



**Moving Public Transportation  
Into the Future**

# **Disadvantaged Business Enterprise (DBE) Reporting Requirements**

**Matt Bussey**

**RLS & Associates, Inc.**



# Disclaimer

The materials provided with this course are intended for educational and informational purposes only. This includes all material in the PowerPoint presentation, handouts, videos, PDF attachments, and quizzes. Regulations and other guidance are subject to change. RLS has made every effort to ensure the accuracy of materials at the time they are presented, however, RLS is not responsible for content updates and changes after the presentation date. Unauthorized use or publication of materials for commercial purposes is prohibited.



# Circular

- ◆ FTA Circular 49 CFR Part 26
  - Issued October 2, 2014
  - Effective November 3, 2014

[http://www.fta.dot.gov/documents/DBE\\_Final\\_Rule\\_2014.pdf](http://www.fta.dot.gov/documents/DBE_Final_Rule_2014.pdf)

The background of the slide is a light-colored map with various colored overlays in red, yellow, and green, representing different zones or boundaries. The map is partially obscured by the text.

# Objectives of DBE Legislation

- Ensure nondiscrimination in the award and administration of DOT-assisted contracts
- Create a level playing field on which DBEs can compete
- Ensure the DBE program is narrowly tailored
- Ensure that only firms that meet the requirements are able to participate
- Remove barriers to the participation of DBEs
- Promote the use of DBEs in all types of federally assisted contracts and procurements

A background map showing a street grid with several colored overlays: a red outline, a yellow outline, and a green outline, possibly representing different zones or project areas.

# What Does DBE Provide?

- Cannot exclude a person from participation in, deny a person the benefits of, or otherwise discriminate against someone in connection with the award and performance of a federally-assisted contract on the basis of race, color, sex, or national origin.

# What is a DBE?

- A for-profit business
- That is at least 51% owned by one or more individuals who are both socially and economically disadvantaged, and whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.
  - i.e. Can't just be the owner on paper – have to be involved with management as well

# “Socially and Economically Disadvantaged”

- A citizen or lawful permanent resident of the United States
- Who has been subjected to racial, ethnic, or cultural prejudice or bias in American society
- Because of their identity as members of groups
- The social disadvantage must stem from circumstances beyond the individual’s control

# “Socially and Economically Disadvantaged”

- ◆ There is a rebuttable presumption that the following are socially and economically disadvantaged:
  - Blacks
  - Hispanics
  - Native Americans
  - Asian-Pacific Americans
  - Subcontinent Asian Americans
  - Women
  
- ◆ Note that merely being born in a particular country, does not by itself mean that a person is necessarily a member of one of these groups (i.e. a Caucasian born in India)



## **NHDOT's DBE Goal**

- ◆ To meet the objectives of DBE, NHDOT prepares a goal every three years that states the level of DBE participation NHDOT endeavors to obtain on an annual basis
- ◆ Current annual goal is 2.7% (currently being recalculated)

# How does NHDOT meet its DBE goal?

- ◆ NHDOT must track all of its “contracting opportunities” to monitor its level of DBE participation
  
- ◆ What are contracting opportunities?
  - An opportunity to enter into a contract
  - Contract: A legally binding relationship obligating a seller to furnish supplies or services and a buyer to pay for them.

# Contracting Opportunities

- ◆ Examples:
  - Fuel
  - Micro purchases
  - Purchases of items
  - Construction services
  - Professional services

# Contracting Opportunities

## ◆ Exclusions:

- Vehicle purchases
- Salaries or any work performed in-house
- Employee benefits and health insurance unless adequate competition/multiple providers to choose from
- Revenue contracts
- Indirect costs
  - These are costs that are used by multiple activities and therefore can't be easily assigned
  - Examples include rent, office expenses, administrative salaries, accounting/legal expenses, utilities etc. that serve more than one grant or department

# Contracting Opportunities

- ◆ Vehicle purchases are not included as contracting opportunities
- ◆ However, they must be reported separately to FTA.
  - Must be reported within 30 days of purchase
    - Name of the Transit Vehicle Manufacturer
    - Total dollar value of the contract
    - <https://www.surveymonkey.com/r/vehicleawardreportsurvey>  
(Remember to print the screen!!!)

# Contracting Opportunities

- ◆ NHDOT must report its own contracting opportunities
- ◆ NHDOT must also report the contracting opportunities of its subrecipients (the subrecipients are considered to stand in the shoes of NHDOT)



# NHDOT Responsibilities

- ◆ NHDOT must demonstrate to FTA its progress toward meeting its DBE goal by transmitting a semi-annual Uniform Report of DBE Awards of Commitments and Payments
  - Due 6/1 (period covering Oct. 1 – March 31)
  - Due 12/1 (period covering April 1 – Sept. 30)
  - Form And Instructions Available At:  
<http://www.fta.dot.gov/civilrights/12892.html>



