTE's: 31

ADMINISTRATIVE EMPLOYEES*
TOTAL POSITIONS: 84
TOTAL FTE's: 79

*Does not include interns or DMPD

TOTAL EMPLOYEES

TOTAL POSITIONS: 296
TOTAL FTE's: 272.5



DBE / SUBCONTRACTOR COMPLIANCE VERIFICATION CHECKLIST

Project Title: _____

DBE/Sub-Contractor: _____

Prime Contractor: _____

Work Type: _____

Type of Work Observed:	
Does DBE on-site representative effectively manage the work being performed? If No, explain:	<input type="checkbox"/> YES <input type="checkbox"/> NO
Does DBE appear to have control over methods of work and equipment needed for their contract items? If No, explain:	<input type="checkbox"/> YES <input type="checkbox"/> NO
To your knowledge, has anyone other than the DBE's personnel worked on the sub-contracted items? If Yes, explain:	<input type="checkbox"/> YES <input type="checkbox"/> NO
Has the DBE used their own, leased, or rented equipment for these contract items? If No, explain:	<input type="checkbox"/> YES <input type="checkbox"/> NO
Has the DBE used any of the prime contractor's people or equipment? If Yes, explain:	<input type="checkbox"/> YES <input type="checkbox"/> NO
Does it appear that someone other than the DBE is furnishing material for the items the DBE is responsible for? If Yes, explain:	<input type="checkbox"/> YES <input type="checkbox"/> NO

Reviewer: _____

Date: _____

Procurement Manager: _____

Date: _____

Section 26.45: Overall Goal Calculation

Amount of Goal

1. The Des Moines Area Regional Transit Authority's goal for the time period October 1, 2023 – September 30, 2026 is the following: **1.8%** of our total FTA assistance will be spent with DBE firms exclusive of FTA funds used to purchase transit vehicles. Of the overall goal, 100% will be achieved through race-neutral means.
2. DART expects to award \$17,851,457 in federal DOT-assisted contracts annually during FFY2024-FFY2026. This means that DART has set a goal of expending \$321,326 annually with DBE firms during this time period.

Methodology used to Calculate Overall Goal

The following is documentation of the method DART used to calculate this goal:

Step 1a: 26.45c Determine Weight - Determine the weight of each type of work by budget and NAICS code. The NAICS codes for each project are displayed in the appendix.

	NAICS Code	Project	Amount of DOT funds on project:	% of total DOT funds (weight)
1)	See Attach.	Fringe Benefits	\$ 3,160,500	17.7%
2)	See Attach.	Services	\$ 5,267,761	29.5%
3)	See Attach.	Materials & Supplies	\$ 5,097,750	28.5%
4)	See Attach.	Casualty & Liability	\$ 1,283,180	7.2%
5)	See Attach.	Purchased Transportation	\$ 122,450	0.7%
6)	See Attach.	Miscellaneous	\$ 335,450	1.9%
7)	See Attach.	Leases & Rentals	\$ 870,300	4.9%
8)	See Attach.	Planning	\$ 300,000	1.7%
9)	See Attach.	Non Rolling Stock Capital	\$ 1,414,066	7.9%
	Total FTA-Assisted Contract Funds		\$ 17,851,457	

Step 1b: 26.45c Determine Availability - Determine the relative availability of DBE's by NAICS category.

The base figures were calculated to determine the relative availability of DBE's in specific areas of expertise using the State of Iowa Directory of Certified Disadvantaged Business Enterprises. DART used the 2020 Census State Business Patterns to determine the number of total establishments in the Iowa market.

