



**CITY COUNCIL
COMMUNICATION:**

ITEM _____

99-385

**OFFICE OF THE CITY MANAGER
CITY OF DES MOINES, IOWA**

AGENDA:

AUGUST 23, 1999

SUBJECT:

DISADVANTAGED
BUSINESS
ENTERPRISE
PROGRAM

SYNOPSIS -

The U.S. Department of Transportation (DOT) has revised rules (49 CFR Part 26) for participation by Disadvantaged Business Enterprises (DBE) in DOT funded programs. Said 49 CFR Part 26 requires the City of Des Moines to revise its DBE program for DOT-funded projects and submit the revised DBE program to the Federal Aviation Administration (FAA) for review and approval prior to September 1, 1999. The Engineering Department has worked with the FAA and Iowa Department of Transportation (IDOT) to prepare this proposed DBE program which now must be approved by the City Council.

TYPE:

RESOLUTION
ORDINANCE
RECEIVE/FILE

FISCAL IMPACT -

N/A

SUBMITTED BY:

FLOYD BENTZ, P.E.
CITY ENGINEER

RECOMMENDATION -

Approval.

BACKGROUND -

On February 2, 1999, the DOT published in the Federal Register, revised final rules for Participation by Disadvantaged Business Enterprises in DOT Programs being 49 CFR Parts 23 and 26 which became effective March 4, 1999. These rules apply to recipients of Federal financial assistance from the DOT to revise their DBE programs to comply with the new 49 CFR Part 26 and submit their revised program by September 1, 1999

The City receives DOT financial assistance from the Federal Highway Administration (FHWA) and the FAA. The Engineering Department has been working with the FAA and

IDOT, which administers FHWA funds, to establish a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of DOT, 49 CFR Part 26. The receives Federal financial assistance from the DOT, and as a condition of receiving this assistance, the City must sign an assurance that it will comply with 49 CFR Part 26.

Attached to the roll call is the "Disadvantaged Business Enterprise Program Adopted Specifically For Projects Funded In Part By The U.S. Department Of Transportation, City of Des Moines, dated August, 1999," has been prepared to specifically meet the DOT requirements for the City to remain eligible for federal funds. This DBE Program must be submitted to the FAA for its review and approval prior to September 1, 1999. The IDOT proposed DBE Program (Revised 1999), which was received by the Engineering Department on August 13, 1999, is attached to and becomes a part of the City's DBE Program. IDOT will be submitting its final DBE Program to the FHWA for its review and approval prior to September 1, 1999. By reference, any revision made to the IDOT adopted DBE program, will also become a revision to the City's DBE program for DOT assisted projects.

This revised program has been presented to Des Moines International Airport Board, and will be acted upon on August 25, 1999. It is imperative that the City Council approve said DBE Program on August 23, 1999, so that it can be submitted to the FAA prior to the September 1, 1999, deadline.

This program applies only to projects funded with DOT federal funds and does not apply to City-funded projects, and does not replace the current City DBE Program on City-funded projects.