

# M Management Committee

Business Item

Item: 2012-326

Meeting Date: November 14, 2012

## ADVISORY INFORMATION

**Date:** 11/6/12  
**Subject:** MCES DBE Program  
**District(s), Member(s):**  
**Policy/Legal Reference:**  
**Staff Prepared/Presented:** Wanda Kirkpatrick, Aaron Koski, Igbal Mohammed  
**Division/Department:** Office of Equal Opportunity

**Proposed Action:** That the Metropolitan Council approve the Disadvantaged Business Enterprise (DBE) PFA Program 2013 - 2016 goal for submittal to the U.S. Environmental Protection Agency (EPA). The Office of Equal Opportunity (OEO) staff recommend the Council approve the DBE Program goal of 12% - 6% women owned DBE and 6% minority owned DBE.

OEO also requests the ability to set goals for Minnesota Public Facilities Authority (PFA) / EPA funded construction contracts on an individual contract basis.

### Background:

Chapter 40 part 33 of the Code of Federal Regulations requires all agencies receiving funding from the US Environmental Protection Agency to set aspirational goals for DBEs on PFA funded contracts. As of 2009, the Council has the ability to negotiate directly with the USEPA to set goals. These aspirational goals will be applied to all construction and design contracts funded with EPA / PFA monies.

### Rationale:

The Council's DBE PFA Program goals for 2013-2015 are demonstrated in the attached powerpoint slides. The methodology used to establish the goal is consistent with set forth in 40 part 33 of the Code of Federal Regulations. Once the Council approves the goal it will be forwarded to USEPA with a request to approve the Councils DBE goals for 2013 - 2015. These goals will be applied as the Council's overall goal on EPA / PFA assisted contracts from 2013-2015.

Currently OEO staff apply the 2010-2012 DBE goals uniformly on all eligible contracts. OEO staff believes the ability to set goals for construction contracts on an individual basis would be an improvement for the Council's DBE PFA program.

### Funding:

The setting of the USDOT DBE goal does not affect the OEO budget.

### Known Support / Opposition:

There is no known opposition.