DES MOINES AREA REGIONAL TRANSIT AUTHORITY

DISADVANTAGED BUSINESS ENTERPRISE FY2024-2026 Goal

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	NAICS Code	Project	Number of DBEs available to perform this work	Number of all firms available (including DBEs)	Relative Availability
1)	See Attach.	Fringe Benefits	3	2,176	0.1%
2)	See Attach.	Services	234	14,666	1.6%
3)	See Attach.	Materials & Supplies Consumed	71	4,305	1.6%
4)	See Attach.	Casualty & Liability	3	255	1.2%
5)	See Attach.	Purchased Transportation	1	17	5.9%
6)	See Attach.	Miscellaneous	25	3,306	0.8%
7)	See Attach.	Leases & Rentals	10	387	2.6%
8)	See Attach.	Special Planning Studies	9	102	8.8%
9)	See Attach.	Non-Rolling Stock Capital	127	3,475	3.7%
Combined Totals			483	28,689	1.68%
					Overall availability of DBEs

Step 1c: 26.45c Determine Weighted Base - Determine the weighted base figure (Weight*Availability).

The base figures were weighted by the expected amount of federal contract dollars to be expended in each NAICS code/budget category summarized.

	NAICS Code	Project	Weight	x	Availability	Weighted Base Figure
1)	See Attach.	Fringe Benefits	0.177	x	0.001	0.0002
2)	See Attach.	Services	0.295	x	0.016	0.0047
3)	See Attach.	Materials & Supplies Consumed	0.286	x	0.016	0.0047
4)	See Attach.	Casualty & Liability	0.072	x	0.012	0.0008
5)	See Attach.	Purchased Transportation	0.007	x	0.059	0.0004
6)	See Attach.	Miscellaneous	0.019	x	0.008	0.0001
7)	See Attach.	Leases & Rentals	0.049	x	0.026	0.0013
8)	See Attach.	Special Planning Studies	0.017	x	0.088	0.0015
9)	See Attach.	Non-Rolling Stock Capital	0.079	x	0.037	0.0029
Total						0.0167
Expressed as a % (*100)						1.67%

Based on this information, the DBE relative availability for federal DOT assisted contracts is 1.68%.

Step 2: 26.45(d) Adjust Base Figure

After calculating a base figure of the relative availability of DBE's, evidence was examined to determine if adjustments were needed to the base figure in order to arrive at the overall goal.

Step 2.1: The reason we chose to adjust our figure using this data was as follows:

In looking at past DBE achievements over the last five plus years, DART reached 1.42% in 2018, 0.76% in FY2019, 2.47% in FY2020, 1.93% in FY2021, 2.39% in FY2022 and 1.94% the first half of FY2023.

DART calculated the median past performance of DBE participation to adjust the overall goal.

Median five plus-year DBE participation = (1.42%, 0.76%, 2.47%, 1.93%, 2.39%, and 1.94%) = 1.94%

Step 2.2: Adjust Base Figure: DART then adjusted the step 1 base for past participation by taking the average of the Step 1 Base Figure and the median past participation.

Step 2.1 Base Figure Adjusted = $(1.68\% + 1.94\%)/2 = 1.81\%$

From this data, we rounded to the nearest tenth and adjusted our base figure to: **1.8%**

Public Participation

DART participated in a Minority Owned Business Outreach event in coordination with the Des Moines International Airport in November 2022. The purpose of the event was to gather information on the availability of firms and the effects of discrimination on contracting opportunities, and to discuss agency's efforts to level the playing field in the bidding process. No specific written or verbal comments were received with respect to the goal setting process.

In an effort to share opportunities and collect feedback, DART staff also attended a Center for Industrial Research and Service (CIRAS, <https://www.ciras.iastate.edu/>) Meet the Buyers event in April 2023. The event gave staff opportunities to network with local firms in preparation for upcoming projects and how best to structure bidding for greater participation by small firms. Communications with the SBA and interested parties has allowed us to identify more firms for contracting opportunities, which widens our outreach at bid notification and helps in setting the small business set-asides and the three-year goal.

Federal regulations require that DART publish a notice announcing DART's proposed overall annual goals for FFY2024-26 contracts assisted by USDOT. Such notice informs the public that the proposed goals and their rationale are available for inspection during normal business hours at the Des Moines Area Regional Transit Authority for 30 days following the date of the notice and that DART and FTA will accept comments on the goals for 45 days from the date of the notice.

DART published the goal information in the local newspaper (Des Moines Register), a trade publication (Passenger Transport), minority-focused media (currently Black Iowa News and Iowa Urban Media), and the DART website (<https://www.ridedart.com/>).

