



CITY OF ALEXANDRIA

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM AND POLICIES

“Proposed as of 12/01/2024”

Table of Contents

Definition and List of Acronyms

Objectives/Policy Statement

SUBPART A – GENERAL REQUIREMENTS	1
A-1. Applicability	1
A-2. Definitions	1
A-3. Non-discrimination Requirements	1
A-4. Record Keeping Requirements.....	1
A-5. Assurances	2
SUBPART B - ADMINISTRATIVE REQUIREMENTS	2
B-1. DBE Program Updates.....	2
B-2. DBE Liaison Officer (DBELO)	3
B-3. DBE Financial Institutions	4
B-4. Prompt Payment Mechanisms.....	4
B-5. Directory	5
B-6. Overconcentration.....	5
B-7. Business Development Program	5
B-8. Monitoring and Enforcement Mechanisms	5
B-9. Small Business Participation.....	6
SUBPART C – GOALS, GOOD FAITH EFFORTS, AND COUNTING	7
C-1. Set-asides or Quotas.....	7
C-2. Overall Goals	7
C-3. Goal Setting and Accountability	9
C-4. Transit Vehicle Manufacturers Goals.....	9
C-5. Meeting Overall Goals/Contract Goals	9
C-6. Good Faith Efforts Procedures.....	10
C-7. Counting DBE Participation.....	12
SUBPART D – CERTIFICATION STANDARDS.....	12
D-1. Unified Certification Program.....	12
D-2. Certification Appeals	13
D-3. Recertification.....	13
D-4. “No Change” Affidavits and Notices of Change.....	13
SUBPART E – COMPLIANCE AND ENFORCEMENT	13
E-1. Information, Confidentiality, Cooperation	13

Attachment 1: DBE Goal Setting Methodology: FFY 2024 – 2026

Attachment 2: Organizational Charts

Attachment 3: DBE Reporting Forms

DEFINITIONS

The City – The City of Alexandria

Direct Recipient – Receiving funding directly from FTA

Offerors – Bidders / Proposers

Bidders - Prospective vendors responding to Invitation to Bids

Proposers - Prospective vendors that are responding to a competitive negotiation solicitation

ACRONYMS

AEDP – Alexandria Economic Development Partnership

CFR – Code of Federal Regulations

CPF – Community Project Funding

DBE – Disadvantaged Business Enterprise

DBELO – Disadvantaged Business Enterprise Liaison Officer

DOT – U.S. Department of Transportation

FTA – Federal Transit Administration

FY – City of Alexandria Fiscal Year

FFY – Federal Fiscal Year

ITB – Invitation to Bid

NAICS – North American Industry Classification System Codes

NVTC – Northern Virginia Transportation Commission

RFP – Request for Proposals

RFQU – Request for Quotes

SBSD – Virginia Department of Small Businesses and Supplier Diversity

SWaM – Small, Women, and Minority Owned Businesses

T&ES – Department of Transportation and Environmental Services (City of Alexandria)

TOD – Transit-Oriented Development

TrAMS – Transit Award Management System

TVM – Transit Vehicle Manufacturer

UCP – Virginia Unified Certification Program

City of Alexandria DBE PROGRAM

Objectives/Policy Statement

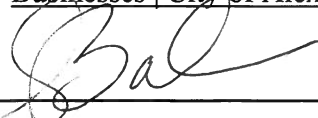
The City of Alexandria (City) has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 Code of Federal Regulation (CFR) Part 26. The City of Alexandria has received federal financial assistance from the DOT, and as a condition of receiving this assistance, the City must comply with 49 CFR Part 26.

It is the City's policy to ensure that DBEs as defined in 49 CFR Part 26.1, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also the City's policy to ensure the following:

1. To ensure nondiscrimination in the award and administration of DOT-assisted contracts;
2. To create equal opportunities for DBEs to 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 promote the use of DBEs in all types of federally assisted contracts and procurements activities conducted by recipients;
7. To assist the development of firms that can compete successfully in the marketplace outside the DBE Program.

As of March 2023, the Department of Transportation and Environmental Services (T&ES), hired a Grants Coordinator who is designated as the DBE Liaison Officer (DBELO). The DBELO is responsible for implementing all aspects of the DBE program. Implementation of the DBE program is accorded with the same priority as compliance with all other legal obligations incurred by the City in its financial assistance agreements with the DOT.

The City has disseminated this policy statement throughout our organization and to DBE and non-DBE business communities that perform work for us on DOT-assisted contracts. The policy is also posted on the City's website at Small, Women, and Minority-Owned (SWaM) Businesses | City of Alexandria, VA (alexandriava.gov).


Emily Baker
Deputy City Manager

1/9/2025
Date


Adriana Castañeda
Director, Transportation & Environmental Services

12/30/2024
Date

Approved as to Form
Assistant City Attorney
Lindsay Dubin
01.08.2025

SUBPART A – GENERAL REQUIREMENTS

A-1. Applicability

The City of Alexandria is in the process of receiving federal awards as a direct recipient as of Federal Fiscal Year (FFY) 2023 in Federal Transit Administration (FTA) funds, in addition to being a sub-recipient through the Northern Virginia Transportation Commission (NVTC). The City has been awarded Federal Fiscal Year 2023 [Section 5339\(c\)](#) discretionary funds under the Low or No Emissions Discretionary Program, Community Project Funding (CPF) apportioned for [H.R.4366 Sec. 155 Federal Fiscal Year 2024 Transit Infrastructure](#) Grants CPF member request process and Federal Fiscal Year 2023 [Section 20005\(b\)](#) discretionary funds under the Transit Oriented Development (TOD) Pilot Planning Program. The City and the Federal Transit Administration (FTA) have collaborated to formally accept these awards using the Transit Award Management System (TrAMS) platform. Any future federal FTA grants awarded to the City will also be subject to this DBE Program.

A-2. Definitions

The City of Alexandria will follow the definitions contained in [49 CFR, Part 26, Section 26.5](#) for this program.

A-3. Non-discrimination Requirements

The City of Alexandria affirms its commitment to non-discrimination in all aspects of contract awards and performance. The City prohibits any exclusion, denial of benefits, or discriminatory practices based on race, color, sex, or national origin, in accordance with the guidelines outlined in [49 CFR Part 26](#).

The City of Alexandria will administer its DBE program in a manner that ensures it achieves its goals of assisting minority and disadvantaged businesses. This means the City avoids any practices, even those done indirectly through contracts, that could hinder or prevent people of a particular race, color, sex, or national origin from benefiting from the program.

A-4. Record Keeping Requirements

A. Uniform Report of DBE Awards or Commitments and Payments:

The City of Alexandria will track and report on the performance of the Disadvantaged Business Enterprises (DBEs) that participate in its projects. The City will use the Uniform Report of DBE Commitments/Awards and Payments federal form to submit information to FTA. An example of this form can be found in **Attachment 3**.

B. Unified Certification Program:

The City of Alexandria will utilize the Virginia Unified Certification Program (UCP) to create a list consisting of information about all DBE firms that could respond to DOT-assisted contracts. The City will also maintain a bidders list as defined in [49 CFR, Part 26, Section 26.1\(c\)](#). This list will be used to ensure fair competition and to select the best qualified vendors. These lists will be used when calculating goals.

A-5. Assurances

The City of Alexandria has signed the following assurance, applicable to all DOT-assisted contracts and their administration:

A. Federal Financial Assistance Agreement Assurance:

The City of Alexandria shall not discriminate based on 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 City of Alexandria 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 City of Alexandria's DBE Program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this agreement. The 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 Alexandria of its failure to carry out its approved program, the DOT may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

This language will also appear in federal financial assistance agreements with sub-recipients.

B. Contract Assurance:

The City of Alexandria will ensure that the following clause is placed in every DOT-assisted contract and subcontract:

The contractor, sub-recipient, or subcontractor shall not discriminate based on 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.

SUBPART B - ADMINISTRATIVE REQUIREMENTS

B-1. DBE Program Updates

The City will award prime contracts (excluding transit vehicle purchases) with a cumulative total of value of which exceeds \$670,000 in FTA funds in a Federal Fiscal Year (FFY). As such, the City is considered a Tier 1 recipient. The City will implement and continue to carry out this program and provide updates to DOT representing significant changes in the program.

B-2. DBE Liaison Officer (DBELO)

The City of Alexandria has designated the following position as the DBELO:

Philippe Simon
Grants Coordinator
2900 Business Center Drive
Alexandria, VA 22314-3211
703-746-4109
philippe.simon@alexandriava.gov

In that capacity, the DBELO is responsible for implementing all aspects of the DBE program and ensuring that the City of Alexandria complies with all provisions of 49 CFR Part 26. The DBELO has direct, independent access to the Director of Transportation & Environmental Services (T&ES) concerning DBE program matters. An organizational chart displaying the DBELO's position in the organization is found in **Attachment 2** to this program.

The DBELO is responsible for developing, implementing, and monitoring the DBE program, in coordination with other City departments involved in federally funded projects. The DBELO will also obtain assistance from the City's Purchasing Division, a division of the Department of Finance, to assist in the administration of the program. The duties and responsibilities include the following:

1. Gathers and reports statistical data and other information as required by DOT;
2. Reviews third-party contracts and purchase requisitions for compliance with this program;
3. Works with all departments involved with federal funding to set overall triennial goals;
4. Analyzes the City of Alexandria's progress toward goal attainment and identifies ways to improve progress;
5. Participates in pre-bid/proposal conferences;
6. Advises the Director of T&ES and other City departments on DBE matters and achievements;
7. Participates in DBE training seminars;
8. Assists the Purchasing Division with providing firms with information on becoming certified DBEs in accordance with the Uniform Certification Process in Virginia and the process to become a registered vendor with the City;
9. Assists procurement and project managers in outreach to DBEs and community organizations to advise them of opportunities and information in preparing bids/proposals;
10. Utilizes Virginia UCP to find new DBEs and verify qualifications of existing DBEs.