# Uniform Report (Pt. 1)

UNIFORM REPORT OF DBE COMMITMENTS/AWARDS AND PAYMENTS										
**Please refer to the instruction sheet for directions on filling out this form**										
1	Submitted to (check only one)	<input type="checkbox"/> FHWA	<input type="checkbox"/> FAA	<input checked="" type="checkbox"/> FTA - Recipient ID Number						
2	AIP Numbers (FAA Recipients); Grant Number (FTA Recipients):									
3	Federal Fiscal year in which reporting period falls	FY 20XX			4. Date This Report Submitted:					
5	Reporting Period	<input checked="" type="checkbox"/> Report due June 1 (for period Oct 1-Mar 31)			<input type="checkbox"/> Report due Dec 1 (for period April 1-Sep 30)		<input type="checkbox"/> FAA annual report due Dec 1			
6	Name and address of Recipient:									
7	Annual DBE Goal(s):	Race Conscious Projection:			Race Neutral Projection:			OVERALL Goal:		
Awards/Commitments this Reporting Period										
		A	B	C	D	E	F	G	H	I
A	<b>AWARDS/COMMITMENTS MADE DURING THIS REPORTING PERIOD</b> (Total contracts and subcontracts committed during this reporting period)	Total Dollars	Total Number	Total to DBEs (dollars)	Total to DBEs (number)	Total to DBEs/Race Conscious (dollars)	Total to DBEs/Race Conscious (number)	Total to DBEs/Race Neutral (dollars)	Total to DBEs/Race Neutral (number)	Percentage of total dollars to DBEs
8	Prime contracts awarded this period	\$ -	0	\$ -	0			\$ -	0	#DIV/0!
9	Subcontracts awarded/committed this period	\$ -	0	\$ -	0	\$ -	0	\$ -	0	#DIV/0!
10	<b>TOTAL</b>			\$ -	0	\$ -	0	\$ -	0	#DIV/0!





# Uniform Report (Pt. 2)

B	BREAKDOWN BY ETHNICITY & GENDER	A	B	C	D	E	F
		Total to DBE (dollar amount)			Total to DBE (number)		
		Women	Men	Total	Women	Men	Total
11	Black American	\$ -	\$ -	\$ -	0	0	0
12	Hispanic American	\$ -	\$ -	\$ -	0	0	0
13	Native American	\$ -	\$ -	\$ -	0	0	0
14	Asian-Pacific American	\$ -	\$ -	\$ -	0	0	0
15	Subcontinent Asian Americans	\$ -	\$ -	\$ -	0	0	0
16	Non-Minority	\$ -	\$ -	\$ -	0	0	0
17	<b>TOTAL</b>	\$ -	\$ -	\$ -	0	0	0
<b>Payments Made this Period</b>							
C	PAYMENTS ON ONGOING CONTRACTS	A	B	C	D	E	F
		Total Number of Contracts	Total Dollars Paid	Total Number of Contracts with DBEs	Total Payments to DBE firms	Total Number of DBE firms Paid	Percent to DBEs
18	Prime and subcontracts currently in progress	0	\$ -	0	\$ -	0	#DIV/0!
D	TOTAL PAYMENTS ON CONTRACTS COMPLETED THIS REPORTING PERIOD	A	B	C	D	E	
		Number of Contracts Completed	Total Dollar Value of Contracts Completed	DBE Participation Needed to Meet Goal (Dollars)	Total DBE Participation (Dollars)	Percent to DBEs	
19	Race Conscious	0	\$ -	\$ -	\$ -	#DIV/0!	
20	Race Neutral	0	\$ -	\$ -	\$ -	#DIV/0!	
21	Totals	0	\$ -	\$ -	\$ -	#DIV/0!	
22	Submitted by:		23. Signature:			24. Phone Number:	

# Subrecipient Responsibilities

- ◆ Agree To Adhere To DBE Requirements (49 CFR Part 26) In Grant Agreements And Contracts
  - **The contractor, subrecipient, or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract.**
  - **The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of USDOT-assisted contracts.**
  - **Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.**

# Subrecipient Responsibilities

- ◆ Must assist NHDOT in meeting its goal by reporting all contracting opportunities on a semi-annual basis
- ◆ Semi-Annual Reporting To NHDOT
  - Due Dates:
    - May 1 (period covering Oct. 1 – March 31)
    - November 1 (period covering April 1 – Sept. 30)



# Subrecipient Responsibilities

- ◆ For the Uniform Reports Due 11/1, Set Up an Appointment With the Presenter, Matthew Bussey, to Review Your Agency's Reports Between October 18 and the November 1 Due Date:

[Mbussey@RLSandassoc.com](mailto:Mbussey@RLSandassoc.com)

# Semi-Annual Reporting

## What Must be Reported to NHDOT:

- ◆ **Federal Uniform Report**
  - All Contracting Opportunities (Items/Services Purchased Using FTA Funds)
  - Actual FTA Amount Paid To Each DBE
  - Breakdown By Ethnicity And Gender
  - Certification Of Accuracy Of Reported Information
- ◆ **General Ledger of NHDOT Provided Funds(by Funding Source) for the Reporting Period**

# Semi-Annual Reporting

- ◆ Semi-Annual Reporting To NHDOT
  - Must report even if no DBE participation
  - Must contact NHDOT by email if no contracting opportunities

# Semi-Annual Reporting

- ◆ If a subrecipient has multiple funding sources, they should report their contracting opportunities for each funding source to the entity that provided the funds.
  - Ex. If an agency receives \$1M in Formula 5307 funding directly from FTA, and \$500K in 5311 funding from NHDOT, the subrecipient must track and report its contracting opportunities separately and report to NHDOT on DBE participation on the 5311 funds only.

