

The background of the slide is a solid blue color with a faint, light blue grid pattern. In the center, there is a collage of images. The top half shows a cluster of Chicago skyscrapers, including the Willis Tower and the Chicago Board of Trade Building. The bottom half shows several public transit vehicles, including a Metra train, a Pace bus, and a CTA bus. The text is overlaid on this collage.

NORTHEASTERN ILLINOIS REGIONAL TRANSPORTATION AUTHORITY DISADVANTAGED BUSINESS ENTERPRISE PROGRAM

12/15/2020

Leanne P. Redden
EXECUTIVE DIRECTOR



Regional
Transportation
Authority



OBJECTIVES AND POLICY STATEMENT

The Regional Transportation Authority (RTA) has established this Disadvantaged Business Enterprise (DBE) Program (the Program) in accordance with regulations of the U.S. Department of Transportation (DOT), namely 49 CFR Part 26 (Part 26). The RTA has received federal financial assistance from the DOT, and as a condition of receiving this assistance, the RTA has signed an assurance that it will comply with Part 26. It is policy of the RTA to ensure that DBEs, as defined in Part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also our policy:

1. To ensure non-discrimination in the award and administration of DOT-assisted contracts.
2. To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts.
3. To ensure that the DBE Program is narrowly tailored in accordance with applicable law.
4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs.
5. To help remove barriers to the participation of DBEs; and
6. To assist the development of firms that can compete successfully in the marketplace outside the DBE program.

The RTA's Regulatory Compliance Officer acts as the DBE Liaison Officer. In that capacity, the Regulatory Compliance Officer is responsible for implementing all aspects of the DBE Program. Implementation of the DBE Program is accorded the same priority as compliance with all legal obligations incurred by the RTA in its financial assistance agreements with the DOT.

The RTA has disseminated this Policy Statement to its Board of Directors, all the component of its organization, and the general public. It has also distributed this statement to DBE and non-DBE business communities that perform work for the RTA on DOT-assisted contracts by posting it on the RTA website (www.rtachicago.com) and incorporating it into our procurement processes.

A handwritten signature in black ink, appearing to read 'L. Redden', is written over a horizontal line.

Leanne P. Redden
Executive Director

APPLICABILITY TO THE RTA (PART 26.3)

Part 26 applies to the RTA as a 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, III, and V of the TEA-21, Pub. L. 105-178.

DEFINITIONS (PART 26.5)

The terms used in this Program have the meanings ascribed to them in Part 26.5.

NONDISCRIMINATION (PART 26.7)

The RTA will never exclude any person from participation in, deny any person the benefits, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by part 26 on the basis of race, color, religion, sex or national origin. In administering its DBE Program, the RTA 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 with respect to individuals of a particular race, color, religion, sex or national origin.

RECORD KEEPING REQUIREMENTS (PART 26.11)

The RTA will report DBE participation on a semi-annual basis, using the DOT Uniform Report of DBE Awards and Commitments and payments Form, or any successor form(s) prescribed by DOT. These reports will reflect payments actually made to DBEs on DOT-assisted contracts.

Additionally, the RTA will maintain a small business bidders list, which will include for each firm, the name, address, DBE (or non-DBE status), age of the firm, and information concerning the annual gross receipts of all DBEs and non-DBEs that submit bids or quotes to a prime bidder/offer or on DOT assisted contracts. The RTA collects this information by requiring all of its prime contractors to complete and submit a bidders' list its response to RTA's request for bids or proposals, thereby providing the RTA with the relevant small business and DBE information either directly, in the case of a DBE-or small business certified bidder, or indirectly, though the prime contractor.

