



**CITY COUNCIL
COMMUNICATION:**

ITEM _____

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

00-323

SYNOPSIS -

AGENDA:

JULY 10, 2000

SUBJECT:

DISADVANTAGED
BUSINESS
ENTERPRISE
PROGRAM

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. The Engineering Department has worked with the Federal Aviation Administration and Iowa DOT to revise this DBE Program to incorporate the review comments of the FAA Regional Civil Rights Officer, which must be completed before final FAA approval of the City's DBE Program. This revised DBE Program now must be approved by the City Council.

FISCAL IMPACT -

TYPE:

N/A.

RESOLUTION
ORDINANCE
RECEIVE/FILE

RECOMMENDATION -

Approval.

SUBMITTED BY:

FLOYD BENTZ, P.E.
CITY ENGINEER

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 that 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 40 CFR Part 26 and submit their revised program by September 1, 1999.

The City of Des Moines receives Department of Transportation financial assistance from the Federal Highway Administration (FHWA) and the FAA. The Engineering Department has been working with the FAA and Iowa DOT, which administers FHWA funds, to establish a Disadvantaged Business Enterprise (DBE)

program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. The City of Des Moines receives Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, the City of Des Moines must sign an assurance that it will comply with 49 CFR Part 26.

The "Disadvantaged Business Enterprise Program Adopted Specifically For Projects Funded In Part By The U.S. Department Of Transportation, City of Des Moines, revised July 2000," has been revised to specifically meet the U.S. DOT requirements for the City of Des Moines to remain eligible for federal funds and is on file with the City Clerk and the Airport Board Clerk. The City of Des Moines submitted its revised DBE Program to the FAA prior to the September 1, 1999 deadline and has received review comments from the FAA that must be incorporated into said DBE Program before final FAA approval. The Iowa Department of Transportation DBE Program (Revised June 19, 2000), which was received by the Engineering Department on July 5, 2000, is attached to and becomes a part of the City's DBE Program. By reference, any revision made to the IA DOT adopted DBE program, will also become a revision to the City's DBE program for DOT assisted projects.

This revised program will be presented to Des Moines International Airport Board for action on July 11, 2000.

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.