



**PIMA COUNTY, ARIZONA**  
**BOARD OF SUPERVISORS POLICY**

<u>Subject:</u> <b>Pima County Disadvantaged Business Enterprise (DBE) Policy</b>	Policy Number	Page
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**I. Purpose**

Title 20 of the Pima County Code and Board of Supervisors Policy D29.8 ensure a fair and equitable opportunity for participation in County contracts by local certified Minority and Woman-Owned and Small Business Enterprises (M/W/SBE). Where County Contracts are federally-funded, however, the County's M/W/SBE program may be supplanted by a federal mandate for participation by Disadvantaged Business Enterprises (DBEs). This Policy is intended to ensure compliance with mandates for DBE participation where federally required in lieu of the County M/W/SBE program.

**II. Scope**

This policy applies to all County contracts that are funded, in whole or in part, by U.S. federal financial assistance that has DBE requirements.

**III. Policy**

- A. It is the policy of Pima County to ensure that DBEs have an equal opportunity to receive and participate in federally funded contracts. To achieve this, the County will strive:
1. To ensure nondiscrimination in the award and administration of federally funded procurement and contracts of products and services contracts.
  2. To create a level playing field on which DBE's can compete fairly for federally funded procurement and contracts of products and services contracts.
  3. To ensure our annual overall DBE participation percentage is narrowly tailored, in accordance with applicable law.
  4. To ensure that only firms that meet eligibility standards are permitted to participate as DBEs.

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5. To help to remove barriers to the participation of DBEs in federally funded procurement and contracts of products and services contracts.
  6. To assist the development of firms that can compete successfully in the market place outside the DBE Program.
- B. It is the policy of Pima County to ensure that Pima County will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract on the basis of race, color, sex, or national origin. In administering the Pima County components of the DBE Program Plan, Pima County will not, directly, or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives of the DBE Program Plan with respect to an individual of a particular race, color, sex or national origin.
- C. It is the policy of Pima County to comply with agency – specific DBE requirements applicable to Federally-supported projects.
1. In order to receive federal financial assistance from the Federal Transit Administration (FTA), the Federal Highway Administration (FHWA), and other agencies of the U.S. Department of Transportation (DOT), Pima County must comply with the requirements of a DBE program. This was accomplished, in part, by Pima County execution of the Arizona Department of Transportation Public Transportation Department Disadvantaged Business Enterprise Race-Neutral Implementation Agreement for Federal Transit Grant Administration Subrecipients on April 21, 2009.
  2. The Procurement Department, on its own initiative or at the request of other Departments may establish such agreements or take such action as may be required to comply with the DBE program requirements of other agencies.

#### **IV. Responsibility**

- A. The assigned Commodity Contracts Officer is responsible to ensure that the DBE Liaison Officer reviews every federally funded solicitation or contract to ensure compliance with this policy.
- B. DBE Liaison Officer

The DBE Liaison Officer (DBELO) is responsible for implementing all aspects of the DBE Program. Implementation will include setting overall annual goals

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and gathering and reporting statistical data for the County federally funded contracts with DBE requirements. Duties and responsibilities include the following:

1. Gather and reports statistical data and other information as required.
2. Review third party contracts and purchase requisitions for compliance with this program.
3. Work with all departments to determine projected annual anticipated DBE participation level.
4. Ensure that bid notices and requests for proposals are made available to DBEs in a timely manner.
5. Analyze DBE participation and identify ways to encourage participation through race-neutral means.
6. Participate in pre-bid meetings.
7. Advise the DEO/governing body on DBE matters and DBE race-neutral issues.
8. Provide DBEs with information and recommend sources to assist in preparing bids, obtaining boding and insurance.
9. Plan and participate in DBE training seminars.
10. Provide outreach to DBEs and community organizations to fully advise them of contracting opportunities.
11. Report bidder DBE information to the ADOT Civil Rights Office or other federal agency, as required, prior to execution of contract award.
12. Submit the Disadvantaged Business Enterprise Awards-Commitments and Actual Payments form twice yearly to the ADOT CRO or as needed to other federal agencies.

Effective Date: July 7, 2009