

DSATS FY14-16 DBE PROGRAM

This document provides an overview of the Disadvantaged Business Enterprise and Small Business Policies that have been implemented by the DeKalb Sycamore Area Transportation Study when contracting for equipment and services for Public Transportation.

Methodology, Policies,
and Procedures

TABLE OF CONTENTS

1	POLICY STATEMENT	4
1.1	Objectives/Policy Statement.....	4
2	SUBPART A – GENERAL REQUIREMENTS	5
2.1	Objectives	5
2.2	Applicability.....	5
2.3	Definitions.....	6
2.3.1	Introduction to IDOT's Small Business Enterprises	6
2.3.2	For clarification purposes, the following definitions are provided:.....	6
2.3.3	DBE Certification	6
2.3.4	Prime Contractor Prequalification	6
2.3.5	Consultant Prequalification.....	6
2.3.6	Subcontractor Registration	7
2.3.7	Contractor's Market Place	7
2.3.8	Continuity.....	7
2.4	Non-discrimination Requirements.....	7
2.5	Record Keeping Requirements.....	7
2.5.1	Uniform Report of DBE Awards or Commitments and Payments	7
2.5.2	Bidders List	7
2.6	Assurances	8
2.6.1	Federal Financial Assistance Agreement Assurance:	8
2.6.2	Contract Assurance	8
3	SUBPART B – ADMINISTRATIVE REQUIREMENTS	9
3.1	DBE Program Updates.....	9
3.2	DBE Liaison Officer (DBELO) and DBE Coordinator (DBEC).....	9
3.3	DBE Financial Institutions.....	10
3.4	Prompt Payment Mechanisms.....	10
3.4.1	Prompt Payment:	10
3.4.2	Retainage:	10
3.4.3	Monitoring and Enforcement:	10
3.5	Directory	11
3.5.1	DBE Directory	11
3.5.2	Small Business Directory	11
3.6	Overconcentration.....	11
3.7	Monitoring and Enforcement Mechanisms	11
3.8	Small Business Participation	12
3.8.1	Definition of Small Business.....	12
3.8.2	Verification of Small Business Status	12
3.9	Mechanism to Allow DBE & Small Business Participation	12
4	SUBPART C – GOALS, GOOD FAITH EFFORTS, AND COUNTING.....	14
4.1	Set-asides or Quotas	14
4.2	Overall Goals	14
4.3	Goal Setting and Accountability.....	15
4.4	Transit Vehicle Manufacturers Goals	16
4.5	Meeting Overall Goals/Contract Goals	16
4.6	Good Faith Efforts Procedures.....	16

4.6.1	Evaluation of Good Faith Efforts:	17
4.6.2	Information to be submitted:	17
4.6.3	Administrative Reconsideration:.....	17
4.6.4	Good Faith Efforts when a DBE is Terminated/Replaced on a Contract with Contract Goals: 18	
4.6.5	Sample Bid Specification:	18
4.7	Counting DBE Participation	19
5	SUBPARTS D & E– CERTIFICATION	19
5.1	Unified Certification Programs.....	19
6	SUBPART F – COMPLIANCE AND ENFORCEMENT.....	19
6.1	Information, Confidentiality, Cooperation.....	19
6.1.1	Monitoring Payments to DBEs	19
Appendix A. List of Attachments	
	20	
Appendix C. Organization Chart	
	21	
Appendix D.IDOT District Map	
	22	
Appendix E. DBE Directory	
	23	
Appendix F.Monitoring and Enforcement Mechanisms	
	24	
A.F.1	Monitoring and Enforcement Mechanisms/Legal Remedies	24
A.F.2	Federal Transit Administration Addendum required in all City of DeKalb Contracts:	24
A.F.2.1	Timely Payment:	24
A.F.2.2	Subcontractor Agreements:.....	24
A.F.2.3	Notice of Subcontracts:.....	25
A.F.2.4	Notice of Termination or Default:.....	25
A.F.2.5	Compliance Monitoring:	25
A.F.2.6	Other Terms:.....	26
A.F.2.7	Penalty:	26
Appendix G. City of DeKalb Responsible and Responsive Definition	
	28	
A.G.1	RESPONSIBLE BIDDER; LOCAL PREFERENCE (10-16)	28
A.G.1.1	Responsible Bidder.....	28
A.G.1.2	Compliance of Requirements.....	29
A.G.1.3	Exempted from Provisions	29
Appendix H. DBE Goal Calculations	
	30	
A.H.1	Overall Goal Calculation.....	30
A.H.1.1	Amount of Goal	30
A.H.1.2	. Methodology used to Calculate Overall Goal.....	31
A.H.1.2.1	Step 1:	31

A.H.1.2.2	Step 2	34
6.1.1.1.1	The data used to determine the adjustment to the base figure was:	34
6.1.1.1.2	The reason we chose to adjust our figure using this data was because:	35
6.1.1.1.3	From this data, we have adjusted our base figure to:	35
A.H.1.3	Public Participation	35
A.H.1.3.1	Publishing of Goals:	35
A.H.1.3.2	Publishing of Transportation Projects:	35
A.H.1.4	Breakout of Estimated	35
A.H.1.5	Race-Neutral & Race Conscious Participation	35
Appendix I. Demonstration of Good Faith Efforts Forms	
	37	
A.I.1	Forms 1 & 2 for Demonstration of Good Faith Efforts	37
A.I.2	DBE FORM 1: DISADVANTAGED BUSINESS ENTERPRISE (DBE) UTILIZATION	38
A.I.3	DBE FORM 2: LETTER OF INTENT	39
A.I.4	SMALL BUSINESS FORM 1: SMALL BUSINESS CERTIFICATION	40
A.I.5	SMALL BUSINESS FORM 2: LETTER OF INTENT	41
Appendix J. Certification Forms	
	43	
A.J.1	Certification Forms	43
Appendix K. Federal Regulations	
	44	
A.K.1	Regulations: 49 CFR Part 26	44
Appendix L. Listing of Firms by NAICS Codes	
	45	

TABLE OF FIGURES

<i>Figure 1. DSATS/City of DeKalb Organizational Chart</i>	_____	21
<i>Figure 2. IDOT District Map</i>	_____	22

TABLE OF TABLES

<i>Table 1. FTA Funded Projects</i>	_____	30
<i>Table 2. DSATS/City of DeKalb DBE Goals</i>	_____	30
<i>Table 3. Illinois UCP Firms serving District 3 by NAICS Code</i>	_____	31
<i>Table 4. District 3 Architectural Firms by NAICS Code</i>	_____	45
<i>Table 5. District 3 Construction Firms by NAICS Code</i>	_____	46
<i>Table 6. District 3 Financial Firms by NAICS Code</i>	_____	47
<i>Table 7. District 3 Manufacturing Firms by NAICS Code</i>	_____	48
<i>Table 8. District 3 Miscellaneous Firms by NAICS Code</i>	_____	49
<i>Table 9. District 3 Professional Firms by NAICS Code</i>	_____	50
<i>Table 10. District 3 Supplier Firms by NAICS Code</i>	_____	51
<i>Table 11. District 3 Trucking Firms by NAICS Code</i>	_____	52

DeKalb Sycamore Area Transportation Study DBE and Small Business Program

1 POLICY STATEMENT

1.1 OBJECTIVES/POLICY STATEMENT

The DeKalb Sycamore Area Transportation Study (DSATS) and its fiscal agent, the City of DeKalb, have established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. DSATS/City of DeKalb has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, the DSATS Director has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of DSATS/City of DeKalb to ensure that DBEs 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;
6. To assist the development of firms that can compete successfully in the market place outside the DBE Program.

The DSATS Director has been delegated as the DBE Liaison Officer. In that capacity, The DSATS 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 the City of DeKalb in its financial assistance agreements with the Department of Transportation.

The DSATS Director has disseminated this policy statement to the DeKalb Sycamore Area Transportation Study Policy Committee and all member organizations as standard policy for all DOT-financed projects implemented by all member organizations. We have distributed this statement to DBE and non-DBE business communities that perform work for us on DOT-assisted contracts via all contracts and on the DSATS website.

2 SUBPART A – GENERAL REQUIREMENTS

The DeKalb Sycamore Area Transportation Study (DSATS) and its fiscal agent, the City of DeKalb, manage all FHWA and FTA grant funds that are allocated to the DeKalb Urbanized Area. As the DSATS staff manages both the MPO planning funds, FTA capital and operating assistance funds, and State of Illinois operating assistance funds, it was decided to have the DeKalb area DBE program be overseen by DSATS staff and approved by the DSATS Policy Committee. As the fiscal agent for DSATS, the City of DeKalb has agreed to abide by the DBE program as approved by the DSATS Policy Committee.

Projects, which use funding from the following grant sources, shall be subject to the DSATS DBE Program:

- FHWA MPO Planning Funds
- FTA 5303 Planning Funds
- FTA 5307 Capital and Operating Assistance Funds
- FTA 5316 Job Access and Reverse Commute Program
- FTA 5317 New Freedom Program
- For other Federal DOT grants which DSATS member organizations are approved, those projects are generally managed and let by the Illinois Department of Transportation (IDOT) and subject to the IDOT DBE Program regulations. If a member organization manages a DOT funded project independent of IDOT, the DSATS DBE program can be used as guidance for the project, however, those projects shall not count towards or against the DSATS DBE program goals.

DeKalb is a smaller urbanized area with a population around 65,000. Annually the area receives around \$165,000 in MPO FHWA Planning funds, \$29,000 in FTA 5303 planning funds, and \$800,000 in FTA 5307 funds. Transit services for the DeKalb Urbanized Area are contracted out to a private non-profit small transit agency, the Voluntary Action Center (VAC). VAC provides demand response paratransit fixed route deviation service for residents of DeKalb urbanized area. A large portion of the FTA 5307 funds annually is dedicated to pay for staff salaries at VAC. VAC is subject to all regulations of the DBE program as we are and any operating assistance funds, which are used for contracted services, shall be subject to DBE requirements identified herein.

2.1 OBJECTIVES

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

[Note: the policy must be signed and dated by your organization's highest officer, and circulated throughout the organization and to the DBE and non-DBE business communities that work on your DOT assisted contracts. This process must occur each time your organization hires a new chief/highest officer.]

2.2 APPLICABILITY

The City of DeKalb on behalf of DSATS is the recipient and fiscal agent of federal –aid highway funds authorized under Titles I and V of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), Pub. L. 102-240, 105 Stat. 1914, Titles me, III, and V of the Transportation Equity Act for the 21st Century (TEA-21, Pub. L. 105-178, 112 Stat. 107.

The City of DeKalb on behalf of DSATS is the recipient and fiscal agent of federal transit funds 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, II, and V of the Teas-21, Pub. L. 105-178.

2.3 DEFINITIONS

DSATS will use the Illinois Department of Transportation’s Unified Certification Program as the source to identify all DBEs eligible to perform work in the DeKalb Region as a DBE. The Definitions, as defined by IDOT, are as follows:

2.3.1 Introduction to IDOT's Small Business Enterprises

IDOT’s Bureau of Small Business Enterprises (SBE) is responsible for administering the federally mandated Disadvantaged Business Enterprise (DBE) program. The DBE program is intended to provide contracting opportunities to small businesses owned and controlled by socially and economically disadvantaged individuals in the United States Department of Transportation’s highway, mass transit, and airport financial assistance programs.

Applicant firms must be found eligible to be certified as a DBE under the federal regulations contained in 49 CFR part 26 and part 23. Only those businesses, which are involved in highway construction-related services (non-vertical), consultant, and supplier/equipment rental/trucking services, are considered for participation in IDOT’s DBE program.

Once certified, the firm’s name is listed in the Illinois Unified Certification Program’s (IL UCP) DBE Directory (Directory). The IL UCP’s five participating agencies maintain the Directory to provide a reference source to assist bidders/proposers in meeting DBE contract goals. The Directory lists the firms in alphabetical order and provides the industry categories/list and the district(s) in which the firms have indicated they are available.

2.3.2 For clarification purposes, the following definitions are provided:

- DBE Certification
- Prime Contractor Prequalification
- Consultant Prequalification
- Subcontractor Registration
- Contractor's Market Place

2.3.3 DBE Certification

All contractors, whether prime or subcontractor, desiring to participate as a DBE must be certified as a DBE. A firm seeking certification has to meet requirements concerning group membership or individual disadvantage, business size, ownership and control.

Call 217.782.5490 for more information.

2.3.4 Prime Contractor Prequalification

All highway construction prime contractors desiring to provide services to IDOT must be prequalified. Prequalification is a rating process, which requires all prospective bidders to obtain a Certificate of Eligibility prior to being considered for issuance of bidding proposal forms and plans for any contract awarded by IDOT, as well as contracts awarded by local agencies requiring approval of award by IDOT.

Call 217.782.3413 for more information.

2.3.5 Consultant Prequalification

All architectural-engineering consultants desiring to provide services to IDOT, whether as a prime or Subconsultant, must be prequalified.

Call 217.785.2940 for more information.