# Semi-Annual Reporting

- ◆ When reporting contracting opportunities to NHDOT, only report the federally-funded amount of the contract (i.e. don't include local match)



# Tips for Uniform Reports

- ◆ The person or entity with whom you contract is the “Prime Contractor”
  - Ex. The office supply store where you buy paper
  - Ex. The gas station where you buy fuel
  - Ex. The snow removal company that you contract with for snow plowing

# Tips for Uniform Reports

- ◆ It is only in less common situations where a Prime Contractor subcontracts out work when you would have a subcontract to report.
  - Ex. You hire a prime contractor to construct a building and they hire a subcontractor to perform all of the electrical work
  - Ex. You hire a prime contractor to operate service in your service area and they hire a subcontractor to operate service in an area where it is inconvenient for the prime contractor to provide service

# Tips for Uniform Reports

- ◆ There are two methods of obtaining DBE participation:
  - Race Neutral: When you use methods that benefit all small businesses, such as by unbundling a large project into multiple components that may be easier for small businesses (of which DBEs are a subset) to bid on
  - Race Conscious: When you use methods that solely benefit DBEs, such as including a goal in a contract that the prime contractor must achieve a certain amount of DBE participation



# Tips for Uniform Reports

- ◆ Remember that despite the “award” terminology used in the uniform report, you are reporting all federally-funded contracting opportunities
  - Formal awards made by RFP or IFB
  - Small Purchases
  - Micro purchases
  - Equipment leases

# Where are Contracts Reported?

The Uniform Report is (largely) composed of three sections:

- ◆ Awards and Commitments: Where you report new awards or contracts entered into during this review period
- ◆ Ongoing Payments: Where you report on payments made on awards or contracts that are still ongoing
- ◆ Completed Contracts: Where you report on payments made that closed out an award or contract



# Where are Contracts Reported?

- ◆ If a contract is awarded and payments are made during a reporting period, you would include that data in the **awarded section** and the **ongoing section**.
  - Ex. You contract for a two year lease of vehicle tires.
  - Treatment:
    - Uniform Report 1: Since you awarded the contract in this reporting period, you would include the full amount of the contract in the Awards and Commitments section of the uniform report. You would also include  $\frac{1}{4}$  of the contract amount in the Ongoing Payments section.
    - Uniform Report 2: Include  $\frac{1}{4}$  of the contract in the Ongoing Payments section.
    - Uniform Report 3: Include  $\frac{1}{4}$  of the contract in the Ongoing Payments section.
    - Uniform Report 4: Since you completed the award during this reporting period, include the final  $\frac{1}{4}$  of the contract amount in the Completed Contracts section.



# Where are Contracts Reported?

- ◆ If a contract is awarded, payments made, and the contract is completed, you would include that in the **awarded** and **closed sections**.
  - Ex. You contracted for \$100 of fuel at a gas station.
  - Treatment: This is one contract and \$100 that you would report in the Awards and Commitments section and also in the Completed Awards section.
  
  - Ex. You contract for snow removal at \$50/plow. The company comes three times during the reporting period.
  - Treatment: This is one contract and \$150 that you would report in the Awards and Commitments section and also in the Completed Awards section

# Common Scenarios

- ◆ In a given reporting period, you make 6 purchases at a local store.
- ◆ Treatment: This would be reported as 6 separate contracting opportunities with one vendor and they would be reported in Section A and Section D.
  
- ◆ VS.
  
- ◆ In a given reporting period, you make 6 purchases at a local store that you have an active purchase order or account with.
- ◆ Treatment: This would be reported as one contracting opportunity with one vendor for the total amount expended during the reporting period and they would be reported in Section A and Section D.





# Common Scenarios

- ◆ In a given reporting period, you receive ongoing professional services (i.e. accounting or bookkeeping)
- ◆ Treatment: This would be reported as one contracting opportunity with one vendor for the amount expended during the reporting period and they would be reported in Section A and Section D.



# Common Scenarios

- ◆ An employee traveled during the reporting period and submits expenses
- ◆ Treatment: This would not be considered a contracting opportunity. You are merely reimbursing an employee rather than it being a third party contract.
- ◆ Note that if the subrecipient purchased hotel stays or airfare for the employee, these would be contracting opportunities.

# Completing the Uniform Report

- ◆ The uniform report consists of 5 sections
  - Administrative Area
  - Section A: Awards and Commitments
  - Section B: Gender and Ethnicity Breakdown
  - Section C: Ongoing Payments
  - Section D: Completed Contracts



# Uniform Report: Admin Area

## UNIFORM REPORT OF DBE COMMITMENTS/AWARDS AND PAYMENTS

\*\*Please refer to the instruction sheet for directions on filling out this form\*\*

Submitted to (check only one) <input type="checkbox"/> FHWA <input type="checkbox"/> FAA <input checked="" type="checkbox"/> FTA - Recipient ID Number				
AIP Numbers (FAA Recipients); Grant Number (FTA Recipients):				
Federal Fiscal year in which reporting period falls	FY 20XX		4. Date This Report Submitted:	
5 Reporting Period	<input checked="" type="checkbox"/> Report due May 1 (for period Oct 1-Mar 31)	<input type="checkbox"/> Report due Nov 1 (for period April 1-Sep 30)	<input type="checkbox"/> FAA annual report due Dec 1	
6 Name and address of Recipient:				
7 Annual DBE Goal(s):	Race Conscious Projection:	Race Neutral Projection:	OVERALL Goal:	