B-3. DBE Financial Institutions

The City will make an effort to investigate services offered by financial institutions owned and controlled by disadvantaged individuals in the community. The City will encourage prime contractors on DOT-assisted projects to consider using these institutions. The City has made the following efforts below to identify and use such institutions:

- The availability of other socially disadvantaged financial institutions has been researched through the Commonwealth of Virginia's UCP List of Certified Vendors;
- There are no such institutions identified to date that would meet the needs of the City; and
- The City will re-evaluate the availability of DBE financial institutions on a periodic basis.

B-4. Prompt Payment Mechanisms

The City of Alexandria will include the following or similar clauses in each DOT-assisted prime contract:

A. Prompt Payment:

The contract requires the prime contractor to pay subcontractors within 30 days of getting paid by the City of Alexandria, if the subcontractor's work meets expectations. If there is a good reason to delay payment, the prime contractor must seek written approval from the City first. This applies to all subcontractors, regardless of their business status. In other words, subcontractors get paid promptly for satisfactory work, and the City ensures everything is fair for all involved.

B. Retainage:

This contract clause deals with retaining a portion of the subcontractor's payment held back by the prime contractor. The prime contractor must release this holdback within 30 days of the subcontractor completing their work satisfactorily. Only a valid reason with written approval from the City can delay this process. This applies to all subcontractors equally.

C. Monitoring and Enforcement:

The City of Alexandria is establishing mechanisms, such as on-site and virtual interviews for review of payments, to monitor and enforce that prompt payment and return of retainage is in fact occurring. Written documentation for these recurring check-in meetings will be kept on file for the City's and contractors' records. The City's DBELO, in coordination with project managers, will keep an account of each contractor's progress in attaining a contract goal through progressive payments to the committed DBEs. This will be a consistent running tally to ensure intervening in real time if a prime contractor is falling short of a contract goal.

B-5. Directory

As part of the Virginia Commonwealth's Unified Certification Program (UCP), the Virginia Department of Small Business and Supplier Diversity (SBSD) is identified as having full responsibility for certifying all DBE firms. SBSD maintains a directory of companies that are certified under the Commonwealth's DOT-DBE program. This directory is available on SBSD's website at <https://directory.sbsd.virginia.gov/#/directory>.

The City's Purchasing Division will continue using this established method and include qualified DBE businesses on solicitation lists. The City will also check for companies that have been debarred or are excluded from federal procurement programs on the System for Awards Management (SAM) system at sam.gov.

B-6. Overconcentration

The City of Alexandria has not identified that overconcentration exists in the types of work DBEs perform. The potential for overconcentration will be evaluated every three years.

B-7. Business Development Program

The City of Alexandria maintains a regular program of outreach to the business community, specifically targeting Virginia SWaM firms. The City will continue expanding this program and provide resources to these firms such as the City's [AEDP](#) and working with the City's Purchasing Division with incorporating procurements to enhance opportunities for DBE firms in the local market area. This will include actively promoting the procurement of goods and services from DBEs, engaging in education and outreach activities to increase competition of DBEs, and including DBE firms in the City's Enterprise Resource Planning (ERP) system. To maximize the value for DBEs from City expenditures, a multifaceted approach like this is key.

B-8. Monitoring and Enforcement Mechanisms

The City of Alexandria will use the following monitoring and enforcement mechanisms to ensure compliance with 49 CFR Part 26:

1. Bring to the attention of DOT 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](#).
2. Consider similar action under the laws of Virginia (including, but not limited to, the Code of VA Title 8.01 "[Civil Remedies & Procedures](#)" and Title 11 "Contracts"). Such actions may also include consideration of debarment and responsibility determinations relating to future contracts. The City of Alexandria will include the DBE status as a condition of the contract and in the case of non-compliance with the DBE requirements

of a specific contract, the City will consider pursuing remedies for breach of contract, including termination of the contract.

3. Provide a monitoring and enforcement mechanism to verify that work committed to DBEs at contract award is performed by the DBEs. This mechanism will provide for a running tally of actual payments made to DBE firms, including a means of comparing these attainments to commitments. This will be accomplished through the utilization of forms submitted with the offer and forms confirming that payments have been made. These will be monitored and recorded as part of the Construction Management or Contract Management phases of each project for which DBE participation has been included. Contractors will be required to maintain and furnish records of payments to DBEs as requested by the City of Alexandria or its assigned designee. The quarterly review of such payments will be performed as appropriately by the City's DBELO and project managers.

B-9. Small Business Participation

The City of Alexandria will take all reasonable steps to eliminate obstacles to the participation of small businesses, including unnecessary and unjustified bundling of contract requirements that may preclude small business participation in procurements as prime contractors or subcontractors.

The definition of 'small business concern' can be found in 49 CFR 26.5 of the Federal Register: small business concern means, with respect to firms seeking to participate as DBEs in DOT-assisted contracts, a small business concern as defined pursuant to Section 3 of the Small Business Act and Small Business Administration regulations implementing it ([13 CRF part 121](#)) that also does not exceed the cap on average annual gross receipts specified in [49 CFR 26.65\(b\)](#).

The steps to implement this element include but are not limited to:

1. In multi-year design-build contracts or other large contracts requiring Proposers on the prime contract to specify elements of the contract or specific subcontracts that are of a size that small businesses, including DBEs, can reasonably perform.
2. On prime contracts not having DBE contract goals, requiring the prime contractor to provide subcontracting opportunities of a size that small businesses, including DBEs, can reasonably perform, rather than self-performing all the work involved.
3. Identifying alternative acquisition strategies and structuring procurements to facilitate the ability of consortia or joint ventures consisting of small businesses, including DBEs, to compete for and perform prime contracts.
4. Ensuring that a reasonable number of prime contracts are of a size that small businesses, including DBEs, can reasonably perform.

To ensure that a firm is a small business concern, and to minimize fraud and abuse, the City of Alexandria will take steps to verify the eligibility of a firm to participate in the program. Firms

may go to the SBSB web page to access information on SBSB's small business eligibility process. The City also offers the Alexandria Economic Development Partnership (AEDP) [Small Business Program](#) which provides free tools, resources, and confidential services to small businesses in the City of Alexandria. AEDP helps start, manage, and grow businesses and counsel organizations when issues arise.

SUBPART C – GOALS, GOOD FAITH EFFORTS, AND COUNTING

C-1. Set-asides or Quotas

The City of Alexandria does not use quotas in any way in the administration of this DBE program.

C-2. Overall Goals

In accordance with [49 CFR 26.45](#), the City of Alexandria will submit its triennial overall DBE goal to FTA on August 1st of the year specified by FTA. If a delay is required, the City will submit an extension for FTA approval.

The process generally used by the City of Alexandria to establish triennial overall DBE goals is as follows:

Step 1 – Determine the base figure for the relative availability of DBEs in the City of Alexandria's market area: By utilizing the Virginia Unified Certification Program's DBE Directory, the City of Alexandria determines the number of businesses that are ready, willing, and able to submit offers for the types of work the City will be contracting.

The City uses the Virginia UCP Directory and the US Census Bureau's County Business Patterns Database within the City's market area to determine the number of DBEs that could be willing or able to meet our contracting needs. The City has defined the local market area as the location of most of the City's contractors, which includes:

- Alexandria City, Virginia
- Arlington County, Virginia
- Fairfax County, Virginia
- Fairfax City, Virginia
- Falls Church City, Virginia
- Loudoun County, Virginia
- Prince William County, Virginia
- District of Columbia
- Montgomery County, Maryland
- Prince George's County, Maryland

To determine the DBE utilization goal, the City then counts the number of DBE firms qualified and ready to bid on upcoming contracts within each North American Industry Classification System (NAICS) code that will be applied during the federal triennial period. The NAICS code is

decided by City staff and based on the FTA project activities. This figure is then divided by the total number of firms, both DBE and non-DBE, also qualified, willing, and ready to bid. The resulting percentage represents the proportion of DBE firms available for that specific type of work, which can then be used to set DBE participation targets for City contracts.

Federal guidance recommends weighting to enhance the accuracy of the Step One Base Figure. The City implements this by incorporating the estimated FTA-assistance expenditure for each NAICS code. The weighted percentage is calculated by dividing the estimated FTA dollars per NAICS code by the total project costs. Subsequently, this percentage is multiplied by the respective relative availability of DBEs within each NAICS code, resulting in a weighted ratio for each category. The summation of all weighted ratios across NAICS code yields the weighted availability of DBEs.

Step 2 – Adjusting the Base Figure Percentage from Step 1 so it reflects as accurately as possible the DBE participation the recipient would expect in the absence of discrimination:

Upon establishing the Base Figure, the City reviews and assesses other known evidence to determine what adjustment is needed to the base figure to arrive at the overall goal, in accordance with prescribed narrow tailoring provisions set forth under [49 CFR Part 26.45: Step 2; DBE Goal Adjustment guidelines](#).

The City of Alexandria considers the following factors to determine if an adjustment to the Step One Base Figure is necessary:

- The current capacity of DBEs to perform work in the City’s FTA-assisted contract opportunities, as measured by the volume of work DBEs have performed in recent years. Considering this is the City’s first time assessing this metric as a direct recipient and for the current projects, the City will continue to find other opportunities to gauge DBE capacity. This could involve, but is not limited to, surveying local DBEs about their interest and abilities, reviewing their certifications to see if they align with project needs, or looking at how other cities assess DBE capacity for their FTA projects. By using a combination of these approaches, the City can get a clearer picture of DBE capacity for projects.
- Evidence from disparity studies is being conducted through the City’s Finance Department’s Purchasing Division of the City’s local market area.
- Evidence from related fields that affect the opportunities for DBEs to form, grow, and compete.