2.3.6 Subcontractor Registration

- IDOT is required to maintain a list of all contractors and subcontractors performing work on IDOT projects.
- Subcontractors interested in participating on IDOT contracts are required to register.
- Only registered subcontractors included in the list can be approved for IDOT projects.
- Prequalified contractors are automatically included in the list and are not required to register.
- Material suppliers and trucking companies are not included in the definition of subcontractor and are not required to register.
- Subcontractors can register electronically by submitting the Subcontractor Registration Form. This form is located under "Doing Business with IDOT, Highway Construction." The registration form requires minimal information and can be completed in minutes. Confirmation, along with a registration number, will be received by e-mail in 1-2 days. Registration is valid for one year and will then require renewal.
- Call 217.782.3413 for more information.

2.3.7 Contractor's Market Place

The Contractor's Market Place is a forum for prime-contractors, subcontractors, and suppliers wishing to do business with IDOT. The objective is to facilitate communications by providing an electronic bulletin board for the contracting community.

Prime contractors have the ability to communicate their desire for quotes on a specific letting item(s) and work category(ies) to subcontractors and suppliers. Subcontractors and suppliers have the ability to communicate their interest to prime contractors in providing quotes on a specific letting item and work category.

Information from the forms submitted is organized by letting date and posted in an easy-to-read report format. Reports will be updated each day. Locate the "Contractor's Market Place" under "Doing Business with IDOT, Highway Construction".

2.3.8 Continuity

Any new/amended definitions provided by USDOT or IDOT shall be included within the program whether identified herein or not.

2.4 NON-DISCRIMINATION REQUIREMENTS

DSATS/City of DeKalb 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, DSATS/City of DeKalb 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.

2.5 RECORD KEEPING REQUIREMENTS

2.5.1 Uniform Report of DBE Awards or Commitments and Payments

DSATS/City of DeKalb will report DBE participation to the relevant operating administration [FAA, FHWA and/or FTA] using the Uniform Report of DBE Awards or Commitments and Payments, found in Appendix B to the DBE regulation.

2.5.2 Bidders List

DSATS shall maintain the most current list of DBE contractors as identified by the IDOT UCP listing of certified DBE's in the DeKalb Region. Additionally, DSATS staff agrees to build an overall Bidders List, using the following methods:

- Compiling a list of firms regularly used by DSATS Member Organization staff when contracting for transportation projects;
- When a specific project is identified, search the Central Contract Register to identify potential contractors based on applicable NAICS Codes.
- When a project is awarded, request a listing of firms that the contractor works with to further expand Bidder List. [*note: due to the small number of projects bid out annually and the unique nature of projects, at this time DSATS will only make this disclosure voluntary and not a required part of a contract award*];
- Whenever DSATS or VAC staff attend transportation conferences where vendors are present, collect contact information from all applicable vendors;
- Retain contact information on all contractors and subcontractors who have bid on previous projects, but did not win award contract;
- When sending our project RFP's, contact other transportation related agencies to identify vendors they may have used in the past on similar projects.

As it is difficult to identify all potential bidders solely in a list, all projects over \$100,000 must be advertised, and projects under \$100,000 are advised to be publicly advertised.

2.6 ASSURANCES

DSATS/City of DeKalb has signed the following assurances, applicable to all DOT-assisted contracts and their administration:

2.6.1 Federal Financial Assistance Agreement Assurance:

The City of DeKalb and all DSATS member organizations 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. The recipient'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 the City of DeKalb of its failure to carry out its approved program, the Department may impose sanction 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 financial assistance agreements with sub-recipients.

[Note: This language is to be used verbatim, as it is stated in 26.13(a) on all USDOT funded contracts]

2.6.2 Contract Assurance

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.

[Note: This language is to be used verbatim, as it is stated in 26.13(b) on all USDOT funded projects]

3 SUBPART B – ADMINISTRATIVE REQUIREMENTS

3.1 DBE PROGRAM UPDATES

DSATS staff manages all grants received from FHWA and FTA allocated to the DeKalb IL Urbanized Area. DSATS staff shall manage this DBE program under the following conditions:

- If the City of DeKalb, as the fiscal agent for DSATS, receives \$250,000 or more in FTA planning, capital, and/or operating assistance in a federal fiscal year
 - Funds used in the procurement of buses for the transit fleet if purchased from bus vendors identified in the FTA’s Transit Vehicle Manufacturers (TVMs) list (http://www.fta.dot.gov/12326_5626.html) shall be exempted from this total.
- If any member organization of DSATS uses FHWA funds for a project and the FHWA contract with the member organization requires a DBE program and is authorized by statute for which this part applies
- In circumstances where any transportation project is let through the Illinois Department of Transportation (IDOT) procurement system, the project shall be overseen by the IDOT DBE program.

DSATS will continue to carry out this program until all funds from DOT financial assistance have been expended. We will provide to DOT updates representing significant changes in the program.

3.2 DBE LIAISON OFFICER (DBELO) AND DBE COORDINATOR (DBEC)

The DSATS Director shall be designated as the DBE Liaison Office and the DSATS Coordinator shall be designated as the DBE Coordinator. The person’s currently in those positions are:

- **DBELO:** Brian Dickson, 200 S. 4th St, First Floor, DeKalb, IL 60115, (815) 748-2367, brian.dickson@cityofdekalb.com
- **DBEC:** Jessica Hyink, 200 S. 4th St, First Floor, DeKalb, IL 60115, (815) 748-2369, jessica.hyink@cityofdekalb.com

In that capacity, the DBELO is responsible for oversight in implementing all aspects of the DBE program and ensuring that DSATS and the City of DeKalb comply with all provision of 49 CFR Part 26. The DBELO has direct, independent access to the DSATS Policy Committee Chair and the City Manager of the City of DeKalb 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 DBEC shall be in charge of the day-to-day operations of the DBE program, including reporting to federal officials, maintenance of the DBE plan, and other duties as necessary. The duties and responsibilities include the following:

1. **DBEC:** Gathers and reports statistical data and other information as required by DOT;
2. **DBEC:** Reviews third party contracts and purchase requisitions for compliance with this program;
3. **DBEC:** Works with all departments to set overall annual goals;
4. **DBEC:** Ensures that bid notices and requests for proposals are available to DBEs in a timely manner;
5. **DBEC:** 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;
6. **DBEC:** Analyzes DSATS/City of DeKalb’s progress toward attainment and identifies ways to improve progress;
7. **DBELO & DBEC:** Participates in pre-bid meetings;

8. DBELO: Advises the CEO\governing body on DBE matters and achievement;
9. DBEC: Provides DBEs with information and assistance in preparing bids, obtaining bonding and insurance;
10. DBEC: Plans and participates in DBE training seminars;
11. IDOT: Certifies DBEs according to the criteria set by DOT and acts as liaison to the Uniform Certification Process in the State of Illinois;
12. DBEC: Provides outreach to DBEs and community organizations to advise them of opportunities;
13. DBEC: Maintains DSATS's updated directory on certified DBEs; and
14. DBELO: Takes all complaints regarding the DSATS DBE and Civil Rights programs and negotiates to resolve any complaints to the best of DSATS/City of DeKalb resources.

3.3 DBE FINANCIAL INSTITUTIONS

In the provision of financial services dealing with FTA funds, DSATS staff shall encourage City of DeKalb finance staff to make outreach to possible DBE financial institutions owned and controlled by socially and economically disadvantaged individuals in the community and to make reasonable efforts to use these institutions, and to encourage prime contractors on DOT-assisted contract to make use of these institutions. We will also re-evaluate the availability of DBE financial institutions annually. To date we have identified no DBE or small business financial institutions, which serve the DeKalb region.

- There are a few institutions, which serve other regions of Illinois. If DSATS or the City of DeKalb bids a project, which has financial subcontracting opportunities, a list of those institutions may be provided as part of the project RFP.

Information on the availability of such institutions can be obtained from the DBE Coordinator.

3.4 PROMPT PAYMENT MECHANISMS

3.4.1 Prompt Payment:

DSATS/City of DeKalb 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 **thirty (30) actual days** from the receipt of each payment the prime contract receives from the City of DeKalb. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the City of DeKalb. This clause applies to both DBE and non-DBE subcontracts.

3.4.2 Retainage:

DSATS/City of DeKalb will include the following clause in each DOT-assisted prime contract:

The prime contractor agrees to return retainage payments to each subcontractor within **thirty (30) actual 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 the City of DeKalb. This clause applies to both DBE and non-DBE subcontracts.

3.4.3 Monitoring and Enforcement:

The City of DeKalb shall require in all FTA funded contracts language that allows the City to monitor and enforce that prompt payment and return of retainage is in fact occurring on any contract, which involves sub-contracting [see **Attachment 3: Monitoring and Enforcement Mechanisms/Legal Remedies** for language to be included in all applicable contracts].

3.5 DIRECTORY

3.5.1 DBE Directory

- DSATS uses the State of Illinois Unified Certification Program (UCP) directory to identify all firms eligible to participate as DBEs in the DeKalb region (District 3). The directory lists the firm's name, address, phone number, date of the most recent certification, and the type of work the firm has been certified to perform as a DBE. The directory shall be downloaded annually from the IDOT website (<http://idot.illinois.gov/doing-business/certifications/disadvantaged-business-enterprise-certification/il-ucp-directory/index>). The Directory of firms serving the DeKalb region shall be made available on the DSATS DBE website at: <http://www.dsats.org/517/Disadvantage-Business-Enterprise-DBE-Pro>. The Directory [or a link to the directory] may be found in Attachment 2 to this program document.
- If any firm wishes to become certified as a DBE in the State of Illinois, they can submit an application via the IDOT website at <http://idot.illinois.gov/doing-business/certifications/disadvantaged-business-enterprise-certification/index>.
- All Bidders/offerors must submit DBE Forms 1 & 2 as part of the IFB/RFP bid submission to verify their compliance with all DBE regulations identified herein.

3.5.2 Small Business Directory

- DSATS uses the System for Award Management (SAM) (<https://www.sam.gov/portal/public/SAM/>) (previously known as CCR) to identify all firms eligible to participate as a small business. All contractors and subcontractors wishing to participate in any FTA funded contract must be registered on the SAM in order to determine their small business status.
- In order to determine if a business can be considered as a small business DSATS uses the size definition developed by the U. S. Small Business Administration (http://www.sba.gov/sites/default/files/files/Size_Standards_Table.pdf).
- All Bidders/offerors must submit Small Business Forms 1 & 2 as part of the IFB/RFP bid submission to verify their compliance with all DBE regulations identified herein.

3.6 OVERCONCENTRATION

DSATS/City of DeKalb has not identified that overconcentration exists in the types of work that DBEs perform in District 3.

Overconcentration will re-evaluate for overconcentration annually when the new IDOT UCP listing becomes available.

3.7 MONITORING AND ENFORCEMENT MECHANISMS

DSATS/City of DeKalb will take the following monitoring and enforcement mechanisms to ensure compliance with 49 CFR Part 26.

1. We will bring to the attention of the Department of Transportation any false, fraudulent, or dishonest conduct in connection with the program, so that DOT can take the steps (e.g., referral to the Department of Justice for criminal prosecution, referral to the DOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided in 26.109.
2. We will consider similar action under our own legal authorities, including responsibility determinations in future contracts. **Appendix F** 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. In FTA funded contracts where subcontracting occurs, the contracts shall be written to allow for onsite visits to any DBE or small business subcontractor to ensure compliance with all DBE

regulations and verification of the existence of the identified DBE. Any inspection should include a written certification of the inspections performed, which could include a review of contracting records with the prime contractor, records of bills and payments, and monitoring of work sites on which DBEs are performing contracted work. Site inspections should occur if a prime contractor reports issues with a DBE subcontractor, if a DBE subcontractor submits a complaint about a prime contractor, if the City feels there may be an issue with either the contractor or subcontractor, or on a random basis as needed. In the situation where the DBE is the main contractor, the completion of the project to the satisfaction of the scope of work shall be considered compliance and no onsite inspection shall be required unless it appears the contractor is not satisfactorily complying with the identified scope of work.

4. DSATS staff will keep a running tally of actual payments to DBE firms for work committed to them at the time of contract award and report them on the TEAM website.

3.8 SMALL BUSINESS PARTICIPATION

DSATS/City of DeKalb has incorporated the following non-discriminatory element to its DBE program, in order to facilitate competition on DOT-assisted public works projects by small business concerns (both DBEs and non-DBE small businesses):

3.8.1 Definition of Small Business

- DSATS/City of DeKalb shall define a small business according to the definition developed by the U.S. Small Business Administration (http://www.sba.gov/sites/default/files/files/Size_Standards_Table.pdf)

3.8.2 Verification of Small Business Status

- In order to be considered as a small business in any DSATS Advertised project, the firm must be registered as a small business in the SAM (*see Small Business Directory for definition*).
- When issuing an IFB or RFP, DSATS staff shall search the SAM database to identify all small businesses in Illinois, which may be able to bid as a prime or subcontractor for the project according to the applicable NAICS codes identified. Those companies shall then be contacted directly about the project to allow them a chance to bid. DSATS staff shall keep a listing of all contacted businesses for each project and identify if any of them bid on the project.
- All bids, which are submitted, shall identify the following information for the Contractor and all subcontractors:
 - Number of employees broken down by specialty [*specialties shall be identified at the time the RFP is written as different businesses will have different specialties*]
 - Identify if firm is identified as a small business by any organization other than the SAM [*i.e. US Small Business Association, IDOT, etc.*]
 - Identify if firm is registered as an Illinois DBE and when that registration expires.
 - DSATS staff shall be required to follow up on any registration as a small business or DBE to ensure the information they are providing is accurate.
- The DSATS small business provision shall be an active part of the DBE program and not replace or act as a substitute for other critical elements of the DSATS DBE program, including use of contract goals (as appropriate), good faith efforts evaluations, etc.