Section 26.51: Breakout of Estimate Race Neutral & Race Conscious Participation

DART will meet the maximum feasible portion of its DBE overall goal by using race-neutral methods of facilitating DBE participation. DART uses the following race-neutral means to increase DBE participation.

Unbundling large contracts to make them more accessible to small businesses; encouraging prime contractors to subcontract portions of the work that they might otherwise perform themselves; providing technical assistance, communications programs and other support services to facilitate consideration of DBE's and other small businesses.

DART estimates that in meeting our overall goal of 1.8% for FFY2024-FFY2026, 100% will be obtained through race-neutral participation.

In order to ensure that our DBE program will be narrowly tailored to overcome the effects of discrimination, if we use contract goals, we will adjust the estimated breakout of race-neutral and race-conscious participation as needed to reflect actual DBE participation. For reporting purposes, race-neutral DBE participation includes, but is not limited to the following: DBE participation through a prime contract a DBE obtains through customary competitive procurement procedures; DBE participation through a subcontract on a prime contract that does not carry DBE goal; and DBE participation through a subcontractor from a prime contractor that did not consider a firm's DBE status in making the award.

We will maintain data separately on DBE achievements in those contracts with and without contract goals, respectively.

Appendix

DES MOINES AREA REGIONAL TRANSIT AUTHORITY
DISADVANTAGED BUSINESS ENTERPRISE FY2024-2026 Goal
 Responsible Division: DART Finance Division

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	Projected Federal Operating Assistance for FY2024	\$3,464,000.00		
	Budgeted Total Operating Expenses for FY2024	\$42,195,000.00		
	Federal Share of Operating Expenses	8.21%		
	Federal Share of Capital Costs	80.00%		
NAICS Code	NAICS Description	Amount	Iowa Firms	Total DBE's
1)	Fringe Benefits			
524113	Direct Life Insurance Carriers	\$74,833.55	104	0
524210	Insurance Agencies and Brokerages	\$2,553,457.71	2,072	3
	TOTAL FRINGE BENEFITS	\$2,628,291.26	2,176	3
2)	Services			
221210	Natural Gas Distribution	\$2,095.79	14	0
238110	Poured Concrete Foundation and Structure Contractors	\$72,000.00	545	11
238210	Electrical Contractors and Other Wiring Installation Contractors	\$14,459.64	859	7
238220	Plumbing, Heating, and Air-Conditioning Contractors	\$87,818.61	1,079	2
238290	Other Building Equipment Contractors	\$6,425.50	131	3
323111	Commercial Printing (except Screen and Books)	\$49,754.32	171	0
323119	Books Printing	\$1,117.04	0	0
334614	Manufacturing and Reproducing Magnetic and Optical Media	\$32,266.67	0	0
337000	Furniture and Related Product Manufacturing	\$3,605.00	0	0
423690	Other Electronic Parts and Equipment Merchant Wholesalers	\$776,948.31	78	3
488410	Motor Vehicle Towing	\$18,472.30	83	2
488510	Freight Transportation Arrangement	\$1,655.90	165	4
492210	Local Messengers and Local Delivery	\$370.70	39	0
511110	Newspaper Publishers	\$2,372.81	186	0
511120	Periodical Publishers	\$22,975.15	65	0
511210	Software Publishers	\$11,200.00	106	2
513322	Cellular Other Wireless Telecommunications	\$280,130.12	0	0
514199	Groceries General	\$700.00	0	0
515210	Cable and other Subscription Programming	\$30,505.58	0	0
517110	Wired Telecommunications Carriers	\$106,721.69	0	0
517210	Wireless Telecommunications Carriers (except Satellite)	\$5,362.20	0	0
517212	Agents for Wireless Telecommunications Services	\$10,300.00	0	0
521110	Monetary Authorities-Central Bank	\$465.56	0	0
522220	Sales Financing	\$53,058.52	33	0
523120	Other Activities Related to Credit Intermediation	\$9,880.35	248	0
524210	Insurance Agencies and Brokerages	\$31,013.66	2,072	3
532490	Other Commercial and Industrial Machinery and Equipment Rental and Leasing	\$4,608.50	61	1
541110	Offices of Lawyers	\$180,436.60	1,250	0
541219	Other Accounting Services	\$44,842.59	324	2
541330	Engineering Services	\$4,542.50	381	43
541430	Graphic Design Services	\$2,269.97	113	5
541511	Custom Computer Programming Services	\$260,980.71	390	20
541519	Other Computer Related Services	\$462,055.88	31	15
541612	Human Resources Consulting Services	\$98,155.00	66	7