RTA AND CONTRACTOR ASSURANCES (PART 26.13)

The RTA has signed the following assurances, applicable to all DOT-assisted contracts and their administration:

The RTA shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT assisted contract or in the administration of its DBE Program or the requirements of 49 CFR Part 26. The RTA shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of DOT assisted contracts. The RTA's DBE Program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference into all RTA contracts. Implementation of this Program is a legal

obligation and failure to carry out its terms shall be treated as a violation of this contract. Upon notification to the RTA of its failure to carry out its approved Program, the Department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

Additionally, the RTA ensures that the following clause is placed in every DOT-assisted contract and subcontract:

Disadvantaged Business Enterprise Assurance.

In accordance with 49 CFR Part 26.13(a), as amended, the Contractor assures the Authority that it shall not discriminate on the basis of race, color, national origin or sex in the performance of this Agreement or the award and performance of any subcontract hereunder. Furthermore, the Contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the Contractor to carry out these requirements is a material breach of this Agreement, which may result in its termination or such other remedy as the Authority deems appropriate.

DBE PROGRAM UPDATES (PART 26.21)

As authorized and required, the RTA will continue to carry out this Program until all funds from DOT financial assistance have been expended and will provide updates to DOT regarding any significant changes to the Program.

DBE LIAISON OFFICER (DBELO) (PART 26.25)

The RTA has designated the following individual as its DBE Liaison Officer:

Latoya Redd, Regulatory Compliance Officer/DBE Coordinator
175 West Jackson Boulevard, Suite 1650
Chicago, IL 60604
312-913-3212 (Telephone)
redl@rtachicago.org

In the event that Ms. Redd no longer serves in the capacity of Regulatory Compliance Officer, her successor will assume the role of DBELO.

In this capacity, the Regulatory Compliance Officers is responsible for implementing all aspects of the DBE Program and ensuring that the RTA complies with all provisions of Part 26. The Regulatory Compliance Officer has direct, independent access to the Executive Director concerning DBE Program matters. The current organization chart displaying the Regulatory Compliance Officer's position in the agency is found in Attachment A.

The Regulatory Compliance Officer or his/her designee is responsible for developing, implementing, and monitoring the DBE Program, in coordination with other appropriate RTA officials. The duties and responsibilities include the following:

1. Gather and report statistical data and other information as required by DOT.
2. Work with DOT's Office of the DBE as necessary to review and ensure compliance with this program.
3. Review third party contracts and purchase requisitions for compliance with this Program.
4. Work with all departments to set and foster achievement of the RTA's overall annual goal.
5. Ensure that bid notices and requests for proposals are available to DBEs in a timely manner.
6. Identify contracts and procurements so that DBE goals are included in solicitations.
7. Analyze the RTA's progress toward attainment and identifies ways to improve progress.
8. Participate in pre-bid meetings.
9. Advise the Executive Director and the Board of Directors on DBE matters and achievement.
10. Chair any applicable DBE advisory committee.
11. Provide DBEs with information and assistance in preparing bids, obtaining bonding and insurance.
12. Plan and participate in DBE training seminars.
13. Act as liaison to the Uniform Certification Program in Illinois; and
14. Provide outreach to DBEs and community organizations to advise them of opportunities.

Additionally, the **Procurement Division** plays a major role in ensuring that this Program and policy are successful. All purchasing and procurement activity is performed in a manner consistent with this Program and this commitment extends to every member of the Procurement Division.

Procurement staff shall provide timely and complete information to the DBE staff on all requests for proposals, requests for qualifications and bid solicitations. Additionally, project managers are required to obtain the approval of procurement staff and the Regulatory Compliance Officer prior to undertaking a procurement, and the project manager must provide the contact information of DBE and small businesses as a necessary part of receiving this approval.

The RTA's **Finance Department** staff maintains records of contract expenditures and commitments and, within that, DBE specific expenditures and commitments, which can be utilized to generate real-time DBE-specific contract reports. These reports are used to measure DBE goal attainment and are used to provide required reports to the Board of Directors, Executive Director and the relevant federal and state regulatory bodies.