# A: Awards and Commitments

Awards/Commitments this Reporting Period										
		A	B	C	D	E	F	G	H	I
A	AWARDS/COMMITMENTS MADE DURING THIS REPORTING PERIOD (Total contracts and subcontracts committed during this reporting period)	Total Dollars	Total Number	Total to DBEs (dollars)	Total to DBEs (number)	Total to DBEs/Race Conscious (dollars)	Total to DBEs/Race Conscious (number)	Total to DBEs/Race Neutral (dollars)	Total to DBEs/Race Neutral (number)	Percentage of total dollars to DBEs
8	Prime contracts awarded this period	\$ 100,000	15	\$ -	0			\$ -	0	#DIV/0!
9	Subcontracts awarded/committed this period	\$ -	0	\$ -	0	\$ -	0	\$ -	0	#DIV/0!
10	<b>TOTAL</b>			\$ -	0	\$ -	0	\$ -	0	#DIV/0!

- 8A = Total federal funds awarded on prime contracts
- 8B = Total number of prime contracts awarded with federal funds

Credit: Uniform Report Example courtesy of FTA



# A: Awards and Commitments

Awards/Commitments this Reporting Period										
		A	B	C	D	E	F	G	H	I
A	AWARDS/COMMITMENTS MADE DURING THIS REPORTING PERIOD (Total contracts and subcontracts committed during this reporting period)	Total Dollars	Total Number	Total to DBEs (dollars)	Total to DBEs (number)	Total to DBEs/Race Conscious (dollars)	Total to DBEs/Race Conscious (number)	Total to DBEs/Race Neutral (dollars)	Total to DBEs/Race Neutral (number)	Percentage of total dollars to DBEs
8	Prime contracts awarded this period	\$ 100,000	15	\$ 35,000	2			\$ -	0	#DIV/0!
9	Subcontracts awarded/committed this period	\$ -	0	\$ -	0	\$ -	0	\$ -	0	#DIV/0!
10	<b>TOTAL</b>			\$ -	0	\$ -	0	\$ -	0	#DIV/0!

- 8C = Total federal funds awarded on prime contracts to DBEs
- 8B = Total number of prime contracts awarded to DBEs with federal funds



# A: Awards and Commitments

Awards/Commitments this Reporting Period										
		A	B	C	D	E	F	G	H	I
A	AWARDS/COMMITMENTS MADE DURING THIS REPORTING PERIOD (Total contracts and subcontracts committed during this reporting period)	Total Dollars	Total Number	Total to DBEs (dollars)	Total to DBEs (number)	Total to DBEs/Race Conscious (dollars)	Total to DBEs/Race Conscious (number)	Total to DBEs/Race Neutral (dollars)	Total to DBEs/Race Neutral (number)	Percentage of total dollars to DBEs
8	Prime contracts awarded this period	\$ 100,000	15	\$ 35,000	2			\$35,000	2	#DIV/0!
9	Subcontracts awarded/committed this period	\$ -	0	\$ -	0	\$ -	0	\$ -	0	#DIV/0!
10	<b>TOTAL</b>			\$ -	0	\$ -	0	\$ -	0	#DIV/0!

- 8G = Total federal funds awarded on prime contracts to DBEs using race neutral measures
- 8H = Total number of prime contracts awarded to DBEs using race neutral measures with federal funds



# A: Awards and Commitments

Awards/Commitments this Reporting Period										
		A	B	C	D	E	F	G	H	I
A	AWARDS/COMMITMENTS MADE DURING THIS REPORTING PERIOD (Total contracts and subcontracts committed during this reporting period)	Total Dollars	Total Number	Total to DBEs (dollars)	Total to DBEs (number)	Total to DBEs/Race Conscious (dollars)	Total to DBEs/Race Conscious (number)	Total to DBEs/Race Neutral (dollars)	Total to DBEs/Race Neutral (number)	Percentage of total dollars to DBEs
8	Prime contracts awarded this period	\$ 100,000	15	\$ 35,000	2			\$35,000	2	35%
9	Subcontracts awarded/committed this period	\$ -	0	\$ -	0	\$ -	0	\$ -	0	#DIV/0!
10	<b>TOTAL</b>			\$ -	0	\$ -	0	\$ -	0	#DIV/0!

- $8I = 8C \text{ (Total DBE Prime \$)} / 8A \text{ (Total Prime \$)}$





# A: Awards and Commitments

Awards/Commitments this Reporting Period										
		A	B	C	D	E	F	G	H	I
A	AWARDS/COMMITMENTS MADE DURING THIS REPORTING PERIOD (Total contracts and subcontracts committed during this reporting period)	Total Dollars	Total Number	Total to DBEs (dollars)	Total to DBEs (number)	Total to DBEs/Race Conscious (dollars)	Total to DBEs/Race Conscious (number)	Total to DBEs/Race Neutral (dollars)	Total to DBEs/Race Neutral (number)	Percentage of total dollars to DBEs
8	Prime contracts awarded this period	\$ 100,000	15	\$ 35,000	2			\$ 35,000	2	35%
9	Subcontracts awarded/committed this period	\$ 20,000	7	\$ -	0	\$ -	0	\$ -	0	#DIV/0!
10	<b>TOTAL</b>			\$ -	0	\$ -	0	\$ -	0	#DIV/0!