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DISADVANTAGED BUSINESS ENTERPRISE FY2024-2026 Goal
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541690	Other Scientific and Technical Consulting Services	\$147,895.91	175	14
541810	Advertising Agencies	\$81,583.62	92	5
541890	Other Services Related to Advertising	\$45,955.46	68	2
541922	Commercial Photography	\$2,515.00	28	1
541990	All Other Professional, Scientific, and Technical Services	\$632,849.92	102	9
561320	Temporary Help Services	\$138,983.42	346	11
561612	Security Guards and Patrol Services	\$232,134.09	53	0
561621	Security Systems Services (except Locksmiths)	\$13,105.44	30	1
561622	Locksmiths	\$167.50	30	0
561710	Exterminating and Pest Control Services	\$1,887.00	139	0
561720	Janitorial Services	\$163,442.31	611	7
561730	Landscaping Services	\$9,620.62	1,209	17
561790	Other Services to Buildings and Dwellings	\$29,955.89	106	5
561990	All Other Support Services	\$8,606.57	124	11
562111	Solid Waste Collection	\$26,278.97	184	1
562991	Septic Tank and Related Services	\$925.00	54	0
611430	Professional and Management Development Training	\$20,788.98	39	11
611710	Educational Support Services	\$2,566.00	33	3
621111	Offices of Physicians (except Mental Health Specialists)	\$12,820.15	747	1
621330	Offices of Mental Health Practitioners (except Physicians)	\$4,838.40	323	0
621340	Offices of Physical, Occupational and Speech Therapists, and Audiologists	\$5,500.00	409	0
811111	General Automotive Repair	\$137,902.75	1,104	2
811118	Specialized Automotive Repair	\$43,540.15	31	2
811122	Automotive Glass Replacement Shops	\$4,400.26	69	0
811212	Computer and Office Machine Repair and Maintenance	\$1,864.37	46	0
811213	Electronic and Precision Equipment Repair and Maintenance	\$169.04	7	1
811219	Other Electronic and Precision Equipment Repair and Maintenance	\$443.57	17	0
	TOTAL SERVICES	\$4,460,307.55	14,666	234
3)	Materials and Supplies			
315190	Apparel Knitting Mills	\$1,322.40	0	0
325510	Paint and Coating Manufacturing	\$1,271.09	13	1
325612	Polish and Other Sanitation Good Manufacturing	\$1,877.22	0	0
331110	Iron and Steel Mills and Ferroalloy Manufacturing	\$3,106.72	0	1
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing	\$13,487.00	50	1
333411	Commercial and Service Industry Machinery Manufacturing	\$1,152.42	0	0
334210	Telephone Apparatus Manufacturing	\$24,111.23	0	0
336999	All Other Transportation Equipment Manufacturing	\$53,867.47	0	0
339999	All Other Miscellaneous Manufacturing	\$7,421.85	17	0
421420	Office Equipment Merchant Wholesalers	\$52,625.12	0	0
421910	Sporting and Recreational Goods and Supplies Merchant Wholesalers	\$255.00	0	0
422470	Meat and Meat Product Merchant Wholesalers	\$583.70	0	0
422690	Other Chemical Allied Products Wholesalers	\$30,985.39	0	0
423120	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$115,334.77	118	0
423130	Tire and Tube Merchant Wholesalers	\$170,189.65	24	0
423210	Furniture Merchant Wholesalers	\$933.98	27	0
423390	Other Construction Material Merchant Wholesalers	\$105.14	27	12
423420	Office Equipment Merchant Wholesalers	\$250.80	122	0