3.9 MECHANISM TO ALLOW DBE & SMALL BUSINESS PARTICIPATION

- **FTA funded Contracts Under \$100,000**
 - The majority of all FTA funded contracts [excluding the purchase of transit buses and providing operating assistance to the Voluntary Action Center for public transit in the DeKalb region] are smaller contracts under \$100,000. Contracts of this size usually are not profitable unless the demands of labor or extent of time needed to complete project is limited. This allows small businesses to compete at an equal level with larger businesses, as larger businesses must downsize the resources they allocate towards the project to remain profitable.
- **FTA funded Contracts \$100,000 and above**

- Staff shall review the type of project to identify if there are ways to unbundle the project into smaller pieces to allow opportunities for DBE's and small businesses if such unbundling is economically feasible. Based on the types of projects usually implemented by DeKalb and DSATS, the following opportunities may be applicable:
 - Purchase of pre-made equipment (bus shelters, software, office hardware, security apparatus, etc.). These purchases may exceed \$100,000 due to the quantity of product ordered, rather than the complexity or employee capability of the firm. In this situation, smaller firms that make or sell the desired products can compete as they already have the systems set up to sell the needed products. Suggestions for this situation include:
 - First, identify if there are already DBE or small businesses, which already manufacture the products DSATS/City of DeKalb is looking to acquire. In this situation, those firms shall be made aware of the bid and allowed to competitively bid with all other firms.
 - If no manufacturing firms are identified, bid out the contract to appropriate supplier firms, identify possible DBE and small business firms, which may be able to compete.
 - In some situations, the product may be so specific that only a few firms may produce item (example: specialized software or hardware). In this situation, staff should make the best effort to identify possible DBE's or small businesses, but ultimately participation may be impossible. Staff should maintain a paper trail to document efforts to identify DBE's and small businesses.
 - Construction and Service Projects. DeKalb does not typically use its FTA allocations towards larger construction or service projects. If a larger construction project should be performed, the project will be considered for various strategies to ensure participation by small business and DBE firms. Options can include:
 - Unbundle the contract into smaller segments that would be of the size and scope that small businesses can actively compete with larger firms in the bid for the individual projects if the economy of buying a larger volume purchase is not lost.
 - If the project does not lend itself to unbundling, the RFP shall be written to investigate the bidder to provide specific subcontracts appropriate for small businesses.
 - Planning / Architecture / Engineering Studies. Transit and transportation Planning / Architecture / Engineering studies tend to be specialized in nature with a limited number of firms, small or large, who perform such studies. For such projects, staff shall:
 - First, identify if there are already DBE or small businesses, which can perform such studies. In this situation, those firms shall be made aware of the bid and allowed to competitively bid with all other firms.
 - Given a rather limited field of firms dedicated to transportation studies and plans, there will be no mandatory small business or DBE inclusion requirements. Issued RFP's shall include documented outreach to DBE and small business firms as part of the scoring system to select a bidder.
 - In some situations, the study may be so specific that only a few firms may perform such studies. In this situation, staff should make the best effort to identify possible DBE's or small businesses, but ultimately participation may be impossible. Staff should maintain a paper trail, such as copies of emails, advertisements, posts to social sites, etc. to document efforts to identify DBE's and small businesses.
- **FTA Funded Large Scale Projects (typically approaching a million dollars or more)**
 - DSATS/City of DeKalb and VAC are looking at a few larger projects including the building of a new transit facility. As staff does not have the resources to manage all the FTA requirements that are required on a large scale projects, projects of this size will require the following:
 - The construction bid will require mandatory DBE and small business goals.
 - All proposals shall include a section on identification of all federal and state regulations and reporting requirements are applicable to project. This will be used to ensure that any bidder shall have a comprehensive knowledge of all required regulations.
 - The bidder must identify a specific person who shall be responsible to provide all federal, state, and local reporting requirements and oversight of all staff and sub-contracted staff to

- ensure compliance with all federal regulations (this oversight does not replace the oversight requirements of DeKalb staff, but supplements it).
 - For purchases where identification of DBE's and small businesses is not applicable (such as land purchases), staff should include in the DBE folder for the contract why the purchase was not applicable to DBE procurement procedures.
- **FTA Funded Voluntary Action Center Operating Assistance.** As sub-recipient of FTA 5307 operating assistance funds, VAC shall be subject to the following requirements:
 - The VAC Board must either submit their own DBE / Small Business Participation Plan to the City of DeKalb or adopt this plan as their own plan within 60-days of the final non-conditional approval of the City Plan by the Federal Transit Administration (FTA).
 - VAC shall be required to meet the DeKalb DBE goal for DBE participation based on the amount of FTA Operating Assistance funds provided by the City of DeKalb.
 - VAC shall be required to provide all needed DBE and small business funding information required by the FTA in order to submit DeKalb's semi-annual DBE report in ECHO.
 - All contracts bid or issued shall be subject to the same requirements as is required by DeKalb as identified in this document.
- **FTA Funded Purchase of Transit Bus Fleet Vehicles**
 - It shall be the policy of DSATS and the City of DeKalb to purchase transit fleet vehicles from vendors who are participants in the FTA's Transit Manufacturers DBE program. As this program is directly overseen by the FTA, DeKalb FTA funds for purchasing transit fleet vehicles shall be exempt from DeKalb DBE goals.
 - In situations where transit vehicles are purchased from vendors not on the FTA manufacturers list, the vendor shall be subject to all DBE and small business goals and regulations identified in this document.

4 SUBPART C – GOALS, GOOD FAITH EFFORTS, AND COUNTING

4.1 SET-ASIDES OR QUOTAS

DSATS/City of DeKalb does not use quotas in any way in the administration of this DBE program.

4.2 OVERALL GOALS

In accordance with Section 26.45, DSATS/City of DeKalb will submit its triennial overall DBE goal to *[the relevant DOT operating administration [FAA, FHWA, and/or FTA]* on August 1 of the year specified by *[FAA, FHWA, and/or FTA]*. *[Note: include assigned year/group of goal setting schedule?]*.

DSATS/City of DeKalb will also request use of project-specific DBE goals as appropriate, and/or will establish project specific DBE goals as directed by *[FAA, FHWA, and/or FTA]*.

The process generally used by DSATS/City of DeKalb to establish overall DBE goals is as follows:

- Using the Illinois UCP most recent listing, DSATS staff shall identify all DBE's who serve Illinois District 3 [See **Appendix D. : IDOT District Map** for map of IDOT Districts]
- The list shall then be broken down by Specialty to identify overall DBE goals. The following is a list of current specialties, but shall be reviewed annually to identify if specialties should be modified to more accurately identify applicable projects in the DSATS region:
 - Trucking
 - Manufacturing
 - Suppliers
 - Professional
 - Construction
 - Architecture
 - Financial

- Miscellaneous
- Each firm in the listing shall be identified by the specific types of projects they perform as identified by the US Census North American Industry Classification System (NAICS) code (see <http://www.census.gov/eos/www/naics/> for more information on the classification system). The total number of firms under each NAICS code shall be added together to identify the total number of firms per specialty.
- Based on firm NAICS codes, the MSA Business Patterns (NAICS) shall be used to identify the number of firms in the Chicago and Rockford MSA's per NAICS code. From that information, the total number of firms per NAICS Code shall be matched to the DBE NAICS code to identify the total number of firms in the DeKalb Service Area for each code.
- Based on specialty the total number of firms identified, as DBE shall be divided by the total number of firms in the DeKalb service area to identify the DBE Goal.
- This process must conform to the most current options described in Section 26.45 of the DBE regulation.

DSATS shall 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 your principal office for 30 days following the date of the notice, and informing the public that you and DOT will accept comments on the goals for 45 days from the date of the notice. This notice shall be published in the legal section of the DeKalb Chronicle. The notice must include addresses to which comments may be sent and addresses (including offices and websites) where the proposal may be reviewed.

DSATS overall goal submission to DOT 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.
- DSATS will begin using our overall goal on August 1 of the specified year, unless we have received other instructions from DOT. If we establish a goal on a project basis, we will begin using our goal by the time of the first solicitation for a DOT-assisted contract for the project. Our goal will remain effective for the duration of the three-year period established and approved by [FAA, FHWA, and/or FTA].

4.3 GOAL SETTING AND ACCOUNTABILITY

If the awards and commitments shown on DSATS/City of DeKalb 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, we will:

1. Identify by project all DBE's and small-businesses that were contacted to bid on projects [*if there are no applicable DBE's in the region that should also be identified*];
2. If none of those contacted bid on a project a random sample of contacted businesses shall be asked to identify reasons why they did not apply;
3. Establish specific steps and milestones to correct the problems identified in the analysis; and submit the plan to [FAA, FHWA, and/or FTA] within 90 days of the end of the affected fiscal year. [*Note: submission to DOT operating assistance is only required if you are a state DOT; one of the largest 50 transit authorities as determined by FTA, or an Operational Evolution Partnership Plan airport or other airport designated by FAA. However, please also note that recipients for whom submission/approval is not required must still perform the analysis, establish and implement a corrective action plan, and maintain information/records regarding the analysis and efforts made.*]

4.4 TRANSIT VEHICLE MANUFACTURERS GOALS

Due to its smaller size, DSATS/City of DeKalb has adopted the policy that all transit vehicles shall only be purchased via the IDOT or other State DOT procurement programs, and only FTA approved Transit Vehicle Manufacturers shall be used for procurement. As these manufactures have developed DBE goals in direct cooperation with the FTA, the City of DeKalb shall subtract the amount of funds spent on transit fleet procurement from its overall DBE goal.

[Note: this element applies only to FTA recipients' programs. If an FAA or FHWA recipient uses this approach to purchases of equipment, it would add a similar element to its program.]

4.5 MEETING OVERALL GOALS/CONTRACT GOALS

DSATS/City of DeKalb will meet the maximum feasible portion of its overall goal using race-neutral means of facilitating DBE participation.

Race-neutral means include, but are not limited to, the following:

- 1) Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate DBE, and other small businesses, participation (e.g., unbundling large contracts to make them more accessible to small businesses, requiring or encouraging prime contractors to subcontract portions of work that they might otherwise perform with their own forces);
- 2) As DBE's are certified through IDOT's DBE program, bidders and subcontractors should seek assistance from IDOT and their DBE program if facing limitations such as inability to obtain bonding or financing (e.g., by such means as simplifying the bonding process, reducing bonding requirements, eliminating the impact of surety costs from bids, and providing services to help DBEs, and other small businesses, obtain bonding and financing);
- 3) Promote programs provided by IDOT, FTA, FHWA, and others as they become available through website resources. These resources can include:
 - a) Providing technical assistance and other services;
 - b) Carrying out information and communications programs on contracting procedures and specific contract opportunities (e.g., ensuring the inclusion of DBEs, and other small businesses, on recipient mailing lists for bidders; ensuring the dissemination to bidders on prime contracts of lists of potential subcontractors; provision of information in languages other than English, where appropriate);
 - c) Supportive services programs provided to develop and improve immediate and long-term business management, record keeping, and financial and accounting capability for DBEs and other small businesses;
 - d) Services to help DBEs, and other small businesses, improve long-term development, increase opportunities to participate in a variety of kinds of work, handle increasingly significant projects, and achieve eventual self-sufficiency;
 - e) Programs to assist new, start-up firms, particularly in fields in which DBE participation has historically been low; and
 - f) Help for DBE's and small businesses to develop their capability to utilize emerging technology and conduct business through electronic media.
- 4) The DSATS DBE information shall be available to all view the DSATS website (<http://www.dsats.org/517/Disadvantage-Business-Enterprise-DBE-Pro>), and printed upon request.

4.6 GOOD FAITH EFFORTS PROCEDURES

Award 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, DSATS/City of DeKalb will not award the contract to a bidder who does not either:

- (1) meet the contract goal with verified, countable DBE participation; or

- (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.

4.6.1 Evaluation of Good Faith Efforts:

It shall be the responsibility of the City Engineer and his staff to review all bids to determine if any and all bids are responsive and responsible [*Note: Recipients can choose either approach*].

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

See **Attachment 3: City of DeKalb Responsible and Responsive Definition:** for City of DeKalb regulations on identifying responsible bidders.