The City will post a notice of the proposed DBE triennial overall goals on its [website](#).

The City of Alexandria’s overall goal submission to FTA will include: the goal, a copy of the methodology worksheets used to develop the goal, a summary of information and comments received during this public participation process, and the City of Alexandria’s responses.

The City of Alexandria will begin using the overall goal on October 1st of the specified year unless other instructions have been received from FTA.

C-3. Goal Setting and Accountability

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

1. Analyze in detail the reasons for the difference between the overall goal and the actual awards/commitments,
2. Establish specific steps and milestones to correct the problems identified in the analysis; and
3. Maintain information and records regarding the analysis and efforts made.

C-4. Transit Vehicle Manufacturers Goals

The City of Alexandria will ensure that each Transit Vehicle Manufacturer (TVM), as a condition of being utilized for FTA-assisted transit vehicle procurements, certifies that it has complied with FTA's DBE requirements and is on FTA's list of TVMs. FTA defines TVM as any manufacturer whose primary business purpose is to manufacture vehicles specifically built for public mass transportation. Producers of vehicles that receive post-production alterations or retrofitting to be used for public transportation purposes are also considered TVMs. Businesses that manufacture mass-produced or distribute vehicles solely for personal use and for sale "off the lot" are not considered TVMs.

C-5. Meeting Overall Goals/Contract Goals

The City of Alexandria will meet the maximum feasible portion of its overall DBE goal by using a race-neutral means of facilitating DBE participation. For projects that are best suited for an Invitation to Bid type of procurement, the City of Alexandria uses strict low bid contract awards to the lowest responsive and responsible bidder in accordance with the Virginia Public Procurement Act and the Code of Virginia. For projects that are best suited for a Request for Proposal type of procurement, the City of Alexandria uses evaluation criteria to determine the award. To enhance the level of DBE participation, the City of Alexandria will attempt to direct interested DBEs and potential DBEs to the various organizations within the Commonwealth that provide services and assistance to small, disadvantaged, and minority-owned businesses. DBE contractors will be encouraged to apply on all solicitations.

The City of Alexandria will adjust the estimated breakout of *race-neutral* and *race-conscious* participation, as needed, to reflect actual DBE participation ([49 CFR 26.51\(f\)](#)) and will track and report race-neutral and race-conscious participation separately.

For reporting purposes, *race-neutral* DBE participation includes, but is not limited to, 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 a 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.

The City will use contract goals to meet any portion of the overall goal that the City does not project being able to meet using race-neutral means. Contract goals are established so that, over the period to which the overall goal applies, they will cumulatively result in meeting any portion of the overall goal that is not projected to be met using race-neutral means. The City will establish contract goals only on those DOT-assisted contracts that have subcontracting possibilities. The City does not need to establish a contract goal on every such contract, and the size of contract goals will be adapted to the circumstances of each such contract (e.g., type and location of work, availability of DBEs to perform the type of work). The contract goals will be expressed as a percentage of the federal share of a DOT- assisted contract.

C-6. Good Faith Efforts Procedures

A. Award of Contracts with a DBE Contract Goal

In matters where a contract DBE goal is included in a procurement/solicitation, the City of Alexandria will not award the contract to an offeror who does not either: (1) meet the contract goal with verified, countable DBE participation; or (2) document 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 offeror to demonstrate it has made sufficient good faith efforts.

B. Evaluation of Good Faith Efforts

The DBELO is responsible for determining whether a bidder/proposer who has not met the contract goal has documented sufficient good faith efforts to be regarded as responsible.

The process used to determine whether good faith efforts have been made by a bidder/proposer is found in [Appendix A](#) to [49 CFR Part 26.53](#).

The City will ensure that all information is complete and accurate and adequately document the offeror's good faith efforts before it commits to the performance of the contract by the offeror.

C. Information to be submitted

The City of Alexandria treats bidders'/proposers' compliance with good faith efforts as a matter of responsibility.

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

1. The names and addresses of DBE firms that will participate in the contract;
2. A description of the work that each DBE will perform;
3. The dollar amount of the participation of each DBE firm participating;

4. Written and signed documentation of commitment to use a DBE subcontractor whose participation it submits to meet a contract goal;
5. Written and signed confirmation from the DBE that it is participating in the contract as provided in the prime contractor's commitment; and
6. If the contract goal is not met, evidence of good faith efforts.

D. Administrative reconsideration

The City ordinance, specifically City Code § [3-3-103](#), outlines the process for determining a bidder's responsibility. If the purchasing agent initially deems a bidder unqualified for a specific contract, the bidder has a 10-day window to request administrative reconsideration. This request should be submitted in writing to Wynndell Bishop, the City's Chief Procurement Officer.

E. Good Faith Efforts when a DBE is Terminated/Replaced on a Contract with Contract Goals

The City requires that prime contractors do not terminate a DBE subcontractor listed on an offer or contract with a DBE contract goal without the City'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 [49 CFR 26.53\(f\)\(3\)](#) of the DBE regulation.

Before requesting termination from the City, the prime contractor must provide written notice to the DBE with its intent, and a copy sent to the City. The DBE then has a five-day window to respond to the City with any objections to the proposed termination.

If a "good cause" exists to terminate a DBE's contract, the City requires the prime contractor to replace the terminated DBE with another certified DBE to fulfill the contract goal. The prime contractor must promptly notify the City's DBELO of the DBE's performance issues and provide supporting documentation. In this scenario, the City will require the prime contractor to obtain prior approval for the substitute DBE and provide copies of any new or amended subcontracts, or documentation of good faith efforts to find a suitable replacement.

If the contractor fails to comply with the City's requirements within the specified timeframe, the City's Contracting Officer may suspend payments or work until satisfactory action is taken. If the contractor continues to fail to comply, the City may terminate the contract for default.

F. Sample DBE Clause:

The City of Alexandria will include a clause similar to the following in each DOT-assisted prime solicitation/contract that has a contract goal:

The requirements of [49 CFR Part 26](#), regulations of the U.S. Department of Transportation, apply to this contract. It is the policy of the City of Alexandria 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 offers. The award of this contract will be conditioned upon satisfying the requirements of this bid specification. These requirements apply to all offerors, including those who qualify as a DBE. A DBE contract goal of (x %) has been established for this contract. The offeror shall make good faith efforts, as defined in 49 CFR Part 26, to meet the contract goal for DBE participation in the performance of this contract.

The offeror will be required to submit the following information: (1) the names and addresses of DBE firms that will participate in the contract; (2) a description of the work that each DBE firm will perform; (3) the dollar amount of the participation of each DBE firm participating; (4) written documentation of the offeror's commitment to use a DBE subcontractor whose participation it submits to meet the contract goal; (5) written confirmation from the DBE that it is participating in the contract as provided in the commitment made and (6) if the contract goal is not met, there is evidence of good faith efforts. The City of Alexandria will include forms such as those shown in **Attachment 3** for each solicitation that has a contract goal.

C-7. Counting DBE Participation

The City of Alexandria will count DBE participation toward overall and contract goals as provided in [49 CFR 26.55](#).

SUBPART D – CERTIFICATION STANDARDS

D-1. Unified Certification Program

The City of Alexandria is a member of a Unified Certification Program (UCP) administered by the Commonwealth of Virginia. The UCP will meet all the requirements of this section. The City of Alexandria will use and count for DBE credit only those DBE firms certified by the Commonwealth of Virginia's UCP.

A. Unified Certification Program (UCP)

The Commonwealth of Virginia Established a Unified Certification Program (UCP) in 2003. Under coordination and agreement with the U.S. Department of Transportation, the Virginia Department of Small Business and Supplier Diversity (SBSD) is identified as having full responsibility for certifying all DBE firms within the Commonwealth. This program ensures that DBEs only need to go through one certification process to be eligible for contracting opportunities throughout the state.

B. Process

Information and application forms for becoming a certified DBE within the

Commonwealth of Virginia can be found on the SBSB website at [Certification – The Department of Small Business and Supplier Diversity \(virginia.gov\)](#). To be certified as a DBE, a firm must meet all certification eligibility standards and successfully complete the SBSB certification process. For additional information about the certification process or to apply for certification, firms should visit the SBSB website listed above.

In the event that a Contractor's DBE certification is removed (i.e., debarred), or if the City recommends to SBSB that a contractor's certification be removed, SBSB will follow procedures consistent with [49 CFR 26.87](#). Any such debarment action will be managed by SBSB.

D-2. Certification Appeals

Any firm or complainant may appeal SBSB's recommendations in a certification matter to the Director, Virginia Department of Small Business and Supplier Diversity within 30 calendar days of receipt of the denial letter.

Any firm or complainant may appeal the Virginia Department of Small Business and Supplier Diversity's decision in a certification matter to DOT. Such appeals may be sent to:

U.S. Department of Transportation
Office of Civil Rights Certification Appeals Branch
1200 New Jersey Ave. SE
West Building, 7th Floor
Washington, D.C. 20590

D-3. Recertification

All recertification procedures for DBE eligibility within the Commonwealth will be managed and performed by SBSB. The recertification process includes a review of the DBE owner's personal net worth and any other changes to the information file.

D-4. "No Change" Affidavits and Notices of Change

All DBEs are required to inform SBSB, in a written affidavit, of any change in its circumstances affecting its ability to meet size, disadvantaged status, ownership or control criteria of 49 CFR Part 26, or of any material changes in the information provided with the DBE's proof of certification.

