



NEWS

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MTA REVIEWS DBE GUIDELINES

The MTA has approved modifications to the Disadvantaged- and Minority/Women's Business Enterprises policy. The revisions pertain to the criteria and methodology to determine bidders compliance with the Good Faith Efforts in accordance with the DBE goal program.

"The new guidelines do not alter the MTA's overall DBE and M/WBE programs, rather, they provide more effective procedures to evaluate whether or not a bidder made a good faith effort to include minority firms in their bid packages," said Councilman Richard Alatorre, MTA chairman.

Major changes over the previous policy include the adoption of a point system, requiring certification of DBE firms prior to the bid proposal submittal date, and designation of a 10% price differential, barring technical inadequacy, as justification to reject DBE firms," said Alatorre.

"The MTA decided to re-examine the guidelines because bidders felt that the guidelines for demonstrating good faith efforts were unclear," said Franklin White, MTA chief executive officer. "The revised guidelines provide a more objective method for evaluating bidders."

The point system includes the following eight categories. 75 of 100 points are required to meet the good faith effort standard.

- Proposers shall advertise in general circulation media, trade association publications, and minority focused media.
- Minority and women organizations should receive notification of the project with a description of the scope of services, deadlines and the name of a person to contact.

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- The proposer shall determine the services that are intended to be performed by its own workforce and those services that have been identified for subcontracting.
- The proposer should extend written requests for proposals and specifications to DBE firms.
- The proposer shall maintain a log of names, contact persons, phone numbers, dates and methods used for following up initial solicitation to determine whether DBEs are interested.
- Proposer should demonstrate that has provided assistance to DBEs to obtain bonding and insurance.
- Although attendance to Pre-Proposal conferences are optional, this is one of the criteria to determine good faith efforts.
- Proposers should submit copies of all proposals presented by DBEs. Only price differences of 10% or more between selected subcontractor and rejected DBE, barring technical inadequacy, will be accepted by the MTA as a justification for rejecting a qualified DBE.

The DBE regulations were created to guarantee a level of participation for minority and women owned business in government contracts.

Bidders are required to meet certain minority- and women-owned business participation goals set for each contract. If the bidder has not met the stated DBE goal for contract award the bidder must provide documentation that under MTA guidelines demonstrates that a "good faith effort" to meet the goal had been attempted.

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