

**SUBJECT**

***Long Beach Transit's Disadvantaged Business Enterprise (DBE) Program***

**RECOMMENDED ACTION**

***To adopt a resolution approving Long Beach Transit's Disadvantaged Business Enterprise (DBE) Program.***

**BACKGROUND**

Long Beach Transit (LBT) has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the United States Department of Transportation (DOT), Title 49, Code of Federal Regulations, Part 26 "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs (49 CFR Part 26)." LBT has received federal financial assistance from the DOT, and as a condition of receiving this assistance, LBT has signed an assurance that it will comply with 49 CFR Part 26.

Federal law requires each recipient of federal transportation funds to adopt a DBE Program and establish an annual goal for participation by certified DBE firms in federally funded contracts awarded by the recipient. Simply put, the program ensures nondiscrimination in the award and administration of federally assisted contracts and creates a level playing field on which DBEs can compete fairly for those contracts.

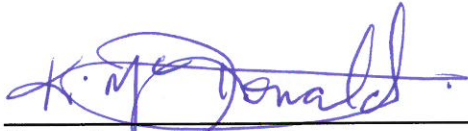
As required, LBT's proposed DBE goal of 10 percent was submitted to the Federal Transit Administration (FTA) on November 2, 2015, after a 30-day public consultation period which included active public outreach. LBT is currently awaiting response from FTA, which will provide acceptance and/or guidance regarding the proposed goal.

**PROCUREMENT – N/A**

**ALTERNATIVES CONSIDERED**

The LBT Board of Directors may elect not to adopt the resolution approving LBT's DBE Program, however, this would significantly jeopardize LBT's ability to receive federal funds as LBT would not be complying with the requirements of and conditions for receiving federal funds under 49 CFR Part 26.

**BUDGETARY/FISCAL IMPACT – N/A**



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Kenneth A. McDonald  
President and Chief Executive Officer

Attachments

**RESOLUTION OF THE  
LONG BEACH PUBLIC TRANSPORTATION COMPANY**

**Resolution Authorizing the Approval of Long Beach Transit's  
Disadvantaged Business Enterprise (DBE) Program**

**WHEREAS**, the Long Beach Public Transportation Company, or Long Beach Transit, as a recipient of federal funds is required, pursuant to Presidential Executive Orders, Fixing America's Surface Transportation (FAST) Act and Title 49 CFR Part 26.3 of the United States Code, to adopt and administer a Disadvantaged Business Enterprise (DBE) Program for federally funded contracts are set forth in the DBE regulations (49 CFR Part 26) issued by the United States Department of Transportation (DOT); and

**WHEREAS**, Long Beach Transit, is the recipient of federal transit funds authorized by Titles I, III, V, and VI of ISTEA, Pub. L. 102-240 or by Federal transit laws in Title 49, U.S. Code, or Titles I, II, and V of the Teas-21, Pub. L. 105-178, under Section 1101(b) of the FAST Act, dated December 4, 2015, Congress retained the DBE Program as a requirement for recipients of federal transit funding; and

**WHEREAS**, Long Beach Transit has amended its DBE Program to incorporate the DOT's recent revisions to the DBE regulations, changes in the manner in which Long Beach Transit does business, and to permit certain changes to the DBE Program Plan.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of Long Beach Transit agrees to comply with all conditions and requirements set forth in the Certification and Assurances and the Authorized Agent documents and applicable statutes, regulations and guidelines for all federally funded contracts.

**CERTIFICATION**

The undersigned duly appointed Secretary/Treasurer of Long Beach Transit certifies that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the Long Beach Transit Board of Directors held on March 28, 2016.

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Mary Zendejas  
Secretary/Treasurer, Board of Directors

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Date