SUBPART E – COMPLIANCE AND ENFORCEMENT

E-1. Information, Confidentiality, Cooperation

The City of Alexandria will safeguard from disclosure to third parties' information that may reasonably be regarded as confidential business information, consistent with Federal, state, and local law. The Virginia Freedom of Information Act ([Virginia Code § 2.2-3700, et seq.](#)) provides

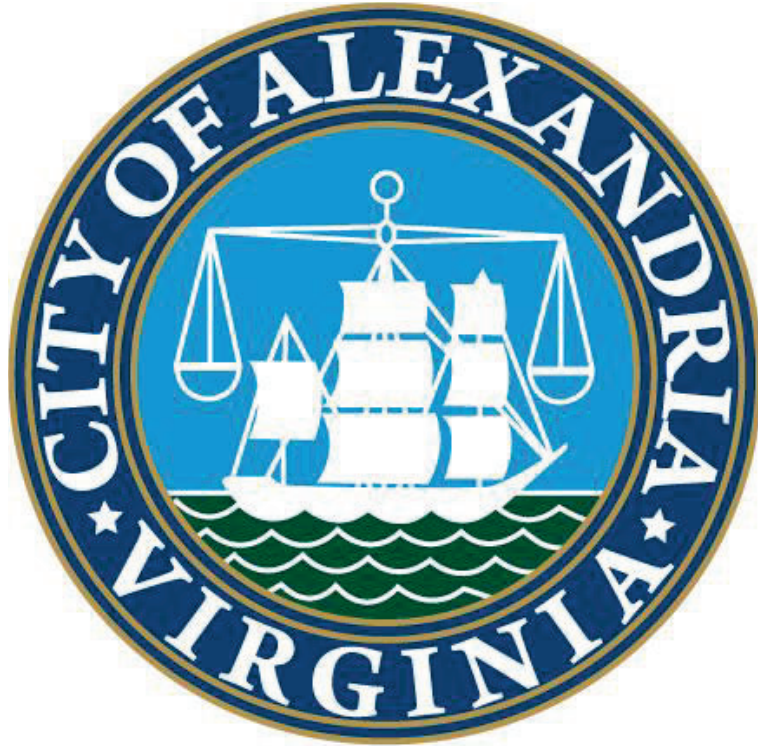
that public records are generally available for inspection and copying. However, [Virginia Code § 2.2-4342](#) provides that “trade secrets or proprietary information submitted by an offeror or contractor in connection with a procurement transaction” are not subject to the Virginia Freedom of Information Act. The offeror must (1) invoke these protections prior to or upon submission of the data or other materials, (2) identify the data or other materials to protect, and (3) state the reasons why protection is necessary.

As required by the Virginia Freedom of Information Act, the City of Alexandria will not release personal financial information submitted in response to the personal net worth requirement to a third party (other than SBSD) without the written consent of the submitter.

The City 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 the City of Alexandria or DOT. This reporting requirement also extends to any certified DBE subcontractor.

The City will keep a running tally of actual payments to DBE firms for work committed to them at the time of the contract award. As deemed necessary, the City will perform quarterly check-ins of contract payments to DBEs. These reviews of payments to DBE subcontractors will ensure that the actual amount paid to DBE subcontractors equals or exceeds the dollar amounts stated in the schedule of DBE participation.

ATTACHMENT 1



CITY OF ALEXANDRIA

DISADVANTAGED BUSINESS ENTERPRISE

PROPOSED GOAL SETTING METHODOLOGY FFY 2024 – 2026

“Proposed as of 09/11/2024”

TABLE OF CONTENTS

DEFINITIONS	2
ACRONYMS	2
INTRODUCTION.....	3
BACKGROUND	3
SUMMARY	4
METHODOLOGY	6
STEP 1: BASE FIGURE DETERMINATION (49 CFR 26.45(c)).....	6
STEP 2: BASE FIGURE ADJUSTMENT (49 CFR 26.45(d))	10
WEIGHTING.....	9
RACE/GENDER NEUTRAL AND RACE/GENDER CONSCIOUS BREAKDOWN (49 CFR 26.51)	11

DEFINITIONS

The City – The City of Alexandria

DASH – Alexandria’s Transit Company (the City’s Bus Service)

Direct Recipient – Receiving funding directly from FTA

Race-Conscious – Measures for the program focused specifically on assisting only DBEs, including women-owned DBEs.

Race-Neutral – Measures for the program can be used to assist all small businesses. Race-neutral includes gender-neutrality.

ACRONYMS

CFR – Code of Federal Regulations

CPF – Community Project Funding

DBE – Disadvantaged Business Enterprises

FY – City of Alexandria Fiscal Year

FFY – Federal Fiscal Year

FTA – Federal Transit Administration

NAICS – North American Industry Classification System Codes

NVTC – Northern Virginia Transportation Commission

T&ES – Department of Transportation and Environmental Services

TOD – Transit-Oriented Development

UCP – Virginia Unified Certification Program

INTRODUCTION

In accordance with the Code of Federal Regulations (CFR), 49 CFR Part 26.45, the City of Alexandria (the City), Department of Transportation and Environmental Services (T&ES), presents its Proposed Overall Disadvantaged Business Enterprise (DBE) Goal and Goal-Setting Methodology for the Federal triennial period of Federal Fiscal Years (FFY) 2024-2026.

The purpose of the DBE goal is to aim to give small businesses owned by socially and economically disadvantaged individuals a fair approach to compete for federally funded grants and to ensure the DBE Program is narrowly tailored in accordance with applicable law.

BACKGROUND

In addition to being a sub-recipient to the Northern Virginia Transportation Commission (NVTC), the City has become a direct recipient in FFY 2023. FTA and NVTC will evaluate the City's other FTA-funded projects overseen by NVTC to identify potential DBE contract opportunities within NVTC's [DBE Goal Setting Methodology](#)¹ for FFY 2024-2026

According to 49 CFR 26.45(a), FTA recipients who reasonably anticipate awarding more than \$670,000 in FTA funds in prime contracts in a federal fiscal year, must develop a plan that highlights its overall goals for DBE participation in FTA-assisted contracts once every three years. The City is a direct recipient of Federal Transit Administration (FTA) funds of more than \$670,000 during this triennial period. As a condition of receiving this financial assistance, this overall DBE goal document will capture the opportunities for DBE participation of the City's FTA-assisted contracts.²

On June 26, 2023, the FTA announced \$1.69 billion in Federal Fiscal Year (FFY) 2023 Low and No-Emission Grants for use by bus and bus facilities projects. The City was among the recipients to receive these awards. Through the Low-No Program (49 U.S.C 5339(c)), the City has received \$23,984,700 in funding. The City's transit system, DASH, will use these funds to purchase 13 battery-electric buses, charging equipment, and perform necessary utility upgrades. FTA's funding in the amount of \$14 million will account for the bus project. While existing state contracts for buses limit DBE contracting opportunities in that area, the City sees potential for DBE participation in the charging equipment portion of the project valued at \$8.6 million. This suggests a focus on DBE involvement in acquiring and installing charging stations for the new buses.

¹ [NVTC FFY 2024-2026 DBE Goal Setting Methodology.pdf \(novatransit.org\)](#)

² Although the City of Alexandria receives FTA funds through NVTC, the City is now a direct recipient through FTA and will report DBE methodology on new awards received. All previously awarded Transportation project goals have been submitted and accepted by FTA through NVTC's FFY 24-26 DBE goal and methodology.

On April 04, 2024, FTA announced \$20.5 billion in federal funding available to support public transportation throughout the country. The City was selected to receive \$1M in Community Project Funding (CPF) through the FFY 2024 FTA apportionments for Transit Infrastructure Grants (H.R. 4366 Sec. 155) federal funds for DASH to implement one on route opportunity charger to support the charging of battery electric transit buses in the DASH fleet. Funding will support the engineering, design, and construction of charger installation and utility infrastructure for the on-route charger.

Lastly, on April 02, 2024, the FTA announced \$17.6 million in FFY 2023 Transit-Oriented Development (TOD) Pilot Planning Program grant awards. The City was among the recipients to receive this award. Through the TOD Pilot Planning Program, the City has received \$550,000 in Section 20005(b) federal funds. The City will use these funds to develop a TOD development land use plan along the proposed Duke Street Bus Rapid Transit corridor. The City sees this as an opportunity to involve Disadvantaged Business Enterprises (DBEs) in these projects

City of Alexandria DBE Goal and Methodology

Federal Fiscal Years 2024-2026

SUMMARY

The City of Alexandria has determined a goal for the next three FFY (2024-2026) to ensure that **5.5%** of awarded FTA grant funding is awarded to businesses owned by disadvantaged groups (DBE). The City estimates that in meeting its **5.5%** overall goal, **2.75%** will be obtained through race/gender neutral measures and **2.75%** through race/gender conscious participation.

FFY 2024-2026 FTA FUNDED CONTRACTS

To plan its projects funded for FFY 2024-2026, the City first assessed the FTA grants it expects to receive as a direct recipient. The City then determined the potential for contract awards within the applicable NAICS codes for the FFY 2024-2026 triennial period. The City expects to award FTA-funded contracts for Low or No Emissions, Transit-Oriented Development (TOD) Pilot Program Planning, and Community Project Funding initiatives during this timeframe, adhering to the established project timelines.

Table 1 on the following page displays the new awards that the City of Alexandria intends to proceed with during FFY 2024-2026, utilizing Federal Transit Administration (FTA) funds. The project name and awarded fund amounts are included in this table.