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DISADVANTAGED BUSINESS ENTERPRISE FY2024-2026 Goal
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423430	Computer and Computer Peripheral Equipment and Software Merchant Wholesalers	\$202,992.59	40	1
423450	Medical, Dental, and Hospital Equipment and Supplies Merchant Wholesalers	\$2,736.00	65	1
423610	Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers	\$778.49	131	10
423690	Other Electronic Parts and Equipment Merchant Wholesalers	\$40,892.02	78	3
423710	Hardware Merchant Wholesalers	\$47,105.12	53	2
423720	Plumbing and Heating Equipment and Supplies (Hydronics) Merchant Wholesalers	\$4,758.24	83	3
423730	Warm Air Heating and Air-Conditioning Equipment and Supplies Merchant Wholesalers	\$32,075.85	59	0
423830	Industrial Machinery and Equipment Merchant Wholesalers	\$3,520.89	258	1
423840	Industrial Supplies Merchant Wholesalers	\$2,220.18	107	2
423850	Service Establishment Equipment and Supplies Merchant Wholesalers	\$4,085.06	55	1
423860	Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers	\$206,740.49	17	1
423990	Other Miscellaneous Durable Goods Merchant Wholesalers	\$74,578.69	40	5
424120	Stationery and Office Supplies Merchant Wholesalers	\$1,508.57	35	0
424720	Petroleum and Petroleum Products Merchant Wholesalers (except Bulk Stations and Terminals)	\$1,970,557.36	21	2
441300	Motorcycle, ATV, and All Other Motor Vehicle Dealers	\$53,493.12	0	0
441310	Automotive Parts and Accessories Stores	\$1,001,375.25	481	0
441320	Tire Dealers	\$2,914.52	271	0
444130	Hardware Stores	\$16,980.27	276	0
453210	Office Supplies and Stationary Stores	\$648.00	49	0
453998	All Other Miscellaneous Store Retailers (Except Tobacco Stores)	\$18,642.50	197	0
454210	Vending Machine Operators	\$790.84	42	0
454390	Other Direct Selling Establishments	\$29,820.13	281	0
561720	Janitorial Services	\$163,442.31	611	7
561790	Other Services to Buildings and Dwellings	\$29,955.89	106	5
561990	All Other Support Services	\$8,606.57	124	11
624230	Emergency and Other Relief Services	\$5,907.25	0	0
811310	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance	\$9,944.02	427	1
	TOTAL MATERIALS AND SUPPLIES	\$4,415,951.16	4,305	71
4)	Casualty & Liability			
524126	Direct Property and Casualty Insurance Carriers	\$34,410.00	204	0
524291	Claims Adjusting	\$1,354,525.74	32	1
524298	All Other Insurance Related Activities	\$2,098.40	19	2
	TOTAL CASUALTY & LIABILITY	\$1,391,034.14	255	3
5)	Purchased Transportation			
485310	Taxi and Ridesharing Services	\$78,374.96	17	1
	TOTAL PURCHASED TRANSPORTATION	\$78,374.96	17	1
6)	Miscellaneous			
423910	Sporting and Recreational Goods and Supplies Merchant Wholesalers	\$3,003.00	47	0
423940	Jewelry, Watch, Precious Stone, and Precious Metal Merchant Wholesalers	\$4,200.61	12	0
445110	Supermarkets and Other Grocery Retailers (except Convenience Retailers)	\$3,000.00	606	0
448110	Men's Clothing Stores	\$57,531.01	48	0
448190	Other Clothing Stores	\$9,547.18	108	0
448310	Jewelry Stores	\$1,141.00	142	0