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

4.6.2 Information to be submitted:

DSATS/City of DeKalb treats bidder/offers' compliance with good faith efforts' requirements as a matter of [*responsiveness*] or [*responsibility*]. Each solicitation for which a contract goal has been established will require the bidders/offerors to submit the following information:

1. If the DBE is selected as the sole contractor with no subcontractors, the scope of work in its entirety shall the description of work for the DBE and the dollar amount of the contract shall be allocated towards the DBE Goal.
2. Should the project have subcontractors, the Prime Contractor shall supply the following information:
 - a. The names and addresses of DBE firms that will participate in the contract;
 - b. A description of the work that each DBE will perform;
 - c. The dollar amount of the participation of each DBE firm participating;
 - d. Written and signed documentation of commitment to use a DBE subcontractor whose participation it submits to meet a contract goal;
 - e. Written and signed confirmation from the DBE that it is participating in the contract as provided in the prime contractors commitment and
 - f. If the contract goal is not met, evidence of good faith efforts.

4.6.3 Administrative Reconsideration:

Within 30 days of being informed by The City of DeKalb that it is not [*responsive or 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:

Tim Holdeman, Public Works Director, 1315 Market Street, DeKalb, IL 60115, (815) 748-2332,
Tim.Holdeman@CITYOFDEKALB.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.

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. We 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.

4.6.4 Good Faith Efforts when a DBE is Terminated/Replaced on a Contract with Contract Goals:

DSATS/City of DeKalb requires that prime contractors not terminate a DBE subcontractor listed on a bid/contract with a DBE contract goal without the City of DeKalb's prior 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. [See **Attachment 3: Federal Transit Administration Addendum required in all City of DeKalb Contracts:**]

Before transmitting to the City of DeKalb 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 the City of DeKalb prior to consideration of the request to terminate. The DBE will then have five (5) days to respond and advise the City of DeKalb of why it objects to the proposed termination. [Note: the five-day period may be reduced if the matter is one of public necessity [e.g., safety.]

In those instances where "good cause" exists to terminate a DBE's contract, The City of DeKalb 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, or documentation of good faith efforts.

If the contractor fails or refuses to comply in the time specified, our legal 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 legal officer may issue a termination for default proceeding.

4.6.5 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 DSATS/City of DeKalb 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 [insert goal according to specific type of project] percent has been established for this contract. The bidder/offeror shall make good faith efforts, as defined in Appendix A, 49 CFR Part 26 (Attachment 1), 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) If the bidder/offeror is themselves a DBE
- (2) the names and addresses of DBE firms that will participate in the contract;
- (3) a description of the work that each DBE firm will perform;
- (4) the dollar amount of the participation of each DBE firm participating;
- (5) Written documentation of the bidder/offeror's commitment to use a DBE subcontractor whose participation it submits to meet the contract goal;
- (6) Written confirmation from the DBE that it is participating in the contract as provided in the commitment made under (5); and
- (7) If the contract goal is not met, evidence of good faith efforts.

[Note: When a contract goal is established pursuant to the recipient's DBE program, the sample bid specification can be used to notify bidders/offerors of the requirements to make good faith efforts. The forms found at **Attachment 5** can be used to collect information necessary to determine whether the bidder/offeror has satisfied these requirements. The sample specification is intended for use in both non-construction and construction contracts for which a contract goal has been established. Thus, it can be included in invitations for bid for construction, in requests for proposals for architectural/engineering and other professional services, and in other covered solicitation documents. A bid specification is required only when a contract goal is established.]

4.7 COUNTING DBE PARTICIPATION

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

5 SUBPARTS D & E- CERTIFICATION

5.1 UNIFIED CERTIFICATION PROGRAMS

DSATS/City of DeKalb is the member of a Unified Certification Program (UCP) administered by the Illinois Department of Transportation. The UCP will meet all of the requirements of this section. DSATS/City of DeKalb will use and count for DBE credit only those DBE firms certified by the Illinois UCP.

Pursuant to the requirements of the federal regulations, 49 CFR part 26, all recipients of federal-aid must implement a “one-stop” certification process for Disadvantaged Business Enterprises (DBEs). Because of this requirement, the following five state agencies, the Illinois Department of Transportation (IDOT), City of Chicago, CTA, Metra, and Pace, have established the Illinois Unified Certification Program (IL UCP). Information on the IDOT UCP program can be found at <http://www.idot.illinois.gov/doing-business/certifications/disadvantaged-business-enterprise-certification/il-ucp-directory/index>.

6 SUBPART F – COMPLIANCE AND ENFORCEMENT

6.1 INFORMATION, CONFIDENTIALITY, COOPERATION

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

Notwithstanding any contrary provisions of state or local law, we 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.

6.1.1 Monitoring Payments to DBEs

We 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 any DSATS member organization officials, City of DeKalb officials, or DOT. This reporting requirement also extends to any certified DBE subcontractor.

We 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.

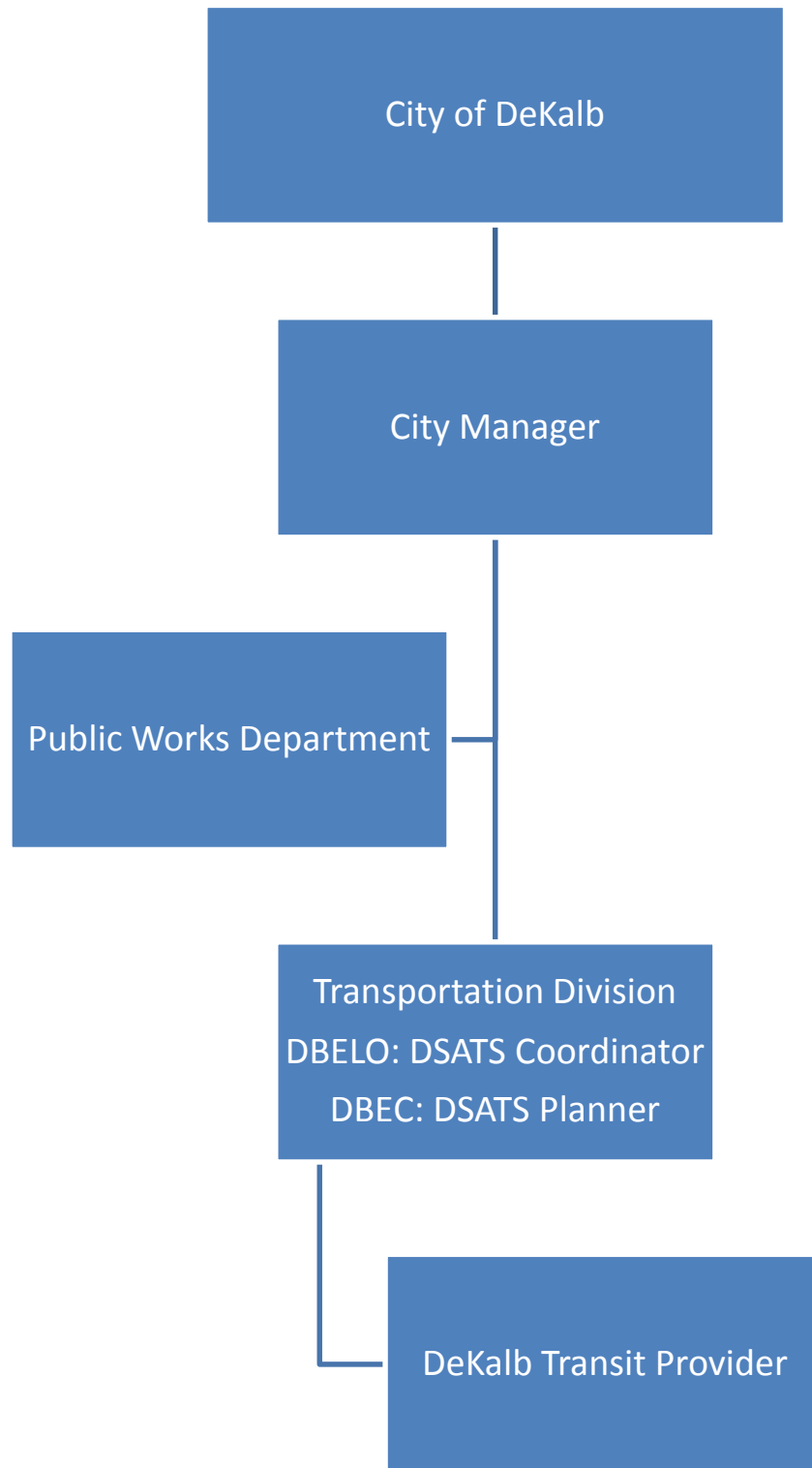
Appendix A. LIST OF ATTACHMENTS

The following are the attachments to the DBE Program that should be reviewed and updated annually.

- **Attachment 1:** Organizational Chart
- **Attachment 2:** IDOT District Map, DBE Directory
- **Attachment 3:** Monitoring and Enforcement Mechanisms/Legal Remedies, City of DeKalb Responsible and Responsive Definition:
- **Attachment 4:** Section 26.45: Overall Goal Calculation
- **Attachment 5:** Forms 1 & 2 for Demonstration of Good Faith Efforts
- **Attachment 6:** Certification Forms
- **Attachment 7:** Regulations: 49 CFR Part 26
- **Attachment 8:** DBE firms by NAICS Code by Specialty

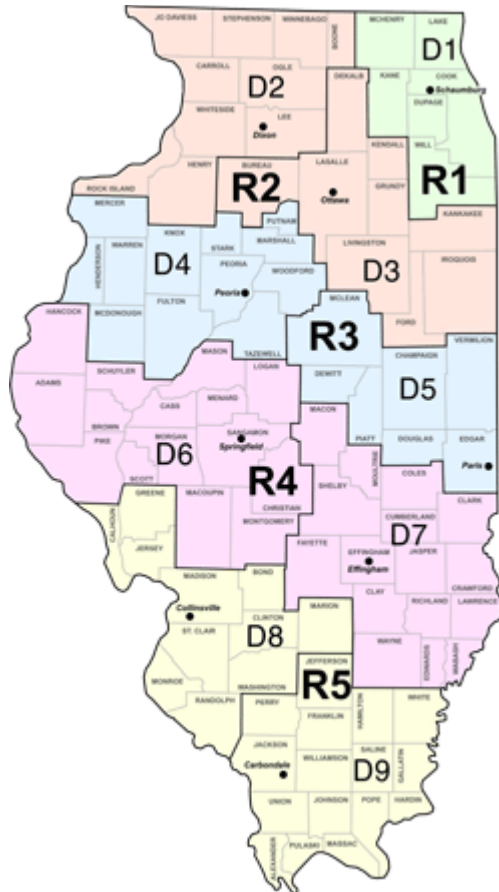
Appendix C. ORGANIZATION CHART

Figure 1. City of DeKalb DBE Organizational Chart



Appendix D. IDOT DISTRICT MAP

Figure 2. IDOT District Map



The DeKalb Urbanized Area is located within IDOT District 3 and all DBE firms selected are those indicating they will provide services to agencies and firms located in District 3.

Appendix E. **DBE DIRECTORY**

See <http://www.dsats.org/517/Disadvantage-Business-Enterprise-DBE-Pro> for link to the DSATS Directory of DBE firms serving District 3.

Appendix F. MONITORING AND ENFORCEMENT MECHANISMS

A.F.1 MONITORING AND ENFORCEMENT MECHANISMS/LEGAL REMEDIES

In addition, all procurement performed by DSATS/City of DeKalb is subject to the FTA Third Party Contracting Guidance (http://www.fta.dot.gov/legislation_law/12349_8641.html), 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.

A.F.2 FEDERAL TRANSIT ADMINISTRATION ADDENDUM REQUIRED IN ALL CITY OF DEKALB CONTRACTS:

This Federal Transit Administration Addendum ("Addendum") is entered into this _____ day of _____, 201_, by and between the City of DeKalb ("City") and _____ ("Contractor").

Whereas, Contractor has been retained to work on City of DeKalb projects which are proposed to receive funding, grant or technical assistance from the Federal Transit Administration ("FTA"), namely: _____ ("the Project"); and,

Whereas, City and Contractor agree that compliance with this Addendum and compliance with all FTA rules, regulations or statutes is required as a component of working on the Project; and,

Whereas, in consideration of the City agreeing to hire and compensate Contractor for the Project and other good and valuable consideration, the adequacy and receipt of which are acknowledged, Contractor agrees and covenants that it shall comply with all applicable requirements contained herein.

A.F.2.1 Timely Payment:

The Contractor is required to pay its subcontractors performing work related to this contract for satisfactory performance of that work no later than 30 days after the Contractor's receipt of payment for that work from the City. In addition, the Contractor (choose one):

- may not hold retainage from its subcontractors.
- is required to return any retainage payments to those subcontractors within 30 days after the subcontractor's work related to this contract is satisfactorily completed.
- is required to return any retainage payments to those subcontractors within 30 days after incremental acceptance of the subcontractor's work by the City and Contractor's receipt of the partial retainage payment related to the subcontractor's work.

A.F.2.2 Subcontractor Agreements:

The Contractor agrees that it shall maintain a written contract with any subcontractors, which subcontract shall refer to and incorporate the terms of this Addendum by reference. Each such subcontract shall require each Disadvantaged Business Enterprise ("DBE")/small business firm/subcontractor to contact the City and notify the City when the DBE/small business firm/subcontractor receives payment from the Contractor, and shall require each DBE/small

business firm/subcontractor to notify the City if such subcontractor is not paid within 30 days of the date on which the Contractor receives payment for the subcontractor's work from the City. Contractor and DBE/small business/subcontractors shall all affirm and commit to compliance with all applicable FTA rules, regulations, and statutes.