DBE FINANCIAL INSTITUTIONS (PART 26.27)

It is the policy of the RTA to investigate the full extent of services, offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community, to make reasonable efforts to use these institutions, and to encourage prime contractors on DOT-assisted contracts to make use of these institutions. The Board of Directors has adopted a RTA Investment Policy that provides that the RTA will ensure significant participation by female and minority owned businesses with such institutions within its service area; however, the level actually maintained will be determined by the RTA's liquidity needs. More specifically, the RTA will ensure significant participation by qualified DBEs to the extent available and possible. Information on the availability of such institutions can be obtained from the DBE Liaison Officer.

The RTA currently utilizes the following DBE financial institutions:

1. American Metro Bank
2. Millennium Bank
3. GN Bank
4. International Bank of Chicago
5. Pacific Global Bank

PROMPT PAYMENT MECHANISMS (PART 26.29)**Prompt Payment: 26.29(a)**

The RTA ensures that the following clause is placed in every DOT-assisted contract and subcontract:

Prompt Payment. The Contractor agrees to pay each Contractor Related Party under this Agreement for satisfactory performance of its subcontract no later than fourteen (14) calendar days from the receipt of each payment the Contractor receives from the Authority. A delay in or postponement of payment to the Subcontractor requires good cause and prior written approval of the Authority. Failure to comply with these prompt payment requirements is a breach of this Agreement which may lead to any remedies permitted under law, including, but not limited to, Contractor debarment. In addition, Contractor's failure to promptly pay its Contractor Related Parties is subject to the provisions Section 9 of the Local Government Prompt Payment Act (50 ILCS 505/9).

Retainage 26.29(b)

The prime contractor agrees to return retainage payments to each subcontractor within fourteen (14) days after the subcontractors work is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the RTA. This clause applies to both DBE and non-DBE subcontracts.

Monitoring and Enforcement 26.29 (d)

If RTA determines that the prime contractor has failed to comply with the prompt payment provisions set forth in the contract, RTA shall give written notice to the Contractor that if the default is not remedied within a specified period of time (at least 5 days), the contract may be terminated. The Contract may be terminated for cause in accordance with the Contract Article entitled EVENTS OF DEFAULT, REMEDIES, STOP WORK ORDER, TERMINATION FOR DEFAULT. RTA shall also impose penalties and sanctions for non-compliance with the prompt payment clause contained in Section 26.37, MONITORING AND ENFORCEMENT MECHANISMS, and as contained in the Contract Compliance Manual (Federal) and other requirements of State law.

DIRECTORY (PART 26.31)

The RTA utilizes the Illinois Unified Certification Program DBE Directory, a joint project of the Illinois Department of Transportation, the City of Chicago, the Chicago Transit Authority, Metra Commuter Rail, and Pace Suburban Bus. Interested persons may obtain a copy of the Directory and program information at the following address:

<http://www.dot.state.il.us/ucp/UCP%20Directory%20By%20Name.pdf>

OVERCONCENTRATION (PART 26.33)

The RTA has not identified that over concentration exists in the types of work that DBEs perform, though it periodically reviews for overconcentration through the reports submitted by its Procurement Division to the Regulatory Compliance Officer. Should the RTA identify an area of overconcentration, it will proactively seek to remedy the situation by, among other courses of action: (a) discussing the issue with DOT for possible remedial strategies; (b) continuing to monitor and develop new reports to help quantify the areas of overconcentration; (c) discussing the issue with the RTA's contractor community to voluntarily reduce the overconcentration; and (d) utilizing incentives that could redirect the overconcentration, were other strategies to prove unsuccessful.

BUSINESS DEVELOPMENT PROGRAMS (PART 26.35)

RTA has not established a business development program. We will re-evaluate the need for such a program every year.