Table 1: ANTICIPATED AWARDS		
FTA Grants – City of Alexandria	Project Name	Total Project Costs
Low or No-Emission Grant Program (49 U.S.C 5339(c))	DASH Electric Bus Fleet & Facility Upgrades	\$28,638,147
Transit Oriented Development Pilot Program (Section 20005(b))	Duke Street Corridor Planning	\$750,000
Transit Infrastructure Grants Community Project Funding (H.R. 4366, Sec. 155)	DASH On-Route Electric Transit Bus Opportunity Chargers	\$1,250,000
FFY 24-26 FTA Funded Contracts Total		\$30,638,147

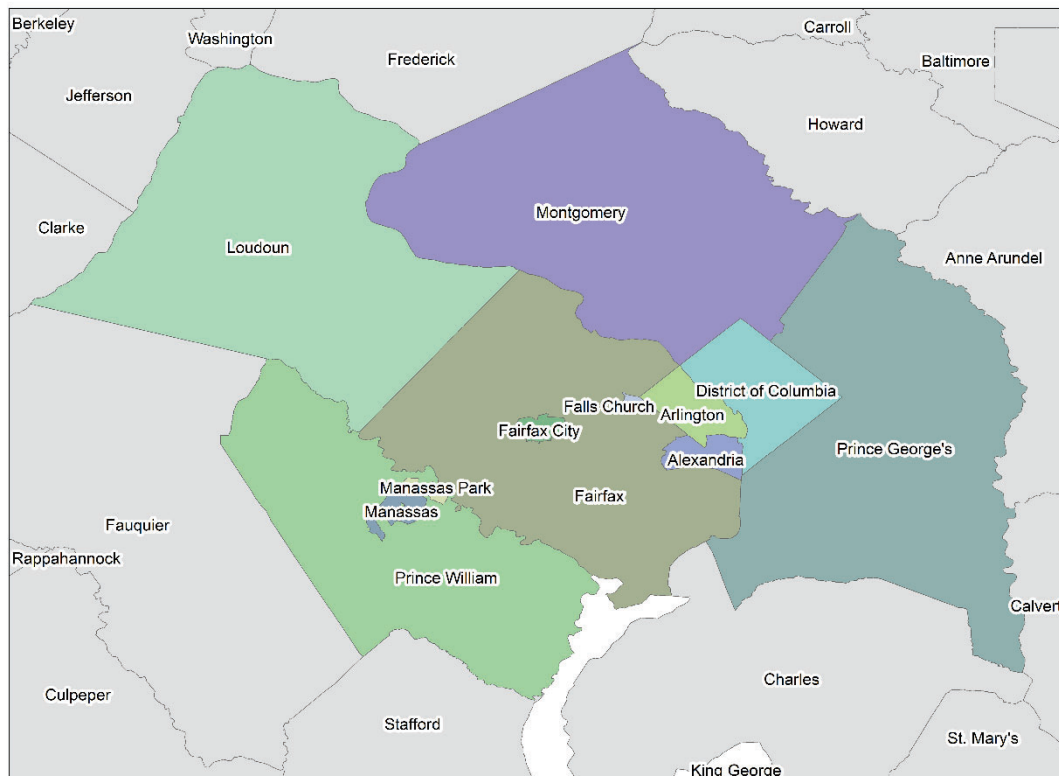
Next, the City evaluated the possible contracting opportunities within these projects.

LOCAL MARKET AREA DETERMINATION

The City of Alexandria previously collaborated with the Northern Virginia Transportation Commission (NVTC) to determine the local market area for FTA-funded projects. This decision was made in conjunction with NVTC's DBE goal methodology, which is used to establish the percentage of Disadvantaged Business Enterprises required to participate in these projects.

- Alexandria, Virginia
- Arlington, Virginia
- Fairfax County, Virginia
- Fairfax City, Virginia
- Falls Church, Virginia
- Loudoun County, Virginia
- Prince William County, Virginia
- District of Columbia
- Montgomery County, Maryland
- Prince George's County, Maryland

The local market area is depicted in the Geographical Area Map below:



METHODOLOGY

According to federal guidance, projects require DBE goals that reflect local market reality. This means considering the number of qualified DBEs available compared to all eligible businesses. The goal must reflect its determination of the level of DBE participation it would expect, absent the effects of discrimination. In determining its overall goal, the City strictly followed Federal guidance. The following steps outline the methodology used:

Step 1: Base Figure Determination (49 CFR 26.45(c))

During Step One of the goal setting processes, the City determined a base figure for the relative availability of DBE firms that are ready, willing, and able to compete for the FTA-assisted contracts it intends to award during FFY 2024-2026.

Base Figure Formula

Federal guidance provides the following formula for determining the base figure percentage of ready, willing, and able DBE firms for FTA-assisted contracts:

$$\text{Step One Base Figure} = \frac{\text{Ready, willing, and able DBEs}}{\text{All firms ready, willing, and able (including DBEs and non-DBEs)}}$$

The following steps were used to calculate the relative availability of DBEs:

- The source of data used to identify the DBE firms that are ready, willing, and able to bid is the Commonwealth of Virginia Unified Certification Program (UCP) DBE Directory. The Directory provides an all-inclusive list of DBE firms which have been certified by the Commonwealth of Virginia and is maintained by the Virginia Department of Small Business Supplier Diversity.
- The source of data used to identify all firms (both DBE and non-DBE) for each NAICS category that are ready, willing, and able to bid is the United States Census Bureau County Business Patterns.
- To ensure a sufficient comparison between the UCP DBE directory and the Census data, the City only included certified DBE firms within counties and cities located within the City of Alexandria's local market area.
- Staff then divided the number of DBE firms identified for each NAICS category that are ready, willing, and able to bid on the contracts the City of Alexandria intends to award during the FFY 2024-2026 by the number of all firms (DBE and non-DBE) that are also ready, willing, and able to bid.
- The City believes that the categories of work identified in **Table 2** on page 9 accurately reflect where opportunities, both prime and subcontracting, truly exist for DBEs participating in the City's FTA funded projects during the FFY 2024-2026 triennial period. **Table 2** on the following page lists the actual categories of work that will be available during FFY 2024-2026, along with the appropriate six-digit North American Industry Classification System (NAICS) code and their respective cost estimates.³

³ The work category estimates were provided by staff and included for the purposes of weighting. Six digit North American Industry Classification System (NAICS) codes were used to show the most refined data available.

Table 2: Weighted Availability of DBE Firms

Work Categories	NAICS	Total # of DBE Firms	Total # of All Firms (DBE and non-DBE)	Estimated FTA Dollars per NAICS	Value of Contract Opportunity as a percentage of Total Budget	Weighted Availability of DBEs	Estimated FTA Dollars Paid to DBEs per NAICS
Preliminary Engineering Services	541330	149	1,734	\$625,000	.02039941	.00175289	\$53,705.31
Demolition / Site Preparation	238910	67	216	\$62,500	.00203994	.00063276	\$19,386.57
Electrical and Wiring Contractors	238210	93	767	\$6,187,500	.20195412	.02448727	\$750,244.46
Building Equipment Contractors	238290	14	59	\$1,375,000	.04487869	.01064918	\$326,271.19
Utility system Construction	237130	8	74	\$300,000	.00979171	.001005856	\$32,432.43
Pouring Concrete Structure Contractors	238110	26	207	\$62,500	.00203994	.00025622	\$7,850.24
Technical and Trade Schools	611519	3	60	\$1,500,000	.04895857	.00244793	\$75,000.00
Other Management Consulting Services	541618	167	564	\$150,000	.00489586	.00144966	\$44,414.89
Heavy Duty Truck Manufacturing	336120	2	129	\$16,517,647	.53912030	.00835845	\$256,087.55
Other Electrical Component Manufacturing	334419	0	4	\$3,108,000	.10144217	.000000	\$0.00
Other Scientific and Technical Consulting	541690	130	1048	\$150,000	.00489586	.00060731	\$18,606.87

Environmental Consulting Services	541620	59	156	\$160,000	.00522225	.00197508	\$60,512.82
Administration of General Economic Programs	926110	125	763	\$50,000	.00163195	.00026736	\$8,191.35
Administrative Management and General Management Consulting	541611	374	4,180	\$350,000	.01142367	.00102212	\$31,315.79
Graphic Design Services	541430	35	288	\$40,000	.00130556	.00015866	\$4,861.11
Totals		1,252	10,249	\$30,638,147		.05512346	\$1,688,880

Step One Base Figure = 1,252 DBEs / 10,249 Total Firms

= .01221583

= 12%

The Step One Base Figure calculated is **12%**. An analysis of the local market area shows that 12% of businesses ready, willing, and able to perform work in the selected NAICS codes for the City of Alexandria are DBE firms.

Weighting

Federal guidance recommends weighting to enhance the accuracy of the Step One Base Figure. The City weighed the Step One Base Figure of **12%** by incorporating the amount of estimated FTA-assistance that will be spent under each NAICS code. The weighted percentage was determined by dividing the estimated FTA dollars per NAICS code by the total project costs. The City then multiplied the weight percentage by the respective relative availability of DBEs within NAICS code. This produced the weighted ratio. The weighted ratios for all NAICS codes were then added to determine the weighted availability of DBEs. This total came to 0.05512346 which is **5.5%** as shown in **Table 2** above.

Step 2: Base Figure Adjustment (49 CFR 26.45(d))

According to 49 CFR 26.45(d), once a federal recipient has calculated a base figure, they must examine all the evidence available in the jurisdiction to determine what adjustment, if any, is needed to the base figure to arrive at the overall goal. If the evidence does not suggest an adjustment is necessary, then no adjustment shall be made.