A.F.2.3 Notice of Subcontracts:

The Contractor shall identify all activities to be completed by DBEs, small business firms, or subcontractors, in writing, to the City, after contracting with such entities and before they begin completion of work on the Project. The City shall have the authority to review the qualifications of each subcontractor and to inspect the work of the subcontractor to confirm that all required work is being performed. Contractor shall cooperate with the City in providing access for such inspections. Nothing contained herein shall operate to waive or limit the primary obligation of the Contractor to manage and supervise all subcontractors and to be responsible for their performance of work related to the Project. Further, nothing contained herein shall create any duty or obligation on the part of the City to review the work methods or safety precautions employed by the Contractor or Subcontractor, nor shall the City be responsible for the means or methods of performance of work relating to the Project.

A.F.2.4 Notice of Termination or Default:

The Contractor must promptly notify the City, whenever a DBE subcontractor performing work related to this contract is terminated or fails to complete its work, and must make good faith efforts to engage another DBE subcontractor to perform at least the same amount of work. The Contractor may not terminate any DBE subcontractor and perform that work through its own forces or those of an affiliate without prior written consent of the City.

A.F.2.5 Compliance Monitoring:

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

- a) Contractor and the City will bring to the attention of the Department of Transportation any false, fraudulent, or dishonest conduct in connection with the program, so that DOT can take the steps (e.g., referral to the Department of Justice for criminal prosecution, referral to the DOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided in 49 CFR 26.109.
- b) The City will consider similar action under its own legal authorities, including responsibility determinations in future contracts. The regulation, provisions, and contract remedies available to in the events of non-compliance with the DBE regulation by a participant in the City's procurement activities include: actions for breach of contract; prosecution for any criminal activity or violation of City Code or Ordinance; enforcement of claims against any retainage, bond, surety or insurance provided by Contractor or any subcontractor; legal action on any City cause of action created under the applicable provisions of state or federal law; revocation, cancellation or termination of the contract between the City and the Contractor for the Project; any other action permitted at law or in equity; or, any self-help measures that the City may lawfully undertake to rectify the default.
- c) The City and Contractor will also jointly provide a monitoring and enforcement mechanism to verify that work committed to DBEs at contract award is actually performed by the DBEs. This compliance monitoring shall include the following steps:

- (1) The Contractor shall, prior to undertaking work on the Project, provide the City with an accurate list of all DBEs who are or who are anticipated to be subcontractors working on the project, which list shall include an accurate, detailed description of all work to be done by each DBE. This list shall be updated any time there is a change in the DBEs working on the project or a change in the allocation of work between or among DBEs. The Contractor shall provide this list with a sworn certification that it is true and accurate.
- (2) The City shall review the sworn DBE list provided by the Contractor and confirm its accuracy. The City may request, and Contractor shall provide, copies of any subcontracts or other contractual documentation between Contractor and any subcontractors to confirm the scope of work for each.
- (3) The Contractor shall notify the City of the dates/times when the DBEs are anticipated to be performing each contractual task related to the Project, so that the City can verify DBE participation in the Project, and can verify that the DBEs identified on the sworn list are participating in the project. This shall be performed as a component of construction inspection and supervision relating to the project, or may be performed as a standalone compliance verification process if the City determines the same to be necessary.
- (4) On all payment notifications required to be provided to the City under this agreement, the Contractor shall identify each DBE receiving payment, and any DBE receiving payment shall indicate its status as a DBE on its payment notifications.
- (5) Contractor and its subcontractors shall agree to comply with any further measures that the City determines to be necessary or appropriate to impose for the purpose of verifying DBE participation in the Project.
- (6) The Contractor shall provide and the City shall maintain a running tally of actual payments to DBE firms for work committed to them at the time of contract award, verified at the time of any payments to Contractor for the Project, and verified at the time DBE firms certify to the City that they have been paid, as required under Section 2 above.

A.F.2.6 Other Terms:

The City and Contractor agree and acknowledge that this Agreement is a binding addendum and supplement to any other contractual undertakings between the City and Contractor relating to the Project, and affirm that but for the execution of this Addendum, the City would not be undertaking the Project or retaining the Contractor. In the event that Contractor identifies a conflict between this Addendum and any term in the other contractual or regulatory undertakings between the City and Contractor, the Contractor shall refer such conflict to the City, and the City shall, in its absolute and sole discretion, determine which conflicting term shall prevail, in order to ensure compliance with all applicable laws and regulations. In the event that applicable FTA regulations change during the course of the Project, the City, and Contractor agrees that they shall negotiate in good faith to prepare an amendment to this Addendum, if required by the change in regulations.

A.F.2.7 Penalty:

If the Contractor (or any DBE, small business firm or subcontractor working under the Contractor) fails to satisfy any obligation contained herein: a) further progress payments to the Contractor shall be withheld until the default is cured to the City's satisfaction; b) if the Project is fully paid, the Contractor may be required by the City to return a specified percentage of the

Project cost, as determined in the City's sole and absolute discretion, that relates to the scope and magnitude of the default.

City of DeKalb

Contractor

BY: _____

BY: _____

ITS: _____

ITS: _____

Appendix G. CITY OF DEKALB RESPONSIBLE AND RESPONSIVE DEFINITION

A.G.1 RESPONSIBLE BIDDER; LOCAL PREFERENCE (10-16)

Unless otherwise permitted under the provisions of Chapter 54 of this Code, the City will award contracts in an amount exceeding \$20,000 for construction on City property, to a responsible bidder, as defined herein. (10-16)

A.G.1.1 Responsible Bidder.

“Responsible bidder for contracts for construction on City property” shall mean a bidder on a proposed contract in an amount exceeding \$20,000 for the demolition, removal, erection, construction and/or repair of infrastructure or structure located under, within or upon property owned by the City of DeKalb, which bidder meets all of the job specifications for that contract and the following applicable criteria: (10-16)

- (a) Is in conformance with all applicable laws which are a prerequisite to doing business within the State of Illinois;
- (b) Provides evidence of its Employer Tax Identification Number (FEIN) or, for individuals, his/her Social Security Number;
- (c) Provides evidence of compliance with the provisions of Section 2000(e) of Chapter 21, Title 42 of the United States Code and federal Executive Order Number 11246, as amended by Executive Order Number 11375, known as the Equal Opportunity Employer provisions;
- (d) Is in compliance with all provisions of the Illinois Prevailing Wage Act, as may be amended from time to time, including wages, medical and hospitalization insurance and retirement benefits for those trades covered in the Act, and shall turn in all certified payrolls as required by the Act;
- (e) Certifies that it has not been convicted of bribery or attempting to bribe an officer or employee of the State of Illinois or City of DeKalb, nor has the bidder made an admission of guilt of such conduct which is a matter of record, nor has an official, agent or employee of the bidder committed bribery or attempted bribery on behalf of the bidder and pursuant to the direction or authorization of a responsible official of the bidder;
- (f) Certifies that it is not barred from bidding on the contract as a result of a conviction for the violation of State law prohibiting bid-rigging or bid-rotating;
- (g) Certifies that it shall agree to abide by the terms and conditions of the City of DeKalb’s Drug Free Workplace Policy during the life of the contract;
- (h) Certifies that it does not discriminate on the basis of race, creed, color, sex, religion, age, national origin, or ancestry, physical or mental handicap, marital status, or matriculation in its employment practices.
- (i) Certifies that it is in compliance with and/or shall conform to the sexual harassment policy set forth in 5 ILC, 5/2-105 (A) (4) regarding sexual harassment:

“Every party to a public contract and every eligible bidder shall have a written sexual harassment policy that shall include, at a minimum, the following information: (i) the illegality of sexual harassment; (ii) the definition of sexual harassment under State law; (iii) a description of sexual harassment, utilizing examples; (iv) the vendor’s internal complaint process including penalties; (v) the legal recourse, investigate and complaint

process available through the Illinois Department of Human Rights and the Illinois Human Rights Commission; (vi) directions on how to contact the Illinois Human Rights Commission; and (vii) protection against retaliation as provided by Section 6-101 of this Act. A copy of the policies shall be provided to the Department upon request.”

- (j) Provides certificates of insurance for the insurance coverage set forth in the specifications for the contract, naming the City as an additional insured;
- (k) Is not a debtor to the City of DeKalb. For purposes of this subparagraph, a debtor is defined as having outstanding fees, water bills, sales tax or restaurant/bar tax payments that are 30 days or more past due, or has outstanding weed or nuisance abatements or liens, failure to comply tickets or parking tickets that are not in dispute as to their validity and are not being challenged in court or other administrative process;
- (l) For those projects involving street improvements, including but not limited to: alleys, pavement and curb work, traffic signal installation or sidewalks, each bidder shall be prequalified with the Illinois Department of Transportation and shall satisfy the City as to its ability, financial and otherwise, to carry out and successfully complete the work;
- (m) For those projects involving demolitions, water tower painting or the purchase of electrical items to be installed, each bidder shall have a minimum of five (5) years of experience with similar work and shall satisfy the City as to its ability, financial or otherwise, to carry out and successfully complete the work.

A.G.1.2 Compliance of Requirements

The bidder shall provide evidence to the City of compliance with all of the requirements of Section 54.14a), in accordance with the bid specifications, the contract and/or the applicable ordinance, law, regulation, or statute. (10-16)

A.G.1.3 Exempted from Provisions

Exempted from the provisions of this section on responsible bidders are any contracts funded in full or in part with state and/or federal monies. Such contracts shall be controlled by the applicable state and/or federal specifications and requirements. (10-16)

*Note: The City of DeKalb local preference regulations are nullified on all contracts funded with Federal DOT funds.

Appendix H. DBE GOAL CALCULATIONS

A.H.1 OVERALL GOAL CALCULATION

A.H.1.1 Amount of Goal

- 1) DSATS's overall goal for the following time period October 1, 2013 to September 30, 2016 is the following: 1.24% of the Federal financial assistance we will expend in DOT-assisted contracts. [Exclusive of FTA funds to be used for the purchase of transit vehicles.]
- 2) \$3,477,339 the dollar amount of DOT-assisted contracts that DSATS/City of DeKalb expects to award during the next three (3) fiscal years. This means that DSATS has set a goal of expending \$37,208 with DBEs during this period.

Table 1. FTA Funded Projects

FTA Funded Projects	FY14	FY15	FY16	3-Year Goal	Excluded Projects
DSATS 5303 Grant	\$29,793	\$29,793	\$29,793	\$89,379	
Bus ADA Upgrade (5316)	\$87,960			\$87,960	
Large Bus Lift	\$60,000			\$60,000	
VAC Operating Assistance	\$780,000	\$780,000	\$780,000	\$2,340,000	
Transit Facility		\$500,000	\$400,000	\$900,000	
Total Funded Projects	\$957,753	\$1,309,793	\$1,209,793	\$3,477,339	\$0

- 3) Each contract for which subcontracting opportunities exist shall have a DBE subcontractor goal set based on the identified DBE for specific types of projects. For FFY14-16, the following projects and goals have been set:

Table 2. DSATS/City of DeKalb DBE Goals

DBE Goal*	% Goal	FY14 \$ Goal	FY15 \$ Goal	FY16 \$ Goal	3-Year \$ Goal
Total Goal	1.24%	\$11,876	\$16,241	\$15,001	\$43,119
Architecture	0.91%				
Construction	2.26%				
Financial	0.41%				
Manufacturing	2.08%				
Miscellaneous	0.26%				
Professional	0.88%				
Supplier	0.92%				
Trucking	2.12%				

*Note: The total goal is the DSATS overall DBE goal. The goal set on specific projects shall be set according to the project type specific goal when project uses subcontractors.