MONITORING AND ENFORCEMENT MECHANISMS (PART 26.37)

The RTA will engage in the following monitoring and enforcement mechanisms to ensure compliance with Part 26:

1. Bring attention of the DOT any false, fraudulent, or dishonest conduct in connection with the Program, so that DOT can take the steps (e.g., referral to the Department of Justice for criminal prosecution, referral to the DOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided in Part 26.109.
2. Consider similar acting under state legal authorities, including negative responsibility determinations on future contracts, removal of firms from certain qualified lists, and recommending firms' DBE or small business certifications be revoked.
3. Require prime contractors to maintain records and documents of payments to DBE and small business subcontractors for three years following the performance of any contract, and further require that these records and documents will be made available for inspection upon request by any authorized representative of RTA or DOT.
4. Monitor compliance and verify that work committed to DBEs and small businesses at contract award is actually performed by those DBEs and small businesses. This will be accomplished by reviewing and tracking all invoices received and keeping records of all payments made to DBEs and small businesses.

5. Perform interim audits of contract payments to DBEs and small businesses, which will review payments to subcontractors to ensure that the amount actually paid to those subcontractors (a) equals or exceeds the dollar amounts stated in the schedule of participation and (b) are made in a timely manner.
6. Provide staff in-house training and approve professional development activities as necessary to ensure that the RTA maintains competent compliance professionals.

FOSTERING SMALL BUSINESS PARTICIPATION (PART 26.39)

While the RTA awards very few contracts and, in the past, has not maintained its own program while fully supporting the programs maintained by the Chicago Transit Authority, Metra Commuter Rail, Pace Suburban Bus, and other area agencies, the RTA's contracting processes and requirements are now structured to facilitate competition by small businesses. These processes and requirements, in turn, are intended to provide more opportunities and support for small business and foster their move from subcontractors and sub-consultants to prime contractor and consultant roles. Rather than directly certify firms as small businesses, the RTA accepts the following as verification of a firm's status as a small business:

1. Where participation by a small business as a prime contractor or subcontractor is required for a contract (e.g., as part of a small business set-aside), proof of small business certification under the State of Illinois' Small Business Set-Aside program is required. Program information is located at:
<http://www.illinois.gov/dceo/SmallBizAssistance/BeginHere/Pages/SBDC.aspx>
2. Where participation by a small business as a prime contractor or subcontractor is not required for a contract award, a notarized affidavit attesting to meeting the definition of a small business as defined by 49 CFR Part 26.65 is also acceptable.

Specific actions undertaken to foster small business participation will include the following:

1. Each year, the DBELO will establish a race-neutral small business participation goal.
2. The RTA will annually provide a reasonable number of prime contracts available for small business, and as part of the procurement process, RTA project managers will be required to identify whether their contract can be performed by a small business as the prime contractor. The contract may then be set aside solely for performance by small businesses.
3. As part of the procurement process, RTA project managers are required to provide a list of small businesses that could work on their project as either a prime contractor or subcontractor.
4. Performing outreach to certified small businesses active in the Illinois Small Business Set Aside Program.

5. On a contract in which a DBE contract goal is established, an intermediate step toward establishing that goal involves determining whether subcontracting opportunities exist. Inasmuch as subcontracting opportunities exist but DBE subcontractors are not available, bidders, proposers, or offerors (Bidders) may be required to commit to small business subcontractors or show good faith efforts of having done so, as set forth relating to DBEs below.
6. When possible, the Procurement Division will relax liability insurance requirements for small businesses.
7. The RTA will educate project managers on the importance of small business participation and encouraging the use of small businesses on RTA contracts
8. The Regulatory Compliance Officer and the Procurement Division will provide regular updates on the progress of the program to the Executive Director.

QUOTAS (PART 26.43)

The RTA does not use quotas in any way in the administration of this DBE Program.

OVERALL GOAL AND PUBLIC PARTICIPATION (PART 26.45)

In accordance with Section 26.45, the RTA will submit its triennial overall DBE goal to the FTA on August 1 of the year specified by the FTA Group A schedule posted on FTA Civil Rights website. The RTA will also request use of project-specific DBE goals as appropriate and/or will establish project specific DBE goals as directed by FTA when applicable.