During Step Two of the goal-setting process, the City considered the following factors to determine if an adjustment to the Step One Base Figure is necessary:

- The current capacity of DBEs to perform work in the City's FTA-assisted contract opportunities, as measured by the volume of work DBEs have performed in recent years. Considering this is the City's first time assessing this metric as a direct recipient and for the projects in this triennial period, the City will continue to find other ways to gauge DBE capacity. This could include, but is not limited to, surveying local DBEs about their interest and abilities, reviewing their certifications to see if they align with project needs, or assessing how other localities weigh DBE capacity for their FTA projects. By using a combination of these approaches, the City will have a better understanding of DBE capacity despite the lack of experience data as a direct recipient.
- Future evidence from disparity studies of the City of Alexandria's local market area for future proposals will be applied. The City recently contracted and began working with MGT of America Consulting, LLC to conduct disparity studies. ***MGT has provided disparity studies to municipalities across the country for the past 30+ years. They are the largest provider of disparity studies in the country and have conducted more than any other firm in the United States.*** This achievement is a very significant indicator of the quality of their work and legal defensibility of 230+ disparity and disparity-related (e.g., program implementation, litigation) studies. MGT has conducted disparity studies in 11 of 12 judicial districts, and to date, every program developed or continued because of an MGT disparity study remains in place. MGT has decades of experience and a robust presence providing solutions in the Fourth Circuit which includes DC, Maryland, and Virginia and for a variety of state, local, and education institutions. Most importantly, their experience in this area predominantly includes disparity studies of various agencies across the Fourth Circuit. This experience is unmatched and will result in an accurate, reliable, valid, and legally defensible study for the City of Alexandria. The City has not solidified relevant evidence of statistical disparities in DBE access to financing, bonding, or insurance during this triennial period.
- Evidence from related fields that affect the opportunities for DBEs to form, grow, and compete.

Past Participation

Federal guidance states that the first step in adjusting the Step One Base Figure for past participation is to determine the "median" past participation percentage. The median, as opposed to the average, is recommended because the process of determining the median excludes all outliers (abnormally high or abnormally low) past participation percentages.

See **table 3** below:

Table 3	
DBE Attainment as Direct Recipient: City of Alexandria	
FY 2021	0%
FY 2022	0%
FY 2023	0%

The City’s median past participation percentage as a **direct recipient** is 0%. In conclusion, based off this evidence and suggested revised approach by FTA, the City will not be applying a Step 2 Base Figure Adjustment to its step one base figure goal during the FFY 2024-2026 triennial period.

The City will acknowledge any challenges of reaching the **5.5%** DBE goal and will provide justification for potential adjustments to this goal if needed, based on project progression and future FTA funded awards.

Race/ Gender-Neutral and Race/ Gender-Conscious Breakdown (49 CFR 26.51)

According to [49 CFR 26.51](#), the maximum feasible portion of the overall goal must be met by using race/gender neutral means of facilitating DBE participation. Race-neutral DBE participation is when a DBE wins a prime contract through customary competitive procurement procedures or is awarded a subcontract on a prime contract that does not carry a DBE contract goal.

Federal guidance suggests that looking at the amount by which overall goals were exceeded in past years, past participation obtained by DBE prime contractors, and past participation obtained by DBE subcontractors on contracts without goals, are all useful tools in helping to project the race/gender-neutral participation that can be expected in the future.

According to the U.S. Department of Transportation’s [TIPS for goal setting in the Disadvantaged Business Enterprise \(DBE\) program](#)⁴, if comprehensive mechanisms aimed at obtaining additional DBE participation through race/gender-neutral means have been instituted, these efforts might provide the basis for estimating a greater level of race/gender-

⁴ [Tips for Goal setting in the Disadvantaged Business Enterprise \(DBE\) Program | US Department of Transportation](#)

neutral participation for the upcoming year. The key is that any such efforts used to justify race/gender-neutral participation in the upcoming fiscal year must be:

1. new,
2. ready for immediate implementation,
3. described in detail, and
4. likely to result in additional DBE participation.

A new mechanism is that the City of Alexandria will establish an internal DBE Task Force. The purpose of the Task Force is to ensure the City considers all opportunities for DBE participation in FTA-assisted procurements and develop innovative ways that DBEs can become aware and compete for such opportunities. The members of the Task Force will include a staff member from the following departments/divisions in the City:

- Title VI Coordinator (Administrative Services, T&ES)
- Representatives of Transportation (Transportation Planning, T&ES)
- Representatives of Finance (Purchasing)
- Representatives of the Department of Project Implementation

The City believes that this collective group of individuals will be best suited to unbundle larger projects consciously and vigorously into smaller subparts for which small businesses and DBEs will be more likely to be able to compete. The group will meet quarterly to assess DBE participation and make modifications where necessary⁵ to ensure the City remains on track to meet the maximum feasible portion of the overall goal through race/gender neutral means.

In addition, the following are some of the efforts the City of Alexandria will continue to implement to foster DBE participation:

- Arrange solicitation times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate participation by DBEs and other small businesses and make contracts more accessible to small businesses;
- Aid in overcoming limitations such as inability to obtain bonding or financing (e.g., by such means as simplifying the bonding process, reducing bonding requirements, and eliminating the impact of surety costs from bids;
- Deliver information and communication 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

⁵ Per [49 CFR 26.51\(f\)\(2\)](#), if, during any year in which you are using contract goals, you determine that you will exceed your overall goal, you must reduce or eliminate the use of contract goals to the extent necessary to ensure that the use of contract goals does not result in exceeding the overall goal. If you determine that you will fall short of your overall goal, then you must make appropriate modifications in your use of race-neutral and/or race-conscious measures to allow you to meet the overall goal.

of lists of potential subcontractors; provision of information in languages other than English, where appropriate);

- Ensure distribution of the DBE Directory, through electronic means, to the widest feasible potential prime contractors;
- Perform outreach to non-certified DBEs, which will include activities related to building the population of available DBEs to perform work on FTA-assisted contracts;
- Provide technical assistance, as needed.

By establishing a new DBE Task Force and maintaining outreach efforts, the City anticipates achieving 50% of its overall DBE goal for FFY 2024-2026 through race and gender-neutral methods. The City believes this 50% target accurately reflects potential challenges in meeting DBE goals as a first-time direct recipient. By evaluating this fiscal year's DBE participation, the City will refine its approach in future years and implement additional initiatives as needed. The Overall DBE goal for FFY 2024-2026 of **5.5%** will consist of a 50/50 split, where **2.75% of the goal will be obtained through race/gender neutral measures and 2.75% through race/gender conscious participation.**

PUBLIC NOTICE, COMMENT, & CONSULTATION

According to [26.45\(g\)\(1\)\(ii\)](#), a federal recipient must provide a published notice announcing its proposed overall goal before submission of the goal and methodology to the operating administration by August 1st. The notice must be posted on its official internet website. If the proposed goal changes following review by the operating administration, the revised goal must be posted on your official internet website.

On September 17, 2024, the City posted the proposed overall DBE goal to its website. See confirmation below:

Public Notice

City of Alexandria

Department of Transportation and Environmental Services

DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOAL FOR FFY 2024-FFY 2026

The City of Alexandria, Department of Transportation and Environmental Services, announces its proposed goal of **5.5%** for Disadvantaged Business Enterprises (DBE) participation on work in Federal Fiscal Years (FFY) 2024-2026 funded by Federal Transit Administration (FTA) grants during the Federal triennial period.

The purpose of the DBE goal is to aim to give small businesses owned by socially and economically disadvantaged individuals a fair approach to compete for federally funded grants and to ensure the DBE Program is narrowly tailored in accordance with applicable law.

The **5.5%** proposed goal was derived using the Virginia Department of Small Business and Supplier Diversity's DBE Directory and U.S. Census Bureau databases.

In accordance with the Code of Federal Regulations (CFR), [49 CFR Part 26.45\(g\)](#), the City invites maximum public participation and solicits comments regarding the proposed goal. Please submit comments regarding the proposed DBE goal to the Department of Transportation Environmental Service's DBE Liaison Officer, Philippe Simon, via mail or email at the following addresses:

City of Alexandria, Department of Transportation and Environmental Services

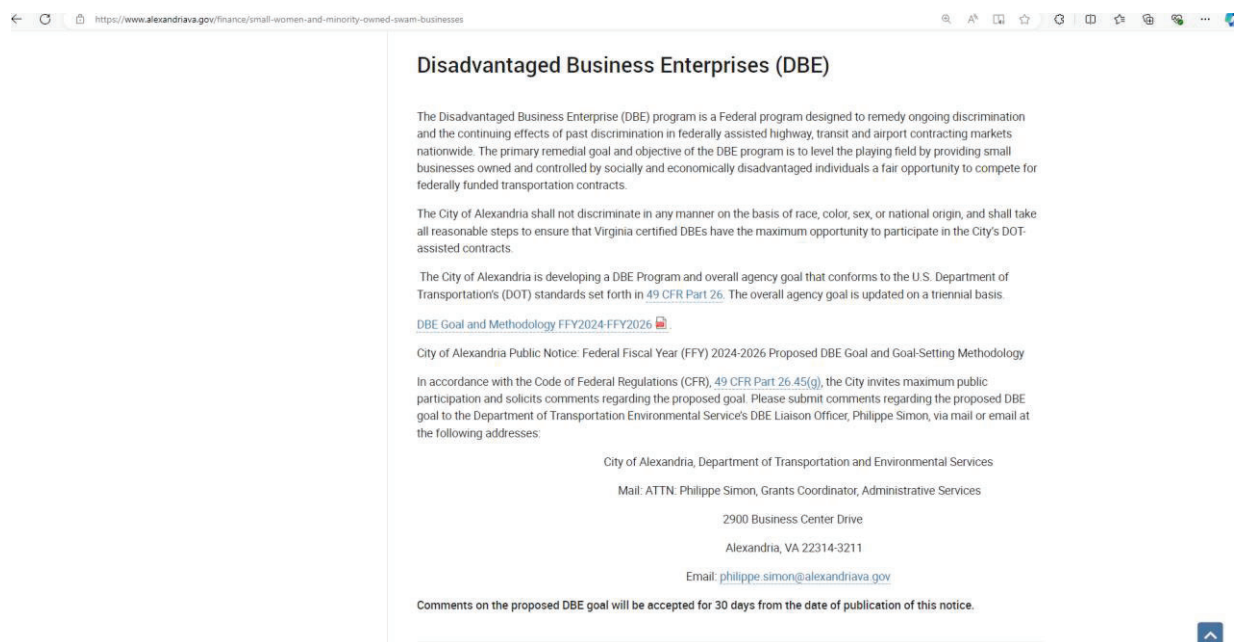
Mail: ATTN: Philippe Simon, Grants Coordinator, Administrative Services

2900 Business Center Drive

Alexandria, VA 22314-3211

Email: philippe.simon@alexandriava.gov

Comments on the proposed DBE goal will be accepted 30 days from the date of publication of this notice.