237110	Water and Sewer Line and Related Structures Construction	276	6	2.17%
237130	Power and Communication Line and Related Structures Construction	109	11	10.09%
237210	Land Subdivision	153	69	45.10%
237310	Highway, Street, and Bridge Construction	261	8	3.07%
237990	Other Heavy and Civil Engineering Construction	108	22	20.37%
238110	Poured Concrete Foundation and Structure Contractors	606	65	10.73%
238120	Structural Steel and Precast Concrete Contractors	98	22	22.45%
238130	Framing Contractors	352	2	0.57%
238140	Masonry Contractors	777	4	0.51%
238150	Glass and Glazing Contractors	169	1	0.59%
238160	Roofing Contractors	678	1	0.15%
238210	Electrical Contractors and Other Wiring Installation Contractors	2,118	19	0.90%
238220	Plumbing, Heating, and Air-Conditioning Contractors	2,875	15	0.52%
238290	Other Building Equipment Contractors	221	3	1.36%
238310	Drywall and Insulation Contractors	414	1	0.24%
238320	Painting and Wall Covering Contractors	1,186	12	1.01%
238350	Finish Carpentry Contractors	1,101	2	0.18%
238390	Other Building Finishing Contractors	268	3	1.12%
238910	Site Preparation Contractors	621	61	9.82%
238990	All Other Specialty Trade Contractors	1,004	15	1.49%
311812	Commercial Bakeries	131	1	0.76%
315999	Other Apparel Accessories and Other Apparel Manufacturing	16	1	6.25%
324110	Petroleum Refineries	9	1	11.11%
324121	Asphalt Paving Mixture and Block Manufacturing	25	1	4.00%
325520	Adhesive Manufacturing	30	1	3.33%
325998	All Other Miscellaneous Chemical Product and Preparation Manufacturing	52	1	1.92%
326199	All Other Plastics Product Manufacturing	326	1	0.31%
327320	Ready-Mix Concrete Manufacturing	96	2	2.08%
327390	Other Concrete Product Manufacturing	42	1	2.38%
327999	All Other Miscellaneous Nonmetallic Mineral Product Manufacturing	10	1	10.00%
331111	Iron and Steel Mills	35	1	2.86%
331210	Iron and Steel Pipe and Tube Manufacturing from Purchased Steel	13	8	61.54%
331511	Iron Foundries	11	1	9.09%
332116	Metal Stamping	138	2	1.45%
332213	Saw Blade and Handsaw Manufacturing	7	1	14.29%
332312	Fabricated Structural Metal Manufacturing	87	6	6.90%
332321	Metal Window and Door Manufacturing	29	1	3.45%
332322	Sheet Metal Work Manufacturing	138	4	2.90%
332323	Ornamental and Architectural Metal Work Manufacturing	67	3	4.48%
332510	Hardware Manufacturing	36	1	2.78%
332722	Bolt, Nut, Screw, Rivet, and Washer Manufacturing	89	1	1.12%
332813	Electroplating, Plating, Polishing, Anodizing, and Coloring	185	1	0.54%
332919	Other Metal Valve and Pipe Fitting Manufacturing	22	1	4.55%
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing	145	2	1.38%
333921	Elevator and Moving Stairway Manufacturing	8	1	12.50%
333922	Conveyor and Conveying Equipment Manufacturing	43	1	2.33%
334210	Telephone Apparatus Manufacturing	16	1	6.25%
334290	Other Communications Equipment Manufacturing	18	2	11.11%
334411	Electron Tube Manufacturing	4	1	25.00%
334419	Other Electronic Component Manufacturing	52	2	3.85%
334510	Electromedical and Electrotherapeutic Apparatus Manufacturing	14	1	7.14%
334515	Instrument Manufacturing for Measuring and Testing Electricity and Electrical Signals	25	1	4.00%
335122	Commercial, Industrial, and Institutional Electric Lighting Fixture Manufacturing	23	1	4.35%
335313	Switchgear and Switchboard Apparatus Manufacturing	25	2	8.00%
335314	Relay and Industrial Control Manufacturing	67	1	1.49%
335999	All Other Miscellaneous Electrical Equipment and Component Manufacturing	34	1	2.94%
336312	Gasoline Engine and Engine Parts Manufacturing	23	1	4.35%
336322	Other Motor Vehicle Electrical and Electronic Equipment Manufacturing	33	1	3.03%
336510	Railroad Rolling Stock Manufacturing	27	1	3.70%
339950	Sign Manufacturing	187	2	1.07%

423110	Automobile and Other Motor Vehicle Merchant Wholesalers	184	1	0.54%
423120	Motor Vehicle Supplies and New Parts Merchant Wholesalers	428	1	0.23%
423130	Tire and Tube Merchant Wholesalers	57	1	1.75%
423320	Brick, Stone, and Related Construction Material Merchant Wholesalers	107	4	3.74%
423390	Other Construction Material Merchant Wholesalers	110	2	1.82%
423510	Metal Service Centers and Other Metal Merchant Wholesalers	614	10	1.63%
423610	Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers	539	10	1.86%
423690	Other Electronic Parts and Equipment Merchant Wholesalers	470	2	0.43%
423710	Hardware Merchant Wholesalers	389	2	0.51%
423830	Industrial Machinery and Equipment Merchant Wholesalers	1,362	1	0.07%
423840	Industrial Supplies Merchant Wholesalers	428	3	0.70%
423860	Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers	73	7	9.59%
423930	Recyclable Material Merchant Wholesalers	298	2	0.67%
423990	Other Miscellaneous Durable Goods Merchant Wholesalers	376	1	0.27%
424130	Industrial and Personal Service Paper Merchant Wholesalers	244	1	0.41%
424490	Other Grocery and Related Products Merchant Wholesalers	454	2	0.44%
424690	Other Chemical and Allied Products Merchant Wholesalers	385	3	0.78%
424710	Petroleum Bulk Stations and Terminals	64	2	3.13%
424720	Petroleum and Petroleum Products Merchant Wholesalers (except Bulk Stations and Terminals)	60	7	11.67%
424930	Flower, Nursery Stock, and Florists' Supplies Merchant Wholesalers	110	1	0.91%
424950	Paint, Varnish, and Supplies Merchant Wholesalers	68	4	5.88%
425120	Wholesale Trade Agents and Brokers	2,489	7	0.28%
444190	Other Building Material Dealers	798	5	0.63%
445310	Beer, Wine, and Liquor Stores	1,100	1	0.09%
446191	Food (Health) Supplement Stores	280	1	0.36%
448140	Family Clothing Stores	860	1	0.12%
451211	Book Stores	248	1	0.40%
453220	Gift, Novelty, and Souvenir Stores	734	4	0.54%
484110	General Freight Trucking, Local	2,298	1	0.04%
484121	General Freight Trucking, Long-Distance, Truckload	1,824	1	0.05%
484220	Specialized Freight (except Used Goods) Trucking, Local	935	110	11.76%
484230	Specialized Freight (except Used Goods) Trucking, Long-Distance	293	1	0.34%
488490	Other Support Activities for Road Transportation	92	5	5.43%
488510	Freight Transportation Arrangement	1,076	2	0.19%
517110	Wired Telecommunications Carriers	1,061	1	0.09%
517210	Wireless Telecommunications Carriers (except Satellite)	333	3	0.90%
517911	Telecommunications Resellers	66	1	1.52%
523110	Investment Banking and Securities Dealing	380	1	0.26%
523130	Commodity Contracts Dealing	275	1	0.36%
523920	Portfolio Management	873	2	0.23%
523930	Investment Advice	868	1	0.12%
523999	Miscellaneous Financial Investment Activities	110	1	0.91%
524126	Direct Property and Casualty Insurance Carriers	500	5	1.00%
524298	All Other Insurance Related Activities	130	2	1.54%
531210	Offices of Real Estate Agents and Brokers	2,557	4	0.16%
531320	Offices of Real Estate Appraisers	521	9	1.73%
531390	Other Activities Related to Real Estate	586	1	0.17%
532230	Video Tape and Disc Rental	206	1	0.49%
532411	Commercial Air, Rail, and Water Transportation Equipment Rental and Leasing	21	1	4.76%
532412	Construction, Mining, and Forestry Machinery and Equipment Rental and Leasing	87	2	2.30%
532420	Office Machinery and Equipment Rental and Leasing	33	1	3.03%
541211	Offices of Certified Public Accountants	2,020	4	0.20%
541310	Architectural Services	892	5	0.56%
541320	Landscape Architectural Services	284	28	9.86%
541330	Engineering Services	1,560	63	4.04%
541350	Building Inspection Services	162	1	0.62%
541360	Geophysical Surveying and Mapping Services	2	8	400.00%
541370	Surveying and Mapping (except Geophysical) Services	163	27	16.56%

541380	Testing Laboratories	199	15	7.54%
541410	Interior Design Services	559	1	0.18%
541430	Graphic Design Services	939	5	0.53%
541490	Other Specialized Design Services	70	1	1.43%
541511	Custom Computer Programming Services	2,705	7	0.26%
541512	Computer Systems Design Services	2,221	23	1.04%
541519	Other Computer Related Services	634	1	0.16%
541611	Administrative Management and General Management Consulting Services	3,240	33	1.02%
541613	Marketing Consulting Services	1,508	7	0.46%
541614	Process, Physical Distribution, and Logistics Consulting Services	351	10	2.85%
541618	Other Management Consulting Services	318	10	3.14%
541620	Environmental Consulting Services	246	17	6.91%
541690	Other Scientific and Technical Consulting Services	611	25	4.09%
541712	Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology)	247	52	21.05%
541810	Advertising Agencies	615	2	0.33%
541820	Public Relations Agencies	357	20	5.60%
541850	Display Advertising	119	1	0.84%
541910	Marketing Research and Public Opinion Polling	295	3	1.02%
541990	All Other Professional, Scientific, and Technical Services	821	3	0.37%
561110	Office Administrative Services	971	1	0.10%
561311	Employment Placement Agencies	370	1	0.27%
561320	Temporary Help Services	1,150	6	0.52%
561410	Document Preparation Services	189	1	0.53%
561439	Other Business Service Centers (including Copy Shops)	224	1	0.45%
561612	Security Guards and Patrol Services	358	1	0.28%
561720	Janitorial Services	2,099	2	0.10%
561730	Landscaping Services	3,201	22	0.69%
561740	Carpet and Upholstery Cleaning Services	303	1	0.33%
561790	Other Services to Buildings and Dwellings	352	1	0.28%
561920	Convention and Trade Show Organizers	240	1	0.42%
561990	All Other Support Services	475	8	1.68%
562910	Remediation Services	112	7	6.25%
562991	Septic Tank and Related Services	45	1	2.22%
562998	All Other Miscellaneous Waste Management Services	64	4	6.25%
611420	Computer Training	80	1	1.25%
711510	Independent Artists, Writers, and Performers	492	1	0.20%
722213	Snack and Nonalcoholic Beverage Bars	3,204	3	0.09%
722310	Food Service Contractors	2,562	5	0.20%
722330	Mobile Food Services	112	1	0.89%
722410	Drinking Places (Alcoholic Beverages)	3,130	1	0.03%
811212	Computer and Office Machine Repair and Maintenance	348	1	0.29%
812199	Other Personal Care Services	1,188	1	0.08%
812930	Parking Lots and Garages	1,198	1	0.08%
812990	All Other Personal Services	698	2	0.29%
926150	Regulation, Licensing, and Inspection of Miscellaneous Commercial Sectors		1	#DIV/0!
TOTAL DBE FIRMS BY NAICS SPECIALTY SERVING DEKALB, IL REGION		89,861	1,113	1.24%

A.H.1.2.2 Step 2

After calculating a base figure of the relative availability of DBEs, evidence was examined to determine what adjustment was needed to the base figure in order to arrive at the overall goal.

In order to reflect as accurately as possible the DBE participation we would expect in the absence of discrimination we have adjusted our base figure by 0%.

6.1.1.1.1 The data used to determine the adjustment to the base figure was:

When bidding previous projects we chose to contact identified DBE's that had applicable skills for the projects being bid. For the majority of projects, we have been unsuccessful in getting bids from DBE firms. When asking these firms why they choose not to bid, the main reason is that our projects are smaller than most projects available in the Rockford and Chicago areas. Of all the Certified DBE's in Illinois, only 2 firms are located in DeKalb County, one is a trucking firm and the other a manufacturing firm, both of which are not usually applicable to the types of projects DeKalb bids out. Located between two larger urban areas and being on the fringe of both, it is more attractive for DBE firms to bid on the more readily available projects in the Chicago and Rockford areas.

We are in talks with transit agencies in other smaller urban and rural areas in Illinois to work together to increase participation among minority and female firms in these areas, but to this point we have found no evidence that there is a sufficient amount of DBE representation in the DeKalb area to warrant an adjustment to the identified goal.

6.1.1.1.2 The reason we chose to adjust our figure using this data was because:

We have not chosen to adjust our figures.

6.1.1.1.3 From this data, we have adjusted our base figure to:

The DBE Goal remains at 1.24%

A.H.1.3 Public Participation

A.H.1.3.1 Publishing of Goals:

We published our goal information in these publications:

- The DeKalb News Chronicle
- The DSATS Website: <http://www.dsats.org/517/Disadvantage-Business-Enterprise-DBE-Pro>
- Comments and responses received shall be available on the DSATS Website: <http://www.dsats.org>
- Email all firms listed in the Illinois UCP to request comment. Firms shall be asked to contact us if they wish to be contacted when any applicable projects are bid. This process may identify firms which are not identified as serving the DeKalb region, but may wish to be on our distribution list.
- Contact area Chambers and Economic Development Corps to request they send notice of the DBE Goals to their members.

A.H.1.3.2 Publishing of Transportation Projects:

When the City of DeKalb or VAC bid out on transportation projects, the following public participation shall occur:

- Publish project in the DeKalb News Chronicle
- Publish Project on the DSATS Website: <http://www.dsats.org>
- Publish Project in any applicable journals and transit related organizations (i.e. APTA, Transit Talent, etc.)
- Email project bid announcement to all applicable DBE firms serving the DeKalb area.