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541990	All Other Professional, Scientific, and Technical Services	\$21,822.41	102	9
611430	Professional and Management Development Training	\$20,788.98	39	11
722110	Rooming and Boarding Houses, Dormitories, and Workers' Camps	\$2,000.00	0	0
722320	Caterers	\$9,456.00	77	0
722513	Limited-Service Restaurants	\$6,221.48	2,084	3
812930	Parking Lots and Garages	\$107.00	28	2
813910	Business Associations	\$94,630.25	10	0
813920	Professional Organizations	\$12,630.00	3	0
921190	Other General Government Support	\$850.00	0	0
	TOTAL MISCELLANEOUS	\$246,928.92	3,306	25
7)	Lease & Rental			
423910	Sporting and Recreational Goods and Supplies Merchant Wholesalers	\$750.75	47	0
522220	Sales Financing	\$831,250.21	33	0
531190	Lessors of Other Real Estate Property	\$11,400.00	136	0
532420	Office Machinery and Equipment Rental and Leasing	\$672.12	0	0
532490	Other Commercial and Industrial Machinery and Equipment Rental and Leasing	\$4,608.50	61	1
541990	All Other Professional, Scientific, and Technical Services	\$26,186.89	102	9
562211	Hazardous Waste Treatment and Disposal	\$5,518.60	8	0
	TOTAL LEASE & RENTAL	\$880,387.07	387	10
8)	Planning			
541990	All Other Professional, Scientific, and Technical Services	\$104,747.57	102	9
	TOTAL PLANNING	\$104,747.57	102	9
9)	Non Rolling Stock Capital			
238110	Poured Concrete Foundation and Structure Contractors	\$72,000.00	545	11
238210	Electrical Contractors and Other Wiring Installation Contractors	\$14,459.64	859	7
238990	All Other Specialty Trade Contractors	\$111,921.13	392	29
332311	Prefabricated Metal Building and Component Manufacturing	\$23,050.00	10	0
336120	Heavy Duty Truck Manufacturing	\$70,396.48	0	0
339999	All Other Miscellaneous Manufacturing	\$7,421.85	17	0
423120	Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$115,334.77	118	0
423430	Computer and Computer Peripheral Equipment and Software Merchant Wholesalers	\$202,992.59	40	1
423910	Sporting and Recreational Goods and Supplies Merchant Wholesalers	\$796.25	47	0
441110	New Car Dealers	\$77,342.99	338	0
511210	Software Publishers	\$11,200.00	106	2
541330	Engineering Services	\$4,542.50	381	43
541430	Graphic Design Services	\$2,269.97	113	5
541511	Custom Computer Programming Services	\$260,980.71	390	20
541990	All Other Professional, Scientific, and Technical Services	\$87,289.64	102	9
811219	Other Electronic and Precision Equipment Repair and Maintenance	\$443.57	17	0
	TOTAL NON ROLLING STOCK CAPITAL	\$1,062,442.07	3,475	127
	TOTALS	\$15,268,464.71	28,689	483

FY2024 – 2026 DBE Goal – Proposed by DART

	Total Expenses FY2022	FY24 - FY26 Annual FTA Contracting Opportunities	% of Total	# of DBE's	Universal # of Firms	Relative Availability
Fringe Benefits	\$2,628,291.26	\$3,160,500.00	17.70%	3	2,176	0.1%
Services	\$4,460,307.55	\$5,267,761.00	29.51%	234	14,666	1.6%
Materials & Supplies	\$4,415,951.16	\$5,097,750.00	28.56%	71	4,305	1.6%
Casualty & Liability	\$1,391,034.14	\$1,283,180.00	7.19%	3	255	1.2%
Purchased Transportation	\$78,374.96	\$122,450.00	0.69%	1	17	5.9%
Miscellaneous	\$246,928.92	\$335,450.00	1.88%	25	3,306	0.8%
Leases & Rentals	\$880,387.07	\$870,300.00	4.88%	10	387	2.6%
Planning	\$104,747.57	\$300,000.00	1.68%	9	102	8.8%
Non Rolling Stock Capital	\$1,062,442.07	\$1,414,066.00	7.92%	127	3,475	3.7%
TOTAL	\$15,268,464.71	\$17,851,457.00		483	28,689	1.68%
				Weighted DBE Goal (Step 1)		1.68%

**DES MOINES AREA REGIONAL TRANSIT AUTHORITY
ATTACHMENT #**

**CERTIFICATION OF LOWER-TIER PARTICIPANTS (SUBCONTRACTORS) REGARDING DEBARMENT,
SUSPENSION, AND OTHER INELIGIBILITY AND VOLUNTARY EXCLUSION**

The Undersigned Lower Tier Participant (Subcontractor to the Primary Contractor), certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency. If the above named Lower Tier Participant (Subcontractor) is unable to certify to any of the statements in this certification, such participant shall attach an explanation to this proposal.

