



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

<u>Subject:</u> Disadvantaged Business Enterprise	Policy Number	Page
	D 29.10	1 of 3

I. Purpose

Title 20 of the Pima County Code and Board of Supervisors Policy D29.8 ensures a fair and equitable opportunity for participation in County contracts by local certified Small Business Enterprises (SBE). Where County Contracts are federally-funded, however, the County's 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 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 include 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 to:

1. Ensure nondiscrimination in the award and administration of federally-funded procurements and contracts for products and services.
2. Create a level playing field on which DBE's can compete fairly for federally-funded procurements and contracts for products and services.
3. Ensure annual overall DBE participation percentage is narrowly tailored in accordance with applicable law.
4. Ensure that only firms that meet eligibility standards are permitted to participate as DBEs.
5. Help remove barriers for the participation of DBEs in federally-funded procurements and contracts for products and services.
6. Assist in the development of firms that can compete successfully in the marketplace 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

<u>Subject:</u> Disadvantaged Business Enterprise	Policy Number	Page
	D 29.10	2 of 3

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. To receive federal financial assistance from the Federal Transit Authority (FTA), the Federal Highway Authority (FHWA), and other agencies of the U.S. Department of Transportation (DOT), Pima County complies by adopting the Arizona Department of Transportation DBE Program Plans and Policies for FTA and FHWA-funded projects.
 - 2. The Procurement Department, on its own initiative or at the request of other Departments will comply with the DBE program requirements of other federal agencies.

IV. Responsibility

A. DBE Liaison Officer

The DBE Liaison Officer is responsible for implementing all aspects of the DBE Program. Implementation will include setting overall annual goals and gathering and reporting statistical data for 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.
- 6. Participate in pre-bid meetings.
- 7. Advise the granting agency on DBE matters.
- 8. Provide DBEs with information and recommend sources to assist in preparing bids and obtaining bonding and insurance.

<u>Subject:</u> Disadvantaged Business Enterprise	Policy Number	Page
	D 29.10	3 of 3

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 ADOT or other federal agency, as required, prior to execution of contract award.
 12. Submit the FHWA Contract Award, DBE Commitment Report or any other required reports by due dates to granting agencies.
- B. 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.

Adopted Date: July 7, 2009
Revised Date: September 5, 2017
Effective Date: October 1, 2017