A.H.1.4 Breakout of Estimated

A.H.1.5 Race-Neutral & Race Conscious Participation

DSATS / City of DeKalb / VAC will meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating DBE participation. DSATS/City of DeKalb uses the following race-neutral means to increase DBE participation: *[List the things that you actually do. See Section 26.51(b) for examples]*

- When a project is identified, all NAICS codes applicable to the project will be identified. We shall then identify all DBE firms, which serve District 3 in the IDOT UCP that provide services for those

NAICS codes and contact them directly about the project. This list shall also be made available as part of the RFP if the bidder plans to subcontract part of the bid so that they have the opportunity to contact those DBE firms. (**Note: Only the list of firms in Illinois shall be identified, but the bidder shall be allowed to contact and use DBE's from other states as long as they are registered in that state's UCP and proof of that certification is provided.*)

- Using the System for Award Management (SAM) [<https://www.sam.gov/portal/public/SAM/>], a list of small businesses, which provide services for the identified NAICS codes, shall also be obtained, and those businesses shall be contacted and listed in the RFP.
- It is not anticipated that any projects implemented by DSATS shall be of the size and scope that would require subcontracting opportunities, therefore, DSATS does not anticipate many opportunities where race-conscious methods will be able to be used. However, should a project be large enough that it is deemed that the project needs to be broken up into smaller tasks to allow opportunities for DBE and Small-Business firms to participate, a DBE subcontractor goal shall be required for the project bid based on the DBE goal set for that type of project (Architecture, Construction, Financial, Manufacturing, Professional, Supplier, Trucking, or Miscellaneous).

We estimate that, in meeting our overall goal of 1.24%, we will obtain 85% from race-neutral participation and 15% through race-conscious measures, however, since only contracts with subcontracting opportunities lend themselves to race-conscious measures, it is difficult to determine the type of contract that will be used until the scope of the project is determined.

The following is a summary of the basis of our estimated breakout of race-neutral and race-conscious

Over the next 3 years, we anticipate using Federal FTA funds for various projects. As these projects are identified on an as needed basis, we cannot identify specific projects beyond the first year. The following projects are only possible projects that may be implemented over the next three (3) years:

- Bus Purchases – Any buses purchased shall be obtained from IDOT and other state procurement programs and shall use only vendors, which are in the FTA vendor program and therefore exempt from this DBE goal.
- Operating Assistance – The majority of our FTA funds is used to provide operating assistance to our non-profit paratransit provider, the Voluntary Action Center (VAC). VAC shall be required to adopt this DBE Plan as their own. The majority of these funds are used for salary support, but in order to meet our DBE goal they shall be requested to bid out new contracts for vehicle and office supplies and other projects to allow for DBE and small business participation.
- Route Scheduling Software – We will be using FTA funds to improve our NTD reporting and to allow transit users to get real-time updates on where the buses are. As this is for installing additional software into our route scheduling software, this will be a sole-source procurement project with no DBE opportunities.
- 5303 MPO Funds – Each year DSATS implements one or two small projects using a combination of FHWA PL and FTA 5303 funds. These are small projects like traffic counts and corridor studies, which at most may use one or two subcontractors. As these projects are usually under \$100,000, the scopes of work are such that Large, Small, and DBE businesses all have enough resources to bid on these projects. Given the small size, DBE's and Small Businesses shall be contacted about the opportunities; however, these projects are too small to break up even further to require the contractor to have to meet specific DBE goals. The RFP's, however, will require that if a bidder chooses to subcontract part of their work that they provide documentation of their efforts to get small business and DBE participation.
- Additional 5307 Funds – Any additional projects using 5307 funds will be smaller in nature, just as identified for 5303 funds. We shall use the same practices for other 5307 projects as we identified above.
- Transit Facility – We are looking to build a new transit facility, however, as this is a much larger project to implement than we have available in 5307 funds, we are excluding this project from

our normal DBE goals. When this project is implemented, it will be on a magnitude much larger and therefore based on IDOT DBE goals rather than DSATS DBE goals.

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 (see 26.51(f)) and we would track and report race-neutral and race conscious participation separately. For reporting purposes, race-neutral DBE participation includes, but is not necessarily 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; DBE participation on a prime contract exceeding a contract goal; and DBE participation through a subcontract 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 I. DEMONSTRATION OF GOOD FAITH EFFORTS FORMS

A.I.1 FORMS 1 & 2 FOR DEMONSTRATION OF GOOD FAITH EFFORTS

[Forms 1 and 2 should be provided as part of the solicitation documents.]

A.I.2 DBE FORM 1: DISADVANTAGED BUSINESS ENTERPRISE (DBE) UTILIZATION

The undersigned bidder/offeror has satisfied the requirements of the bid specification in the following manner (please check the appropriate space):

	<p>The bidder/offer is a registered DBE and is identified as a certified DBE in the Illinois UCP (100% of this project performed by bidder/offer and funded by DSATS/City of DeKalb FTA 5303/5307 grant funds shall be assigned to the DSATS DBE goal). If identified as a DBE in another program, please identify here:</p> <p>_____</p>
<p>For Contracts for which a DBE participation goal has not been set (check applicable):</p>	
	<p>Please check the appropriate category (only one) for small business participation in this proposal:</p> <p><input type="checkbox"/> The bidder/offer is performing all activities identified in the scope of work in-house and IS NOT identified as DBE in any program.</p> <p><input type="checkbox"/> The bidder/offer is performing all activities identified in the scope of work in-house IS identified as a DBE (provide a copy of the Uniform Certification Application for each DBE).</p> <p><input type="checkbox"/> The bidder/offer is subcontracting some activities and there is a _____ % small business utilization on this bid/proposal (provide a copy of the Uniform Certification Application for each DBE).</p> <p><input type="checkbox"/> The bidder/offer is subcontracting some activities, however, there is no small business utilization on this bid/proposal.</p>
<p>For Contracts for which there is no subcontracting opportunities:</p>	
	<p><input type="checkbox"/> The bidder/offer performing all activities identified in the scope of work in-house and therefore is not subject to DBE subcontractor goals</p>
<p>For Contracts where a DBE subcontracting goal is required:</p>	
	<p><input type="checkbox"/> The bidder/offeror is committed to a minimum of ___ % DBE utilization on this contract (if contractor is a registered DBE, their work performed can be considered as part of the DBE goal).</p>
	<p><input type="checkbox"/> The bidder/offeror (if unable to meet the DBE goal of _____%) is committed to a minimum of _____% DBE utilization on this contract and shall submit documentation demonstrating good faith efforts in seeking DBE participation.</p>

Name of bidder/offeror's firm: _____

DUNS No. _____

By _____ Title _____
(Signature)

A.I.3 DBE FORM 2: LETTER OF INTENT

Name of bidder/offeror's firm: _____

Address: _____

City: _____ State: _____ Zip: _____

Name of DBE firm: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Email: _____

Type of DBE Firm:

Description of work to be performed by DBE firm:

The bidder/offeror is committed to utilizing the above-named DBE firm for the work described above estimated dollar value of this work is \$ _____.

Affirmation

The above-named DBE firm affirms that it will perform the portion of the contract for the estimated dollar value as stated above.

By: _____

(Signature)

Title

If the bidder/offeror does not receive award of the prime contract, any and all representations in this Letter of Intent and Affirmation shall be null and void.

(Submit this page for each DBE subcontractor.)

A.I.4 SMALL BUSINESS FORM 1: SMALL BUSINESS CERTIFICATION

The undersigned bidder/offeror has satisfied the requirements of the bid specification in the following manner (please check the appropriate space):

(Please Check)	The bidder/offer has an active registration in the System for Award Management (SAM) on-line registrant database for the U.S. Federal Government (note: registration on the SAM is required to be considered in this IFB/RFP).
	The SAM has determined the bidder/offer qualifies as a small business under the following NAICS codes: _____ _____
For Contracts for which a small business participation goal has not been set (check applicable):	
Please check the appropriate category (only one) for small business participation in this proposal: <input type="checkbox"/> The bidder/offer is performing all activities identified in the scope of work in-house and IS NOT identified as a small business in the SAM. <input type="checkbox"/> The bidder/offer is performing all activities identified in the scope of work in-house IS identified as a small business in the SAM. <input type="checkbox"/> The bidder/offer is subcontracting some activities and there is a _____% small business utilization on this bid/proposal. <input type="checkbox"/> The bidder/offer is subcontracting some activities, however, there is no small business utilization on this bid/proposal.	
For Contracts where a Small Business _____% subcontracting goal is required (check applicable):	
	<input type="checkbox"/> The bidder/offeror has committed to a _____% small business utilization on this contract (if contractor is a registered small business, their work performed can be considered as part of the DBE goal).
	<input type="checkbox"/> The bidder/offeror is unable to meet the small business goal of _____%, but is committed to a minimum of _____% small business utilization on this contract and is submitting documentation demonstrating good faith efforts to meet goal.

Name of bidder/offeror' s firm: _____

DUNS No. _____

By _____
 (Signature) Title

A.I.5 SMALL BUSINESS FORM 2: LETTER OF INTENT

Name of bidder/offeror's firm _____

Address: _____

City: _____ State: WI Zip: 544

Name of Small Business Firm: _____

DUNS # of Small Business Firm: _____

Registered NAICS Codes: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Email: _____

Annual Average Gross Receipts: \$ _____ Annual Average Employment: _____

Type of Small Business Firm:

- SBA Certified 8A Program Participant
- SBA Certified HUB Zone Firm
- SBA Certified Small Disadvantaged Business
- Self-Certified Small Disadvantaged Business
- Service Disabled Veteran Owned
- AbilityOne (formerly JWOD) Non-Profit Agency
- Veteran Owned Business
- Woman Owned Business
- Women-Owned Small Business (WOSB)
- Economically Disadvantaged Women-Owned Small Business (EDWOSB)

Description of work to be performed by small business firm:

The bidder/offeror is committed to utilizing the above-named small business firm for the work described above estimated dollar value of this work is \$ _____.

Appendix J. CERTIFICATION FORMS

A.J.1 CERTIFICATION FORMS

DSATS/City of DeKalb does not certify DBEs but rather uses the list of DBEs identified in the IDOT UCP. To register as DBE in Illinois you should register on the applicable agency websites identified here:

- [IDOT](http://www.dot.state.il.us/sbe/sbeprw.html) (217-782-5490) <http://www.dot.state.il.us/sbe/sbeprw.html>
- [City of Chicago](http://www.cityofchicago.org/city/en/ofinterest/bus/mwdbe.html) (312-742-0766) <http://www.cityofchicago.org/city/en/ofinterest/bus/mwdbe.html>
- [Pace](http://www.pacebus.com/sub/purchasing/dbe_program.asp) (847-228-4257) http://www.pacebus.com/sub/purchasing/dbe_program.asp
- [CTA](http://www.transitchicago.com/business/procurement_information/dbe.aspx) (312-681-2601) http://www.transitchicago.com/business/procurement_information/dbe.aspx
- [Metra](http://metrarail.com/metra/en/home/metra_business/business_diversity.html) (312-322-6323) http://metrarail.com/metra/en/home/metra_business/business_diversity.html

Appendix K. FEDERAL REGULATIONS

A.K.1 REGULATIONS: 49 CFR PART 26

The text of 49 CFR Part 26 can be found at the link:

http://www.access.gpo.gov/nara/cfr/waisidx_08/49cfr26_08.html

Appendix L. LISTING OF FIRMS BY NAICS CODES

Table 4. District 3 Architectural Firms by NAICS Code

NAICS CODE	2007 NAICS TITLE	# OF FIRMS	# DBE FIRMS	DBE GOAL
541310	Architectural Services	892	5	0.56%
541320	Landscape Architectural Services	284	12	4.23%
541330	Engineering Services	1,560	51	3.27%
541350	Building Inspection Services	162	1	0.62%
541360	Geophysical Surveying and Mapping Services	2	8	400.00%
541370	Surveying and Mapping (except Geophysical) Services	163	26	15.95%
541380	Testing Laboratories	199	5	2.51%
541410	Interior Design Services	559	1	0.18%
541512	Computer Systems Design Services	2,221	2	0.09%
541611	Administrative Management and General Management Consulting Services	3,240	3	0.09%
541614	Process, Physical Distribution, and Logistics Consulting Services	351	2	0.57%
541618	Other Management Consulting Services	318	1	0.31%
541620	Environmental Consulting Services	246	9	3.66%
541690	Other Scientific and Technical Consulting Services	611	4	0.65%
541712	Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology)	247	7	2.83%
561320	Temporary Help Services	1,150	1	0.09%
561730	Landscaping Services	3,201	2	0.06%
562910	Remediation Services	112	1	0.89%
TOTAL DBE FIRMS BY NAICS SPECIALTY SERVING DEKALB, IL REGION		15,518	141	0.91%