- 9A = Total federal funds awarded on subcontracts
- 9B = Total number of subcontracts awarded with federal funds



# A: Awards and Commitments

Awards/Commitments this Reporting Period										
		A	B	C	D	E	F	G	H	I
A	AWARDS/COMMITMENTS MADE DURING THIS REPORTING PERIOD (Total contracts and subcontracts committed during this reporting period)	Total Dollars	Total Number	Total to DBEs (dollars)	Total to DBEs (number)	Total to DBEs/Race Conscious (dollars)	Total to DBEs/Race Conscious (number)	Total to DBEs/Race Neutral (dollars)	Total to DBEs/Race Neutral (number)	Percentage of total dollars to DBEs
8	Prime contracts awarded this period	\$ 100,000	15	\$ 35,000	2			\$ 35,000	2	35%
9	Subcontracts awarded/committed this period	\$ 20,000	7	\$ 15,000	4	\$ -	0	\$ -	0	#DIV/0!
10	<b>TOTAL</b>			\$ -	0	\$ -	0	\$ -	0	#DIV/0!

- 9C = Total federal funds awarded on subcontracts to DBEs
- 9B = Total number of subcontracts awarded to DBEs with federal funds



# A: Awards and Commitments

Awards/Commitments this Reporting Period										
		A	B	C	D	E	F	G	H	I
A	AWARDS/COMMITMENTS MADE DURING THIS REPORTING PERIOD (Total contracts and subcontracts committed during this reporting period)	Total Dollars	Total Number	Total to DBEs (dollars)	Total to DBEs (number)	Total to DBEs/Race Conscious (dollars)	Total to DBEs/Race Conscious (number)	Total to DBEs/Race Neutral (dollars)	Total to DBEs/Race Neutral (number)	Percentage of total dollars to DBEs
8	Prime contracts awarded this period	\$ 100,000	15	\$ 35,000	2			\$ 35,000	2	35%
9	Subcontracts awarded/committed this period	\$ 20,000	7	\$ 15,000	4	\$ -	0	\$ -	0	#DIV/0!
10	<b>TOTAL</b>			\$ -	0	\$ -	0	\$ -	0	#DIV/0!

- Note: If you awarded a prime contract several years ago, and the prime enters into a subcontract now, you include the subcontract in line 9 of the report covering the period in which it was awarded (i.e. current report)



# A: Awards and Commitments

Awards/Commitments this Reporting Period										
		A	B	C	D	E	F	G	H	I
A	AWARDS/COMMITMENTS MADE DURING THIS REPORTING PERIOD (Total contracts and subcontracts committed during this reporting period)	Total Dollars	Total Number	Total to DBEs (dollars)	Total to DBEs (number)	Total to DBEs/Race Conscious (dollars)	Total to DBEs/Race Conscious (number)	Total to DBEs/Race Neutral (dollars)	Total to DBEs/Race Neutral (number)	Percentage of total dollars to DBEs
8	Prime contracts awarded this period	\$ 100,000	15	\$ 35,000	2			\$ 35,000	2	35%
9	Subcontracts awarded/committed this period	\$ 20,000	7	\$ 15,000	4	\$ 10,000	2	\$ -	0	#DIV/0!
10	<b>TOTAL</b>			\$ -	0	\$ -	0	\$ -	0	#DIV/0!

- 9E = Total federal funds awarded on subcontracts to DBEs using Race Conscious measures
- 9F = Total number of subcontracts awarded to DBEs using Race Conscious measures with federal funds



# A: Awards and Commitments

Awards/Commitments this Reporting Period										
		A	B	C	D	E	F	G	H	I
A	AWARDS/COMMITMENTS MADE DURING THIS REPORTING PERIOD (Total contracts and subcontracts committed during this reporting period)	Total Dollars	Total Number	Total to DBEs (dollars)	Total to DBEs (number)	Total to DBEs/Race Conscious (dollars)	Total to DBEs/Race Conscious (number)	Total to DBEs/Race Neutral (dollars)	Total to DBEs/Race Neutral (number)	Percentage of total dollars to DBEs
8	Prime contracts awarded this period	\$ 100,000	15	\$ 35,000	2			\$ 35,000	2	35%
9	Subcontracts awarded/committed this period	\$ 20,000	7	\$ 15,000	4	\$ 10,000	2	\$ -	0	#DIV/0!
10	<b>TOTAL</b>			\$ -	0	\$ -	0	\$ -	0	#DIV/0!

- Race conscious methods are those that only affect the DBE community, such as including a contract goal
- Race neutral methods are those that affect/benefit all small businesses such as unbundling large contracting opportunities into smaller ones



# A: Awards and Commitments

Awards/Commitments this Reporting Period										
		A	B	C	D	E	F	G	H	I
A	AWARDS/COMMITMENTS MADE DURING THIS REPORTING PERIOD (Total contracts and subcontracts committed during this reporting period)	Total Dollars	Total Number	Total to DBEs (dollars)	Total to DBEs (number)	Total to DBEs/Race Conscious (dollars)	Total to DBEs/Race Conscious (number)	Total to DBEs/Race Neutral (dollars)	Total to DBEs/Race Neutral (number)	Percentage of total dollars to DBEs
8	Prime contracts awarded this period	\$ 100,000	15	\$ 35,000	2			\$ 35,000	2	35%
9	Subcontracts awarded/committed this period	\$ 20,000	7	\$ 15,000	4	\$ 10,000	2	5,000	2	#DIV/0!
10	<b>TOTAL</b>			\$ -	0	\$ -	0	\$ -	0	#DIV/0!