According to [26.45\(g\)\(2\)](#), at its discretion, a federal recipient must inform the public that the proposed overall goal and its rationale are available for inspection during normal business hours for a 30-day comment period. Notice of the comment period must include addresses to which comments may be sent.

On September 17, 2024, the City of Alexandria informed the public that the goal and methodology were available for inspection and comments. No comments were received during the public comment period.

The City will continue to seek input from a diverse range of stakeholders, including minority, women's, and general contractor groups, community organizations, and other relevant officials, to inform the overall specific project goals and ensure compliance with federal funding requirements.

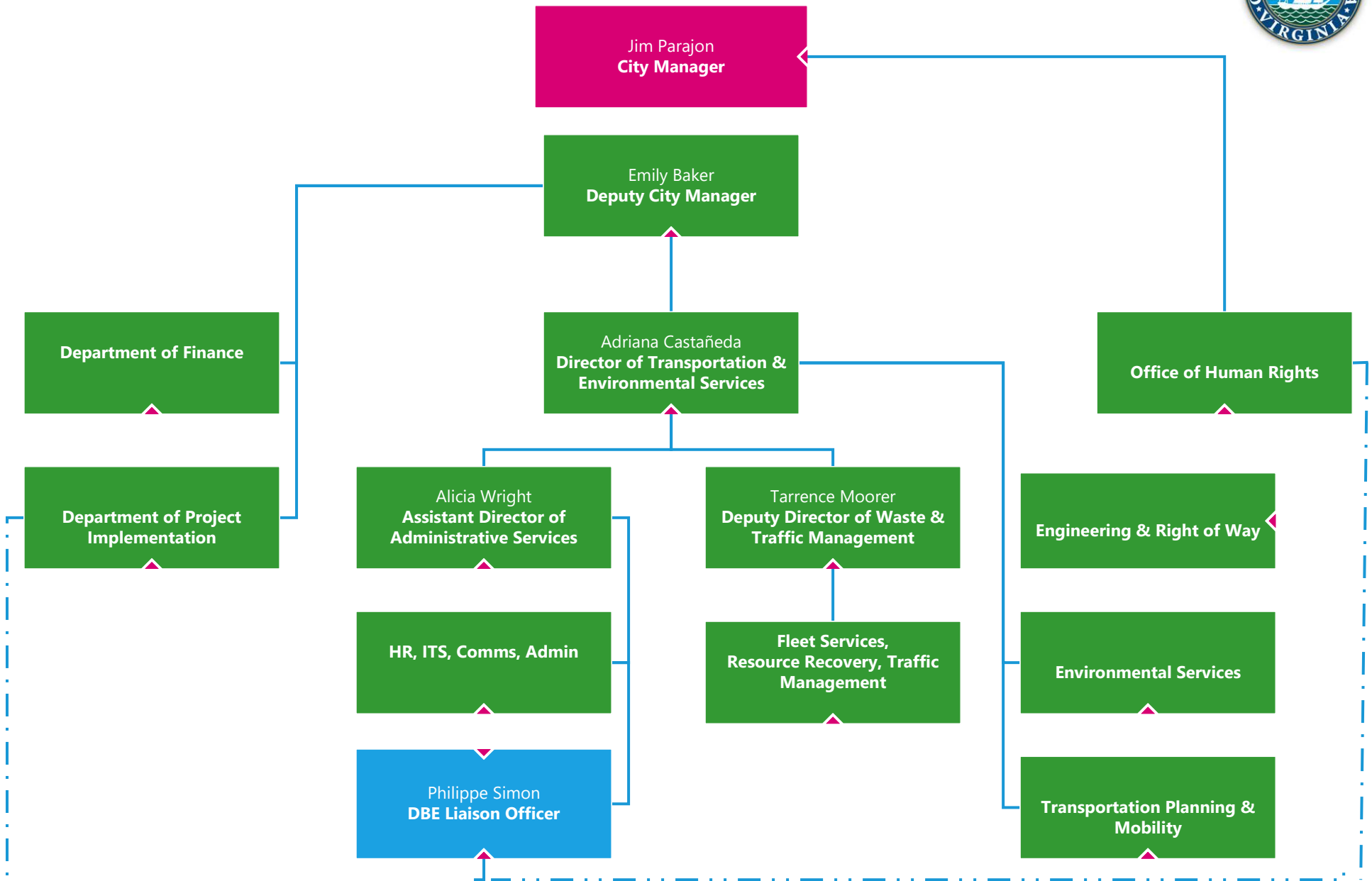
CONCLUSION

In conclusion, the City of Alexandria has determined that the Overall DBE goal for FFY 2024-2026 is **5.5%** of federal funds expended in Federal Transit Administration (FTA) funded contracts. The City understands that this goal is only a projection for what it believes it can achieve during FFY 2024-2026. As a result, it will continue to monitor DBE participation during each year to determine whether this projection is on target. This will be done by analyzing the DBE awards and commitments reported to the FTA on a semi-annual basis for actual DBE participation.

If the DBE awards/commitments are *less* than the overall DBE goal, the City will develop a written analysis of the shortfall and create a corrective action plan, which will be implemented to remedy the shortfall. Conversely, if the DBE awards/commitments are *greater* than the overall DBE goal, the City will reduce or eliminate the use of contract goals to the extent necessary to ensure that the use of contract goals does not result in exceeding the overall goal, as required by Federal guidance. If any significant changes are made to the City of Alexandria FTA-assisted contracting forecast, the City will re-calculate the overall DBE goal and submit an adjusted overall DBE goal for FTA approval. If any significant changes are made to the City of Alexandria FTA-assisted contracting forecast, the City will re-calculate the overall DBE goal and submit an adjusted overall DBE goal for FTA approval.

