



## **Disadvantaged Business Enterprises**

The Airport Commission of Forsyth County (ACFC) is committed to supporting our local community and helping small businesses owned and controlled by socially and economically disadvantaged individuals, including minorities and women. Often capital projects at Smith Reynolds Airport are funded by Federal and State funds. Fortunately, the U.S. Department of Transportation (USDOT) has had in effect for more than 20 years a policy of helping disadvantaged business enterprises (DBE). The Department, through its Operating Administrations, distributes in excess of \$20 billion annually to help finance thousands of projects across the country. Approximately 85% of the assistance dollars is for construction. The major portion of the construction funds is allocated to State highway and transportation agencies for highway construction. The balance is provided to local public transit and airport authorities for mass transit and airport facilities.

### **Background**

In 1983, Congress enacted the first DBE statutory provision. This provision required the Department to ensure that at least 10% of the funds authorized for the highway and transit financial assistance programs be expended with DBEs. In 1987, Congress re-authorized and amended the statutory DBE program. In the transportation legislation of that year, Congress, among other changes, added women to the groups presumed to be disadvantaged. Since 1987 DOT has established a single DBE goal, encompassing both firms owned by women and minority group members. Primarily three major DOT operating administrations are involved in the DBE program. They are the Federal Highway Administration, the Federal Aviation Administration and the Federal Transit Administration. The DOT DBE program is carried out by state and local transportation agencies under the rules and guidelines in the [Code of Federal Regulations. \(Title 49, Part 26\)](#).

### **How the Program Works**

Among other things, DOT DBE regulations require recipients of DOT Federal financial assistance, namely, state and local transportation agencies, to establish goals for the participation of disadvantaged entrepreneurs and certify the eligibility of DBE firms to participate in their DOT-assisted contracts.

Each DOT-assisted State and local transportation agency is required to establish narrowly-tailored DBE goals. Then these DOT-assisted agencies evaluate their DOT-assisted contracts throughout the year and establish contract specific DBE subcontracting goals where these goals are needed to ensure nondiscrimination in federally-assisted procurements. The level of DBE subcontracting

goals may vary from their approved DBE goal however, at the end of the year the amount of contract/subcontract awards to DBEs should be consistent with the overall goal.

In order for small disadvantaged firms, including those owned by minorities and women, to participate in the DOT-assisted contracts of State and local transportation agencies they must apply for and receive certification as a DBE. To be certified as a DBE, a firm must be a small business owned and controlled by socially and economically disadvantaged individuals. Recipients get information about firms through on-site visits, personal interviews, reviews of licenses, stock ownership, equipment, bonding capacity, work completed, resume of principal owners, financial capacity, and type of work preferred. More information on certification can be obtained from the recipients' DBE Certification Officers located in this Section. DOT and SBA are currently working on an agreement to facilitate participation by DBEs in SBA programs and vice-versa.

### **Is my business eligible for DBE certification?**

To be eligible for DBE certification, you must meet the social and economic disadvantaged criteria of Federal Regulations 49 Part 26. You are presumed to be disadvantaged if you are a woman, Black American, Hispanic American, Native American, Asian-Pacific American, Subcontinent Asian American, or other minority found to be disadvantaged by the Small Business Administration (SBA).

In addition, you may be eligible for the program if:

- Your firm is a for-profit business that performs, or seeks to perform, transportation related work (or concession activity) for USDOT funds.
- Your personal net worth is under \$1.32 million
- The firm is at least 51% owned by a socially and economically disadvantaged individual(s) who also controls the firm.
- All DBEs who wish to be certified in the state of North Carolina must be certified in their home state prior to applying.

The DBE certification process is used to become a certified MBE/WBE with NCDOT.

### **How do I become certified as a DBE?**

The Airport Commission of Forsyth County does NOT manage the DBE program. The best way to start the process to become certified is to visit the North Carolina Department of Transportation's web site. The NCDOT web site contains a user friendly page that outlines the steps and the application. Please visit:

<https://connect.ncdot.gov/business/SmallBusiness/Pages/Become%20a%20Certified%20DBE%20Business.aspx>