- 9G = Total federal funds awarded on subcontracts to DBEs using Race Neutral measures
- 9H = Total number of subcontracts awarded to DBEs using Race Neutral measures with federal funds



# A: Awards and Commitments

Awards/Commitments this Reporting Period										
		A	B	C	D	E	F	G	H	I
A	AWARDS/COMMITMENTS MADE DURING THIS REPORTING PERIOD (Total contracts and subcontracts committed during this reporting period)	Total Dollars	Total Number	Total to DBEs (dollars)	Total to DBEs (number)	Total to DBEs/Race Conscious (dollars)	Total to DBEs/Race Conscious (number)	Total to DBEs/Race Neutral (dollars)	Total to DBEs/Race Neutral (number)	Percentage of total dollars to DBEs
8	Prime contracts awarded this period	\$ 100,000	15	\$ 35,000	2			\$ 35,000	2	35%
9	Subcontracts awarded/committed this period	\$ 20,000	7	\$ 15,000	4	\$ 10,000	2	5,000	2	75%
10	<b>TOTAL</b>			\$ -	0	\$ -	0	\$ -	0	#DIV/0!

- $9I = 9C \text{ (Total DBE Subcontract \$)} / 9A \text{ (Total Subcontract \$)}$



# A: Awards and Commitments

Awards/Commitments this Reporting Period										
		A	B	C	D	E	F	G	H	I
A	AWARDS/COMMITMENTS MADE DURING THIS REPORTING PERIOD (Total contracts and subcontracts committed during this reporting period)	Total Dollars	Total Number	Total to DBEs (dollars)	Total to DBEs (number)	Total to DBEs/Race Conscious (dollars)	Total to DBEs/Race Conscious (number)	Total to DBEs/Race Neutral (dollars)	Total to DBEs/Race Neutral (number)	Percentage of total dollars to DBEs
8	Prime contracts awarded this period	\$ 100,000	15	\$ 35,000	2			\$35,000	2	35%
9	Subcontracts awarded/committed this period	\$ 20,000	7	\$15,000	4	\$10,000	2	\$5,000	2	75%
10	<b>TOTAL</b>			\$50,000	6	\$10,000	2	\$40,000	4	50%

<b>10C = 8C + 9C</b>	<b>10D = 8D + 9D</b>
<b>10E = 9E</b>	<b>10F = 9F</b>
<b>10G = 8G + 9G</b>	<b>10H = 8H + 9H</b>
<b>10I = 10C ÷ 8A</b>	





# B: Gender/Ethnicity Breakdown

B	BREAKDOWN BY ETHNICITY & GENDER	A	B	C	D	E	F
		Total to DBE (dollar amount)			Total to DBE (number)		
		Women	Men	Total	Women	Men	Total
11	Black American	\$ -	\$ -	\$ -	0	0	0
12	Hispanic American	\$ -	\$ -	\$ -	0	0	0
13	Native American	\$ -	\$ -	\$ -	0	0	0
14	Asian-Pacific American	\$ -	\$ -	\$ -	0	0	0
15	Subcontinent Asian Americans	\$ -	\$ -	\$ -	0	0	0
16	Non-Minority	\$ -	\$ -	\$ -	0	0	0
17	<b>TOTAL</b>	\$ -	\$ -	\$ -	0	0	0

Compare Section A and Section B for Accuracy:

10C and 10D (Total \$ and # to DBEs) = 17C and 17F (Total \$ and # to DBEs)



# C. Payments on Ongoing Contracts

Payments Made this Period							
		A	B	C	D	E	F
C	PAYMENTS ON ONGOING CONTRACTS	Total Number of Contracts	Total Dollars Paid	Total Number of Contracts with DBEs	Total Payments to DBE firms	Total Number of DBE firms Paid	Percent to DBEs
18	Prime and subcontracts currently in progress	0	\$ -	0	\$ -	0	#DIV/0!

- Ongoing contracts = not complete
- All orders not yet** received
- All services not yet** completed
- All payments not yet** made



# C. Payments on Ongoing Contracts

Payments Made this Period							
		A	B	C	D	E	F
	PAYMENTS ON ONGOING CONTRACTS	Total Number of Contracts	Total Dollars Paid	Total Number of Contracts with DBEs	Total Payments to DBE firms	Total Number of DBE firms Paid	Percent to DBEs
C							
18	Prime and subcontracts currently in progress	30	\$ -	0	\$ -	0	#DIV/0!

- 18A = Total number of federally funded prime contracts (both DBE and non-DBE) that remain active/ongoing during the reporting period



# C. Payments on Ongoing Contracts

Payments Made this Period							
		A	B	C	D	E	F
PAYMENTS ON ONGOING CONTRACTS		Total Number of Contracts	Total Dollars Paid	Total Number of Contracts with DBEs	Total Payments to DBE firms	Total Number of DBE firms Paid	Percent to DBEs
C							
	Prime and subcontracts 18 currently in progress	30	700,000	0	\$ -	0	#DIV/0!

- 18B = Total federal funds paid to prime contractors for work currently being performed during the reporting period
- Payments are made to the prime contractor who is obligated to promptly pay its subcontractors



# C. Payments on Ongoing Contracts

Payments Made this Period							
		A	B	C	D	E	F
PAYMENTS ON ONGOING CONTRACTS		Total Number of Contracts	Total Dollars Paid	Total Number of Contracts with DBEs	Total Payments to DBE firms	Total Number of DBE firms Paid	Percent to DBEs
18C	Prime and subcontracts currently in progress	30	700,000	10	\$ -	0	#DIV/0!

