

# City of Austin

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## Small & Minority Business Resources (SMBR)

### *DBE Updates and Upcoming Opportunities*

February 28, 2012



# Agenda

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- **DBE Updates – SMBR**
  - Amelie Gonzalez-Flores, SMBR
  - Elton Price, SMBR
- **Upcoming Projects**
  - **Austin Bergstrom International Airport**
    - Shane Harbinson, ABIA
    - Dave Yeagy, Austin Commercial CONRAC



# Agenda Cont'd

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## – Capital Metropolitan Transportation Authority

- Dinita Caldwell, Cap Metro
- Karen Coker, Cap Metro

## – Texas Department of Transportation

- Desta Walker, TxDOT



# Updates to DBE Program

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- DBE program applies to federal transportation funded projects (USDOT).
- Personal Net Worth (PNW) – Elton
- Seamless Interstate Certification – Elton
- Reasons on how to terminate for good cause - Amelie
- Small Business Element – April 10th



# Personal Net Worth (PNW) Statement

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- **§ 26.67 Social & Economic Disadvantage Determination**
- PNW statement is used to determine an applicant's economic disadvantaged eligibility.
- Personal Net Worth limit increased in CFR 49 Part 26 from \$750,000.00 to \$1,320,000.00.
- PNW exclusions:
  - personal residence,
  - business seeking certification,
  - half assets in married in community property state.



# Interstate Overview

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- **§ 26.85 Interstate certification**
- Criteria- applicant must meet all eligibility standards of 49 CFR Part 26 D
- Firm currently certified in its home State (State A) applies to State B. State B could accept state A's certification. But must receive a copy of firm's certification notice and confirm with State A
- Applicant must provide TUCP partners a copy of the Certification packet that was originally submitted to home state. Applicant can request copy from agency.
- TUCP Process - Once Texas receives packet and affidavit TUCP has 60 days to accept certification or explain reason(s) for denying certification. TUCP has 7 days to request site visit information from home state.



# TUCP's Criteria

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- (4) You must submit an affidavit sworn to by the firm's owners before a person who is authorized by State law to administer oaths or an unsworn declaration executed under penalty of perjury of the laws of the United States.
  - (i) This affidavit must affirm that you have submitted all the information required by 49 CFR 26.85(c) and the information is complete and, in the case of the information required by §26.85(c)(1), is an identical copy of the information submitted to State A.
  - (ii) If the on-site report from State A supporting your certification in State A is more than three years old, as of the date of your application to State B, State B may require that your affidavit also affirm that the facts in the on-site report remain true and correct.



# Good Cause to Terminate a DBE

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- **§ 26.53 Good Faith Effort Procedures**
- Fails or refuses to perform work within normal industry standards (Commercial Useful Function)
- Failure to meet bonding requirements
- Financial incapacity
- Ineligible to work due to suspension or debarment proceedings
- Performance issues
- Voluntarily withdraws from the project
- Ineligible to receive DBE credit for the type of work required
- Unable to complete the work due to death or disability



# DBE Small Business Element

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Join Capital Metro and SMBR at the  
Emma S. Barrientos  
Mexican American Cultural Center (MACC)  
600 River Street, Austin, 78701  
Tuesday, April 10<sup>th</sup>  
as we discuss the  
Disadvantaged Business Enterprise Small  
Business Program  
6:00 p.m. – 7:30 p.m.