The process generally used by RTA to establish overall DBE goals is as follows:

The overall DBE goal represents the amount of FTA-assisted funds the RTA anticipates expending over three Federal Fiscal Years (FFY). The two-step goal setting process required by the 26.45 will be used to determine the RTA's base figure. The two steps for setting an overall goal are:

- Establish a base figure for the relative availability of DBEs
- Determine the base figure adjustment, if necessary

First, the RTA will examine the FTA-Funded projects expected to be awarded during the FFYs the goal is set to cover. Next, the RTA will establish the base figure which is intended to be a measurement of the current ready, willing, and able DBEs as a percentage of all ready, willing and able businesses to perform work on the anticipated FTA assisted contracts in the RTA's market area. The RTA will perform an analysis using information in the Illinois Unified Certification Program DBE Directory (IL UCP) and the Census Bureau's County Business Patterns (CBP) data. The availability data derived from the IL UCP and CBP will be utilized in the goal setting process.

In the Step Two base figure adjustment, the RTA will examine relevant and reliable data in the RTA's market area to determine if an adjustment to the base figure is warranted. The consideration of an adjustment is intended to account for any impact the relevant factors may have on DBEs' contracting opportunities with RTA. The following factors will be considered for the Step Two adjustment:

- Past DBE participation
- Certified DBEs compared to non-certified DBEs
- Documented private-sector discrimination
- Anecdotal evidence from a Disparity Study (if available).

Public Participation

The RTA will conduct a consultation with the DBE assist agencies listed in Attachment E and other small business resource organizations for review of draft overall DBE goal, comment and to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and the RTA's efforts to establish a level playing field for the participation of DBEs. Based on consultation, the RTA will complete the consultation process in the month of April prior to issuance of the public notice advertisement.

Following this consultation, the RTA will publish a notice of the proposed overall DBE goal, by no later than June 15th, informing the public that the proposed goal and its rationale are available for inspection during normal business hours at its principal office for 30 days following the date of the notice, and informing the public that the RTA and FTA will accept comments on the goals for 45 days from the date of the notice. The notice will include addresses (including offices and websites) to which comments may be sent and business location where the proposed goal may be reviewed. The public notice will be published in general circulation newspapers, which may include the Chicago Sun- Times, the Chicago Defender, and La Raza, through electronic notifications, and will be posted on the RTA website.

Once established, the RTA's overall goal submission to DOT will include a summary of information and comments received during this public participation process and RTA's responses. The RTA will begin using the established overall goal on October 1, unless the RTA has received other instructions from DOT. If we establish a goal on a project basis, we will begin using our goal by the time of the first solicitation for a DOT-assisted contract for the project. Our goal will remain effective for the duration of the three-year period established and approved by FTA.

GOAL SETTING AND ACCOUNTABILITY (PART 26.47)

If the awards and commitments shown on the RTA's Uniform Report of Awards or Commitments and Payments at the end of any fiscal year are less than the overall applicable to that fiscal year, we will:

1. Analyze in detail the reason for the difference between the overall goal and the actual awards/commitments.
2. Establish specific steps and milestones to correct the problems identified in the analysis; and
3. Submit the plan to FTA within 90 days of the end of the affected fiscal year.

TRANSIT VEHICLE MANUFACTURERS (PART 26.49)

All Transit Vehicle Manufacturers (TVM), as a condition of being authorized to bid or propose on RTA-FTA assisted transit vehicle procurements, shall certify that it has complied with the requirements of 49 CFR Section 26.49, including the establishment of an annual overall DBE participation goal that has been submitted to the FTA for concurrence. Each TVM shall complete and submit in its bid or proposal a DBE Certification form acknowledging it has complied with this section and a concurred overall DBE goal on file with the FTA. RTA shall not include the amount of FTA assistance used in transit vehicle procurements in the base amount from which RTA's overall goal is established.