- 18C = Total number of federally funded prime and subcontracts that DBEs are currently performing work on during the reporting period

# C. Payments on Ongoing Contracts

- Example of Ongoing Payments:
  - You have one on-going prime contract during the reporting period:
    - 3 DBE subs working on the prime
    - $18C = 3$
  - You have one on-going prime contract with a DBE prime during the reporting period:
    - 3 DBE subs working on the DBE prime
    - $18C = 4$



# C. Payments on Ongoing Contracts

Payments Made this Period							
		A	B	C	D	E	F
PAYMENTS ON ONGOING CONTRACTS		Total Number of Contracts	Total Dollars Paid	Total Number of Contracts with DBEs	Total Payments to DBE firms	Total Number of DBE firms Paid	Percent to DBEs
18C	Prime and subcontracts currently in progress	30	700,000	10	93,000	0	#DIV/0!

- 18D = Total number amount paid to DBE firms currently performing work on contracts during the reporting period
- 18D is a subset of 18B



# C. Payments on Ongoing Contracts

Payments Made this Period							
		A	B	C	D	E	F
PAYMENTS ON ONGOING CONTRACTS		Total Number of Contracts	Total Dollars Paid	Total Number of Contracts with DBEs	Total Payments to DBE firms	Total Number of DBE firms Paid	Percent to DBEs
18	Prime and subcontracts currently in progress	30	700,000	10	93,000	5	#DIV/0!

- 18E = Total number of DBE firms paid on active/ongoing contracts during the reporting period
- 18E is less than or equal to 18 C
- Note that E = the number of DBE firms performing the work, whereas C = the number of DBE contracts





# C. Payments on Ongoing Contracts

Payments Made this Period							
		A	B	C	D	E	F
PAYMENTS ON ONGOING CONTRACTS		Total Number of Contracts	Total Dollars Paid	Total Number of Contracts with DBEs	Total Payments to DBE firms	Total Number of DBE firms Paid	Percent to DBEs
C							
18	Prime and subcontracts currently in progress	30	700,000	10	93,000	5	#DIV/0!

- 18C = ongoing/active DBE contracts (prime and subcontracts)
- 18E = number of DBE contractors currently performing work



# C. Payments on Ongoing Contracts

Payments Made this Period							
		A	B	C	D	E	F
PAYMENTS ON ONGOING CONTRACTS		Total Number of Contracts	Total Dollars Paid	Total Number of Contracts with DBEs	Total Payments to DBE firms	Total Number of DBE firms Paid	Percent to DBEs
18C	Prime and subcontracts currently in progress	30	700,000	10	93,000	5	13.3

- $18F = 18D \text{ Total Payments to DBEs} / 18B \text{ Total payments to DBEs and non-DBEs}$



# D. Total Payments on Contracts Completed

		A	B	C	D	E
D	TOTAL PAYMENTS ON CONTRACTS COMPLETED THIS REPORTING PERIOD	Number of Contracts Completed	Total Dollar Value of Contracts Completed	DBE Participation Needed to Meet Goal (Dollars)	Total DBE Participation (Dollars)	Percent to DBEs
19	Race Conscious	56	\$ -	\$ -	\$ -	#DIV/0!
20	Race Neutral	0	\$ -		\$ -	#DIV/0!
21	Totals	0	\$ -		\$ -	#DIV/0!

- Section D is for completed contracts
  - All orders are received
  - All services are completed
  - All payments have been made



# D. Total Payments on Contracts Completed

	A	B	C	D	E
D TOTAL PAYMENTS ON CONTRACTS COMPLETED THIS REPORTING PERIOD	Number of Contracts Completed	Total Dollar Value of Contracts Completed	DBE Participation Needed to Meet Goal (Dollars)	Total DBE Participation (Dollars)	Percent to DBEs
19 Race Conscious	56	1,000,000	\$ -	\$ -	#DIV/0!
20 Race Neutral	0	\$ -		\$ -	#DIV/0!
21 Totals	0	\$ -		\$ -	#DIV/0!

- 19B = Total dollar value of prime contracts completed using Race Conscious measures



# D. Total Payments on Contracts Completed

	A	B	C	D	E	
D	TOTAL PAYMENTS ON CONTRACTS COMPLETED THIS REPORTING PERIOD	Number of Contracts Completed	Total Dollar Value of Contracts Completed	DBE Participation Needed to Meet Goal (Dollars)	Total DBE Participation (Dollars)	Percent to DBEs
19	Race Conscious	56	1,000,000	\$ 350,000	\$ -	#DIV/0!
20	Race Neutral	0	\$ -		\$ -	#DIV/0!
21	Totals	0	\$ -		\$ -	#DIV/0!

- 19C = Total dollar value needed to meet the contract goals on the prime contracts completed using Race Conscious measures
- Note that this is determined by adding the dollar amount of all of the contract goals from all the contracts included.