The Undersigned Lower-Tier Participant (Subcontractor), certifies or affirms the truthfulness and accuracy of the contents of the statements submitted on or with this certification and understands that the provisions of 31. U.S.C. Sections 3801 et seq. are applicable thereto.

Name of Proposer _____

Address _____

City, State, Zip _____

Signature of Authorized Official _____

Title of Official _____

Telephone _____ Date _____

Notary Public Name (Printed)

Notary Public Signature County of

Expiration Date

NOTICE TO PROPOSER: THIS CERTIFICATION SHALL BE COMPLETED BY ALL SUBCONTRACTORS WHICH WILL HAVE A FINANCIAL INTEREST IN THIS PROJECT WHICH EXCEEDS \$25,000 OR SUBCONTRACTORS WHICH WILL HAVE A CRITICAL INFLUENCE ON OR A SUBSTANTIVE CONTROL OVER THE PROJECT.

**DES MOINES AREA REGIONAL TRANSIT AUTHORITY
ATTACHMENT #**

DBE PARTICIPATION FORM

Proposer must check the appropriate box, provide the information requested, sign and submit this form with its proposal. Failure to complete and submit this form may result in rejection of the proposal as non-responsive.

Proposer will meet the DBE goal for this contract. Proposer is certified according to requirements of DOT 49 CFR Part 26 as a DBE eligible for participation in DOT assisted contracts, and will be performing ____ percent (____ %) of the contract work.

Proposer will meet the DBE goal for this contract. If awarded this contract, proposer will subcontract with the DBE(s) listed below which will be performing a total of ____ percent (____%) of the total dollar amount of contract work. Each DBE listed below is certified according to requirements of DOT 49 CFR Part 26 for participation in DOT assisted contracts.

<u>DBE Name</u>	<u>Percent of Dollar Amount of</u>	<u>Total Contract Work</u>

(Attach additional sheets)

Proposer does not meet the DBE goal for this contract. Proposer certifies that it has made good faith efforts in accordance with the Request for Proposal to meet the DBE goal, but, despite those efforts, has been unable to meet the goal. The Good Faith Efforts Documentation Form is attached to this Participation Form.

Date: _____

Name: _____

Signature: _____

Title: _____

Separate information is required for each DBE subcontractor. This form may be duplicated as necessary.

PLEASE ATTACH A COPY OF THE DBE'S MOST RECENT CERTIFICATION LETTER OR DOCUMENT.

1. DBE Firm Name: _____

Address: _____

2. Dollar amount awarded: _____

3. Description of work to be performed :

4. Contractor's Commitment to use DBE Firm

_____ is committed to utilize the DBE contractor to utilize the above
(Name of Contractor)
named DBE subcontractor/supplier in the manner and amount described on this form.

Dated _____
(Authorized Signature)

5. DBE's Commitment to Participate

_____, as a DBE firm, is committed to perform the work as described
(Name of subcontractor/supplier)
above for the amount specified.

Dated _____
(Authorized Signature)

**DES MOINES AREA REGIONAL TRANSIT AUTHORITY
ATTACHMENT #**

DBE GOOD FAITH EFFORTS DOCUMENTATION FORM

DART ANNUAL DBE GOAL: ###%

If proposer has indicated on the DBE Participation Form that it does not meet the DBE goal, proposer must submit this form with its DBE Participation Form as documentation of its good faith efforts to meet the goal. Failure to submit this form with its proposer may render this proposal non-responsive. DART may require that proposer provide additional substantiation of good faith efforts.

Date: _____ Area of Expertise: _____

Name: _____ Company Name: _____

Response: _____

Date: _____ Area of Expertise: _____

Name: _____ Company Name: _____

Response: _____

Date: _____ Area of Expertise: _____

Name: _____ Company Name: _____

Response: _____






DART DBE Policy and Goal 2024 Final

Final Audit Report

2024-03-22

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