MEETING OVERALL GOALS/CONTRACT GOALS (PART 26.51)

The RTA will use contract goals to meet any portion of the overall DBE goal that it does not anticipate being able to meet through the use of race-neutral means. These contract goals will only be utilized on contracts that have subcontracting possibilities, and the size of any particular contract goals, if any, will be adapted to the circumstances of each contract (i.e., type and location of work, availability of DBEs to perform the particular type of work). When utilized, the RTA will express contract goals as a percentage of the total amount of the contract.

The RTA will implement the following race-neutral measures which are aimed at increasing DBE and other small business participation:

Attendance at Conferences and Business Networking Events

The RTA's DBELO and staff will attend conferences and networking events to provide information on how to do business with RTA and to provide information on upcoming contracting opportunities. The following is a list of events the RTA plans to annually attend: (1) Chicago Minority Supplier Development Counsel - Business Opportunity Fair, (2) Cosmopolitan Chamber of Commerce business fair, (3) Entrepreneurial Woman's Conference/Business Development Fair, (4) Illinois Hispanic Chamber of Commerce Business Expo, and (5) Conference of Minority Transportation Officials, National Meeting and Training Conference. In addition, RTA's DBELO and staff will host pre-proposal conferences and outreach events

designed to target firms specifically interested in doing business with the RTA and highlighting upcoming projects to encourage collaboration between large and small companies prepared to provide the needed services.

GOOD FAITH EFFORTS PROCEDURES (PART 26.53)

Any Bidder on an RTA contract for which a contract goal is set must make good faith efforts to comply with such goal, and the RTA treats the Bidder's compliance with good faith efforts requirements as a matter of both responsiveness and responsibility. The Bidder can demonstrate its compliance either by documenting that it has secured sufficient DBE participation or documenting that it made sufficient good faith efforts to meet the DBE contract goal or a combination of the two. Determination of the sufficiency of good faith efforts shall be determined by the guidance found in Appendix A to Part 26.

The Procurement Division, with assistance from the Regulatory Compliance Officer, is responsible for determining whether a Bidder who has not met a contract goal has documented sufficient good faith efforts to meet the contract goal. In each case in which the RTA determines the Bidder has documented good faith efforts, the RTA will have ensured that all information submitted by the Bidder was complete, accurate, and clearly sufficient to document the Bidder's good faith efforts. Furthermore, the RTA will only award contracts funded in whole or in part with federal dollars to Bidders that have been shown to have made good faith efforts to meet the DBE contract goal.

Each procurement for which a contract goal has been established will require the bidders/offerors to submit the following documentation at the time of submission:

1. The names and addresses of DBEs that will participate in the contract.
2. A description of the work that each DBE will perform.
3. The dollar amount of the participation of each DBE's participation.
4. Written and signed documentation of a commitment to use any DBE contractor it submits to meet a contract goal; and
5. Written and signed confirmation from the DBE that it is participating in the contract as provided in the Bidder's commitment.

Or, if the contract goal will not be entirely met through participation, sufficient evidence of good faith efforts made by the Bidder made to meet the contract DBE goal.

Prior to the execution of a contract, if any of the information called for in the paragraph above has changed, the RTA will require the bidder to submit updated documentation establishing compliance with the contract goal.

ADMINISTRATIVE RECONSIDERATION PART 26.53(D)

A Bidder may request administrative reconsideration of a determination that it has not shown good faith efforts to meet the contract goal within five business days of being informed of the determination. To do so, Bidders must make this request in writing to the following reconsideration official: Audit Department, Regional Transportation Authority, 175 West Jackson Boulevard, Suite 1650, Chicago, Illinois, 60604, 312-913-3200. The Chief Auditor, Lorri Newson, is the reconsideration officer for the Agency. If the Chief Auditor played any role in the original determination that the Bidder did not document sufficient good faith efforts, the reconsideration officer for that procurement shall be the RTA's Director of Human Resources.