Table 5. District 3 Construction Firms by NAICS Code

NAICS CODE	2007 NAICS TITLE	# OF FIRMS	# DBE FIRMS	DBE GOAL
236220	Commercial and Institutional Building Construction	1,016.00	3.00	0.30%
237130	Power and Communication Line and Related Structures Construction	109.00	11.00	10.09%
237210	Land Subdivision	153.00	57.00	37.25%
237310	Highway, Street, and Bridge Construction	261.00	7.00	2.68%
237990	Other Heavy and Civil Engineering Construction	108.00	22.00	20.37%
238110	Poured Concrete Foundation and Structure Contractors	606.00	64.00	10.56%
238120	Structural Steel and Precast Concrete Contractors	98.00	22.00	22.45%
238130	Framing Contractors	352.00	2.00	0.57%
238140	Masonry Contractors	777.00	4.00	0.51%
238150	Glass and Glazing Contractors	169.00	1.00	0.59%
238210	Electrical Contractors and Other Wiring Installation Contractors	2,118.00	13.00	0.61%
238220	Plumbing, Heating, and Air-Conditioning Contractors	2,875.00	9.00	0.31%
238290	Other Building Equipment Contractors	221.00	1.00	0.45%
238310	Drywall and Insulation Contractors	414.00	1.00	0.24%
238320	Painting and Wall Covering Contractors	1,186.00	12.00	1.01%
238350	Finish Carpentry Contractors	1,101.00	2.00	0.18%
238390	Other Building Finishing Contractors	268.00	3.00	1.12%
238910	Site Preparation Contractors	621.00	55.00	8.86%
238990	All Other Specialty Trade Contractors	1,004.00	15.00	1.49%
TOTAL DBE FIRMS BY NAICS SPECIALTY SERVING DEKALB, IL REGION		13,457	304	2.26%

Table 6. District 3 Financial Firms by NAICS Code

NAICS CODE	2007 NAICS TITLE	# OF FIRMS	# DBE FIRMS	DBE GOAL
523110	Investment Banking and Securities Dealing	380	1	0.26%
523130	Commodity Contracts Dealing	275	1	0.36%
523920	Portfolio Management	873	2	0.23%
523930	Investment Advice	868	1	0.12%
523999	Miscellaneous Financial Investment Activities	110	1	0.91%
524126	Direct Property and Casualty Insurance Carriers	500	5	1.00%
524298	All Other Insurance Related Activities	130	2	1.54%
TOTAL DBE FIRMS BY NAICS SPECIALTY SERVING DEKALB, IL REGION		3,136	13	0.41%

Table 7. District 3 Manufacturing Firms by NAICS Code

NAICS CODE	2007 NAICS TITLE	# OF FIRMS	# DBE FIRMS	DBE GOAL
327390	Other Concrete Product Manufacturing	42	1	2.38%
331210	Iron and Steel Pipe and Tube Manufacturing from Purchased Steel	13	3	23.08%
332116	Metal Stamping	138	2	1.45%
332312	Fabricated Structural Metal Manufacturing	87	1	1.15%
332321	Metal Window and Door Manufacturing	29	1	3.45%
332322	Sheet Metal Work Manufacturing	138	2	1.45%
332510	Hardware Manufacturing	36	1	2.78%
332813	Electroplating, Plating, Polishing, Anodizing, and Coloring	185	1	0.54%
332919	Other Metal Valve and Pipe Fitting Manufacturing	22	1	4.55%
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing	145	2	1.38%
334419	Other Electronic Component Manufacturing	52	2	3.85%
334510	Electromedical and Electrotherapeutic Apparatus Manufacturing	14	1	7.14%
335122	Commercial, Industrial, and Institutional Electric Lighting Fixture Manufacturing	23	1	4.35%
335313	Switchgear and Switchboard Apparatus Manufacturing	25	2	8.00%
335314	Relay and Industrial Control Manufacturing	67	1	1.49%
335999	All Other Miscellaneous Electrical Equipment and Component Manufacturing	34	1	2.94%
336322	Other Motor Vehicle Electrical and Electronic Equipment Manufacturing	33	1	3.03%
336510	Railroad Rolling Stock Manufacturing	27	1	3.70%
339950	Sign Manufacturing	187	2	1.07%
TOTAL DBE FIRMS BY NAICS SPECIALTY SERVING DEKALB, IL REGION		1,297	27	2.08%

Table 8. District 3 Miscellaneous Firms by NAICS Code

NAICS CODE	2007 NAICS TITLE	# OF FIRMS	# DBE FIRMS	DBE GOAL
311812	Commercial Bakeries	131	1	0.76%
324110	Petroleum Refineries	9	1	11.11%
332312	Fabricated Structural Metal Manufacturing	87	1	1.15%
332919	Other Metal Valve and Pipe Fitting Manufacturing	22	1	4.55%
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing	145	1	0.69%
333921	Elevator and Moving Stairway Manufacturing	8	1	12.50%
333922	Conveyor and Conveying Equipment Manufacturing	43	1	2.33%
334210	Telephone Apparatus Manufacturing	16	1	6.25%
334411	Electron Tube Manufacturing	4	1	25.00%
334419	Other Electronic Component Manufacturing	52	1	1.92%
334515	Instrument Manufacturing for Measuring and Testing Electricity and Electrical Signals	25	1	4.00%
335313	Switchgear and Switchboard Apparatus Manufacturing	25	1	4.00%
335999	All Other Miscellaneous Electrical Equipment and Component Manufacturing	34	1	2.94%
336312	Gasoline Engine and Engine Parts Manufacturing	23	1	4.35%
445310	Beer, Wine, and Liquor Stores	1,100	1	0.09%
446191	Food (Health) Supplement Stores	280	1	0.36%
448140	Family Clothing Stores	860	1	0.12%
451211	Book Stores	248	1	0.40%
453220	Gift, Novelty, and Souvenir Stores	734	3	0.41%
484220	Specialized Freight (except Used Goods) Trucking, Local	935	2	0.21%
488490	Other Support Activities for Road Transportation	92	5	5.43%
488510	Freight Transportation Arrangement	1,076	2	0.19%
517210	Wireless Telecommunications Carriers (except Satellite)	333	1	0.30%
517911	Telecommunications Resellers	66	1	1.52%
523130	Commodity Contracts Dealing	275	1	0.36%
524126	Direct Property and Casualty Insurance Carriers	500	1	0.20%
524298	All Other Insurance Related Activities	130	2	1.54%
531210	Offices of Real Estate Agents and Brokers	2,557	1	0.04%
531390	Other Activities Related to Real Estate	586	1	0.17%
532230	Video Tape and Disc Rental	206	1	0.49%
532411	Commercial Air, Rail, and Water Transportation Equipment Rental and Leasing	21	1	4.76%
532412	Construction, Mining, and Forestry Machinery and Equipment Rental and Leasing	87	1	1.15%
561439	Other Business Service Centers (including Copy Shops)	224	1	0.45%
561612	Security Guards and Patrol Services	358	1	0.28%
561720	Janitorial Services	2,099	1	0.05%
561730	Landscaping Services	3,201	8	0.25%
561740	Carpet and Upholstery Cleaning Services	303	1	0.33%
561790	Other Services to Buildings and Dwellings	352	1	0.28%
561990	All Other Support Services	475	1	0.21%
562910	Remediation Services	112	4	3.57%
562991	Septic Tank and Related Services	45	1	2.22%
562998	All Other Miscellaneous Waste Management Services	64	1	1.56%
722213	Snack and Nonalcoholic Beverage Bars	3,204	3	0.09%
722310	Food Service Contractors	2,562	5	0.20%
722330	Mobile Food Services	112	1	0.89%
722410	Drinking Places (Alcoholic Beverages)	3,130	1	0.03%
812199	Other Personal Care Services	1,188	1	0.08%
812990	All Other Personal Services	698	2	0.29%
926150	Regulation, Licensing, and Inspection of Miscellaneous Commercial Sectors		1	n/a
TOTAL DBE FIRMS BY NAICS SPECIALTY SERVING DEKALB, IL REGION		28,837	75	0.26%

Table 9. District 3 Professional Firms by NAICS Code

NAICS CODE	2007 NAICS TITLE	# OF FIRMS	# DBE FIRMS	DBE GOAL
523110	Investment Banking and Securities Dealing	380	1	0.26%
523920	Portfolio Management	873	2	0.23%
523930	Investment Advice	868	1	0.12%
523999	Miscellaneous Financial Investment Activities	110	1	0.91%
524126	Direct Property and Casualty Insurance Carriers	500	5	1.00%
524298	All Other Insurance Related Activities	130	1	0.77%
531210	Offices of Real Estate Agents and Brokers	2,557	4	0.16%
531320	Offices of Real Estate Appraisers	521	9	1.73%
531390	Other Activities Related to Real Estate	586	1	0.17%
532420	Office Machinery and Equipment Rental and Leasing	33	1	3.03%
541211	Offices of Certified Public Accountants	2,020	4	0.20%
541310	Architectural Services	892	2	0.22%
541320	Landscape Architectural Services	284	23	8.10%
541330	Engineering Services	1,560	28	1.79%
541360	Geophysical Surveying and Mapping Services	2	2	100.00%
541370	Surveying and Mapping (except Geophysical) Services	163	7	4.29%
541380	Testing Laboratories	199	13	6.53%
541430	Graphic Design Services	939	4	0.43%
541490	Other Specialized Design Services	70	1	1.43%
541511	Custom Computer Programming Services	2,705	7	0.26%
541512	Computer Systems Design Services	2,221	23	1.04%
541519	Other Computer Related Services	634	1	0.16%
541611	Administrative Management and General Management Consulting Services	3,240	29	0.90%
541613	Marketing Consulting Services	1,508	7	0.46%
541614	Process, Physical Distribution, and Logistics Consulting Services	351	9	2.56%
541618	Other Management Consulting Services	318	6	1.89%
541620	Environmental Consulting Services	246	10	4.07%
541690	Other Scientific and Technical Consulting Services	611	24	3.93%
541712	Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology)	247	52	21.05%
541810	Advertising Agencies	615	2	0.33%
541820	Public Relations Agencies	357	17	4.76%
541910	Marketing Research and Public Opinion Polling	295	3	1.02%
541990	All Other Professional, Scientific, and Technical Services	821	3	0.37%
561110	Office Administrative Services	971	1	0.10%
561311	Employment Placement Agencies	370	1	0.27%
561320	Temporary Help Services	1,150	5	0.43%
561410	Document Preparation Services	189	1	0.53%
561720	Janitorial Services	2,099	1	0.05%
561730	Landscaping Services	3,201	2	0.06%
561740	Carpet and Upholstery Cleaning Services	303	1	0.33%
561920	Convention and Trade Show Organizers	240	1	0.42%
562910	Remediation Services	112	2	1.79%
611420	Computer Training	80	1	1.25%
711510	Independent Artists, Writers, and Performers	492	1	0.20%
811212	Computer and Office Machine Repair and Maintenance	348	1	0.29%
TOTAL DBE FIRMS BY NAICS SPECIALTY SERVING DEKALB, IL REGION		36,411	321	0.88%

Table 10. District 3 Supplier Firms by NAICS Code

NAICS CODE	2007 NAICS TITLE	# OF FIRMS	# DBE FIRMS	DBE GOAL
423130	Tire and Tube Merchant Wholesalers	57	1	1.75%
423320	Brick, Stone, and Related Construction Material Merchant Wholesalers	107	4	3.74%
423390	Other Construction Material Merchant Wholesalers	110	2	1.82%
423510	Metal Service Centers and Other Metal Merchant Wholesalers	614	10	1.63%
423610	Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers	539	8	1.48%
423690	Other Electronic Parts and Equipment Merchant Wholesalers	470	1	0.21%
423710	Hardware Merchant Wholesalers	389	2	0.51%
423840	Industrial Supplies Merchant Wholesalers	428	3	0.70%
423860	Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers	73	7	9.59%
423930	Recyclable Material Merchant Wholesalers	298	2	0.67%
423990	Other Miscellaneous Durable Goods Merchant Wholesalers	376	1	0.27%
424690	Other Chemical and Allied Products Merchant Wholesalers	385	3	0.78%
424710	Petroleum Bulk Stations and Terminals	64	2	3.13%
424720	Petroleum and Petroleum Products Merchant Wholesalers (except Bulk Stations and Terminals)	60	6	10.00%
424930	Flower, Nursery Stock, and Florists' Supplies Merchant Wholesalers	110	1	0.91%
424950	Paint, Varnish, and Supplies Merchant Wholesalers	68	4	5.88%
425120	Wholesale Trade Agents and Brokers	2,489	6	0.24%
444190	Other Building Material Dealers	798	5	0.63%
532412	Construction, Mining, and Forestry Machinery and Equipment Rental and Leasing	87	1	1.15%
TOTAL DBE FIRMS BY NAICS SPECIALTY SERVING DEKALB, IL REGION		7,522	69	0.92%

Table 11. District 3 Trucking Firms by NAICS Code

NAICS CODE	2007 NAICS TITLE	# OF FIRMS	# DBE FIRMS	DBE GOAL
484110	General Freight Trucking, Local	2,298	1	0.04%
484121	General Freight Trucking, Long-Distance, Truckload	1,824	1	0.05%
484220	Specialized Freight (except Used Goods) Trucking, Local	935	110	11.76%
484230	Specialized Freight (except Used Goods) Trucking, Long-Distance	293	1	0.34%
532411	Commercial Air, Rail, and Water Transportation Equipment Rental and Leasing	21	1	4.76%
TOTAL DBE FIRMS BY NAICS SPECIALTY SERVING DEKALB, IL REGION		5,371	114	2.12%