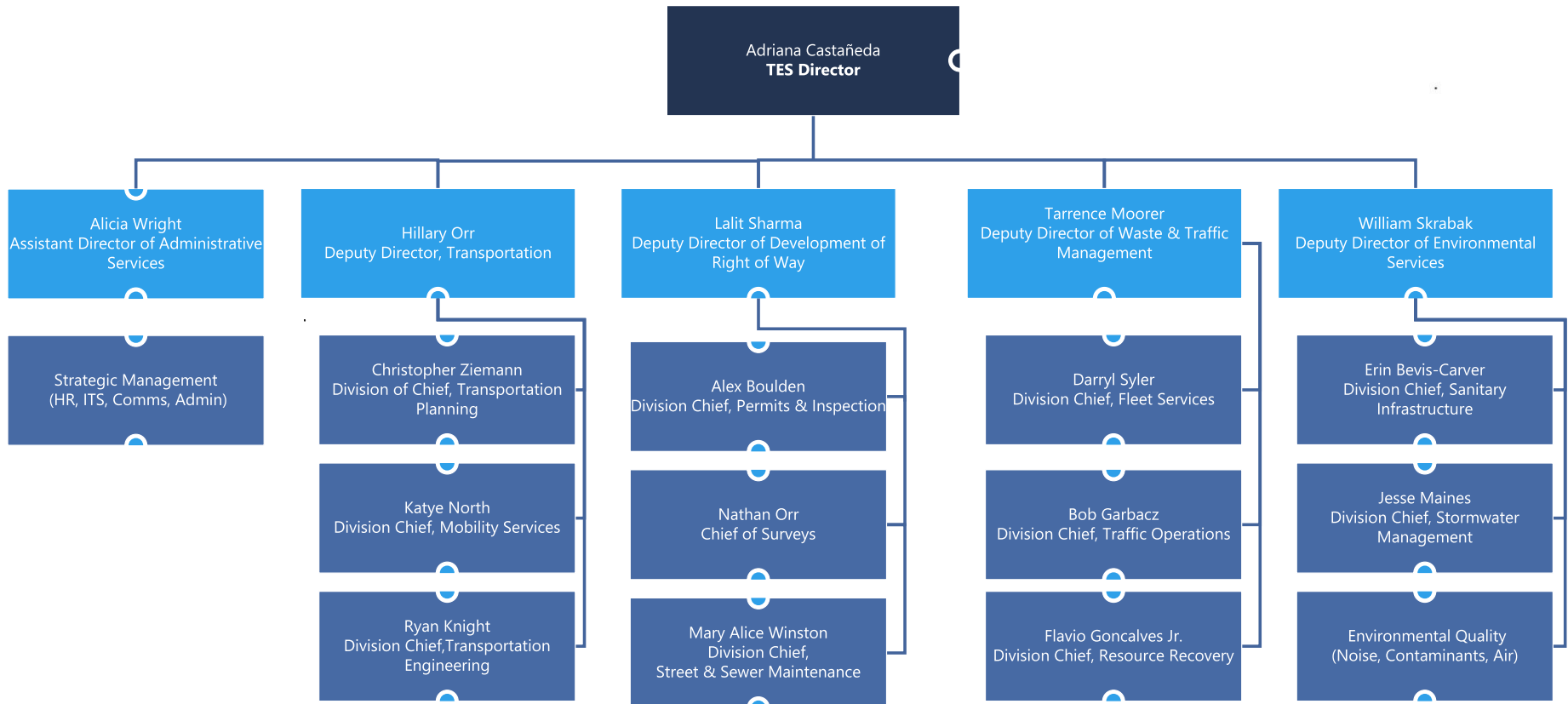
ATTACHMENT 2

DBE LIAISON ORGANIZATION CHART





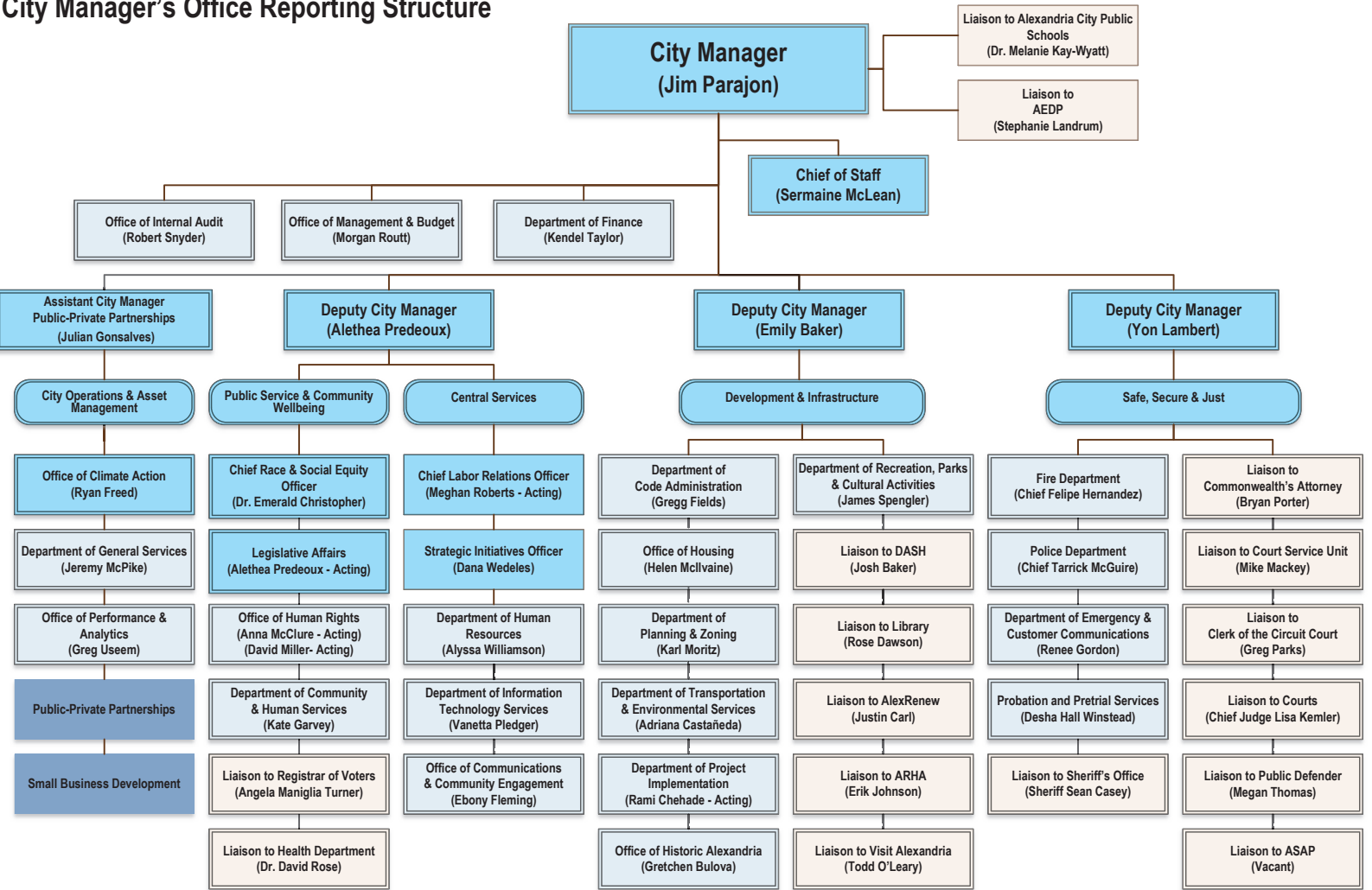
Department of Transportation & Environmental Services



Updated 11.20.24

Key
○ Deputy Director
○ Division Chief
○ Director

City of Alexandria, VA
City Manager's Office Reporting Structure



Legend	
	City Department
	Agency Partner
	City Manager's Office
	Program Areas

ATTACHMENT 3

UNIFORM REPORT OF DBE COMMITMENTS/AWARDS AND PAYMENTS											
Please refer to the instruction sheet for directions on filling out this form											
1	Submitted to (check only one)		☐ FHWA		☐ FAA		☒ FTA - Recipient ID Number 2049				
2	AIP Numbers (FAA Recipients); Grant Number (FTA Recipients):										
3	Federal Fiscal year in which reporting period falls		FY 2023		4. Date This Report Submitted:						
5	Reporting Period		☐ Report due June 1 (for period Oct 1-Mar 31)		☒ Report due Dec 1 (for period April 1-Sep 30)		☐ FAA annual report due Dec 1				
6	Name and address of Recipient:										
7	Annual DBE Goal(s):		Race Conscious Projection:		Race Neutral Projection:		OVERALL Goal:				
Awards/Commitments this Reporting Period											
A	AWARDS/COMMITMENTS MADE DURING THIS REPORTING PERIOD (Total contracts and subcontracts committed during this reporting period)	A	B	C	D	E	F	G	H	I	
		Total Dollars	Total Number	Total to DBEs (dollars)	Total to DBEs (number)	Total to DBEs/Race Conscious (dollars)	Total to DBEs/Race Conscious (number)	Total to DBEs/Race Neutral (dollars)	Total to DBEs/Race Neutral (number)	Percentage of total dollars to DBEs	
		8	Prime contracts awarded this period	\$ -	0	\$ -	0		\$ -	0	#DIV/0!
		9	Subcontracts awarded/committed this period	\$ -	0	\$ -	0	\$ -	0	\$ -	0
10	TOTAL			\$ -	0	\$ -	0	\$ -	0	#DIV/0!	
B	BREAKDOWN BY ETHNICITY & GENDER	A		B		C		D		E	
		Total to DBE (dollar amount)		Total to DBE (number)							
		Women	Men	Total	Women	Men	Total				
		11	Black American	\$ -	\$ -	\$ -	0	0	0		
12	Hispanic American	\$ -	\$ -	\$ -	0	0	0				
13	Native American	\$ -	\$ -	\$ -	0	0	0				
14	Asian-Pacific American	\$ -	\$ -	\$ -	0	0	0				
15	Subcontinent Asian Americans	\$ -	\$ -	\$ -	0	0	0				
16	Non-Minority	\$ -	\$ -	\$ -	0	0	0				
17	TOTAL	\$ -	\$ -	\$ -	0	0	0				
Payments Made this Period											
C	PAYMENTS ON ONGOING CONTRACTS	A	B	C	D	E	F				
		Total Number of Contracts	Total Dollars Paid	Total Number of Contracts with DBEs	Total Payments to DBE firms	Total Number of DBE firms Paid	Percent to DBEs				
18	Prime and subcontracts currently in progress	0	\$ -	0	\$ -	0	#DIV/0!				
D	TOTAL PAYMENTS ON CONTRACTS COMPLETED THIS REPORTING PERIOD	A		B		C		D		E	
		Number of Contracts Completed		Total Dollar Value of Contracts Completed		DBE Participation Needed to Meet Goal (Dollars)		Total DBE Participation (Dollars)		Percent to DBEs	
		19		Race Conscious		0		\$ -		\$ -	#DIV/0!
		20		Race Neutral		0		\$ -		\$ -	#DIV/0!
21	Totals	0		\$ -				\$ -		#DIV/0!	
22	Submitted by:			23. Signature:			24. Phone Number:				



(Insert Project Name Here)

List Solicitation Type:

DBE UTILIZATION FORM

The undersigned Bidder/Proposer has satisfied the requirements of the solicitation in the following manner

(Please check the appropriate space)

_____ The Bidder/Proposer is committed to a minimum of _____ % DBE utilization on this contract

_____ The Bidder/Proposer (if unable to meet the DBE goal of ____%) is committed to minimum of _____ % DBE utilization on this contract and submits documentation demonstration of good faith efforts

Submitter Information (Party authorized to enter the Contract)

NAME	
TITLE	
COMPANY	
SIGNATURE/DATE	



(Insert Project Name Here)

List Solicitation Type:

DBE PARTICIPATION SCHEDULE

The Bidder/Proposer shall complete the following information for all DBE's participating in the contract that comprises the DBE Utilization percentage stated in the DBE Utilization Form. The Bidder/Proposer shall also furnish the name and telephone number of the appropriate contact person should the Authority have any questions in relation to the information furnished herein.

DBE IDENTIFICATION AND INFORMATION FORM

[illegible]