# D. Total Payments on Contracts Completed

	A	B	C	D	E	
D	TOTAL PAYMENTS ON CONTRACTS COMPLETED THIS REPORTING PERIOD	Number of Contracts Completed	Total Dollar Value of Contracts Completed	DBE Participation Needed to Meet Goal (Dollars)	Total DBE Participation (Dollars)	Percent to DBEs
19	Race Conscious	56	1,000,000	\$ 350,000	\$ -	#DIV/0!
20	Race Neutral	0	\$ -		\$ -	#DIV/0!
21	Totals	0	\$ -		\$ -	#DIV/0!

- Do not fill in cell 19C unless a race conscious contract (i.e. contract with DBE goal) has been completed
- If no race conscious contracts were completed, leave 19C blank



# D. Total Payments on Contracts Completed

		A	B	C	D	E
D	TOTAL PAYMENTS ON CONTRACTS COMPLETED THIS REPORTING PERIOD	Number of Contracts Completed	Total Dollar Value of Contracts Completed	DBE Participation Needed to Meet Goal (Dollars)	Total DBE Participation (Dollars)	Percent to DBEs
19	Race Conscious	56	1,000,000	\$ 350,000	\$275,000	#DIV/0!
20	Race Neutral	0	\$ -		\$ -	#DIV/0!
21	Totals	0	\$ -		\$ -	#DIV/0!

- 19D = Total dollar value of completed contracts with DBE participation using Race Conscious measures



# D. Total Payments on Contracts Completed

		A	B	C	D	E
D	TOTAL PAYMENTS ON CONTRACTS COMPLETED THIS REPORTING PERIOD	Number of Contracts Completed	Total Dollar Value of Contracts Completed	DBE Participation Needed to Meet Goal (Dollars)	Total DBE Participation (Dollars)	Percent to DBEs
19	Race Conscious	56	1,000,000	\$ 350,000	\$ 275,000	27.5
20	Race Neutral	150	\$ -		\$ -	#DIV/0!
21	Totals	0	\$ -		\$ -	#DIV/0!

- 20A = Total number of contracts completed using Race Neutral measures





# D. Total Payments on Contracts Completed

	A	B	C	D	E	
D	TOTAL PAYMENTS ON CONTRACTS COMPLETED THIS REPORTING PERIOD	Number of Contracts Completed	Total Dollar Value of Contracts Completed	DBE Participation Needed to Meet Goal (Dollars)	Total DBE Participation (Dollars)	Percent to DBEs
19	Race Conscious	56	1,000,000	\$ 350,000	\$275,000	27.5
20	Race Neutral	150	2,500,000		\$ -	#DIV/0!
21	Totals	0	\$ -		\$ -	#DIV/0!

- 20B = Total dollar value of prime contracts completed using Race Neutral measures



# D. Total Payments on Contracts Completed

		A	B	C	D	E
D	TOTAL PAYMENTS ON CONTRACTS COMPLETED THIS REPORTING PERIOD	Number of Contracts Completed	Total Dollar Value of Contracts Completed	DBE Participation Needed to Meet Goal (Dollars)	Total DBE Participation (Dollars)	Percent to DBEs
19	Race Conscious	56	1,000,000	\$ 350,000	\$275,000	27.5
20	Race Neutral	150	2,500,000		\$100,000	#DIV/0!
21	Totals	0	\$ -		\$ -	#DIV/0!

- 20D = Total dollar value of completed contracts with DBE participation using Race Neutral measures



# D. Total Payments on Contracts Completed

		A	B	C	D	E
D	TOTAL PAYMENTS ON CONTRACTS COMPLETED THIS REPORTING PERIOD	Number of Contracts Completed	Total Dollar Value of Contracts Completed	DBE Participation Needed to Meet Goal (Dollars)	Total DBE Participation (Dollars)	Percent to DBEs
19	Race Conscious	56	1,000,000	\$ 350,000	\$275,000	27.5
20	Race Neutral	150	2,500,000		\$100,000	4
21	Totals	0	\$ -		\$ -	#DIV/0!

- $20E = 20D \text{ (Total dollar value of DBE participation)} / 20B \text{ (Total dollar value of DBE and non-DBE contracts completed)}$



# D. Total Payments on Contracts Completed

		A	B	C	D	E
D	TOTAL PAYMENTS ON CONTRACTS COMPLETED THIS REPORTING PERIOD	Number of Contracts Completed	Total Dollar Value of Contracts Completed	DBE Participation Needed to Meet Goal (Dollars)	Total DBE Participation (Dollars)	Percent to DBEs
19	Race Conscious	56	1,000,000	\$ 350,000	\$275,000	27.5
20	Race Neutral	150	2,500,000		\$100,000	4
21	Totals	206	3,500,000		\$375,000	10.7

<b>21A = 19A + 20A</b>	<b>21B= 19B + 20B</b>
<b>21D= 19D + 20D</b>	<b>21E= 21D ÷ 21B</b>



# Subrecipient Record Retention

- ◆ All uniform reports and backup documentation must be kept for four (4) years after the close out of a project or award



# Encourage Vendors to Become Certified DBEs

- ◆ If you know of a vendor that may qualify as a DBE, please recommend to them that they consider becoming certified.
- ◆ For more information and the application to become certified, go to:  
<https://www.nh.gov/dot/org/administration/ofc/dbe.htm>



# Presenter

Matt Bussey  
Senior Associate  
RLS & Associates, Inc.

3131 S. Dixie Highway, Suite 545  
Dayton, OH 45439  
(937) 268-5007

[Mbussey@rlsandassoc.com](mailto:Mbussey@rlsandassoc.com)