As part of this reconsideration, the Bidder will have the opportunity to provide written documentation or argument concerning the issue of whether it met the contract goal through participation, good faith efforts, or both. Any written documentation or argument must explain the good faith efforts made by the Bidder at the time of submission and evidence of efforts made subsequent to submission will not be considered. Upon request, the Bidder will have the opportunity to meet in person with the reconsideration officer to discuss the issue of whether it made good faith efforts to meet the contract goal. Upon reaching a determination, the reconsideration officer will send the Bidder a written determination on reconsideration, explaining the basis for finding that the Bidder did or did not exercise good faith efforts meet the contract goal. This determination shall be final, and the reconsideration process is not presently administratively appealable to DOT.

SAMPLE BID SPECIFICATIONS

The requirements of 49 CFR Part 26, Regulations of the U.S. Department of Transportation, apply to this contract. It is the policy of the RTA to practice nondiscrimination based on race, color, sex, or national origin in the award or performance of this contract. All firms qualifying under this solicitation are encouraged to submit bids/proposals. Award of this contract will be conditioned upon satisfying the requirements of this bid specification. These requirements apply to all bidders/offerors, including those who qualify as a DBE. A DBE contract goal of _ percent has been established for this contract. The bidder/offeror shall make good faith efforts, as defined in Appendix A, 49 CFR Part 26, to meet the contract goal for DBE participation in the performance of this contract.

The bidder/offeror will be required to submit the following information: (1) the names and addresses of DBE firms that will participate in the contract; (2) a description of the work that each DBE firm will perform; (3) the dollar amount of the participation of each DBE firm participating; (4) written documentation of the bidder/offeror's commitment to use a DBE subcontractor whose participation it submits to meet the contract goal; (5) written confirmation from the DBE that it is participating in the contract as provided in the commitment made under (4); and (5) if the contract goal is not met, evidence of good faith efforts.

DBE REPLACEMENT DURING A CONTRACT

If a DBE is terminated or has otherwise failed to complete its work on a contract, the RTA will require the contractor to replace it with another certified DBE to the extent needed to meet the contract goal. If a DBE is unable or unwilling to perform, the prime contractor must notify the DBELO immediately and provide reasonable documentation of the same.

In any situation described above, the RTA will require the prime contractor (a) to obtain RTA's prior approval of any substitute DBE and (b) to provide copies of new or amended contract goal documentation. Failure to abide by these procedures shall be viewed as a breach of contract and the prime contractor will be subject to such sanctions and penalties as are allowed by the contract and law.

COUNTING DBE PARTICIPATION (PART 26.55)

The RTA will count DBE participation toward overall and contract goals as provided in Part 26.55. (See above under the heading "MONITORING AND ENFORCEMENT MECHANISMS (PART 26.37)".)

CERTIFICATION (PARTS 26.61-26.91)

The RTA relies upon the DBE certifications issued pursuant to the Illinois Unified Certification Program, as discussed above under the heading DIRECTORY (PART 26.31).

Any firm or complainant may appeal an Illinois UCP's decision in a certification matter to DOT. Such appeals may be sent to:

**U.S. Department of Transportation
Office of Civil Rights Certification Appeals Branch
1200 New Jersey Avenue. SE
West Building, 7th Floor
Washington, D.C. 20590**

INFORMATION. CONFIDENTIALITY. COOPERATION. (PART 26.109)

The RTA follows procedures to safeguard from disclosure to third-parties information that is confidential, consistent with federal, state, and local law, including the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.*

Notwithstanding any contrary provisions of federal, state, or local law, the RTA will not release personal or business financial information without the written consent of the submitter or unless required by law or regulation.

MONITORING PAYMENTS TO DBES

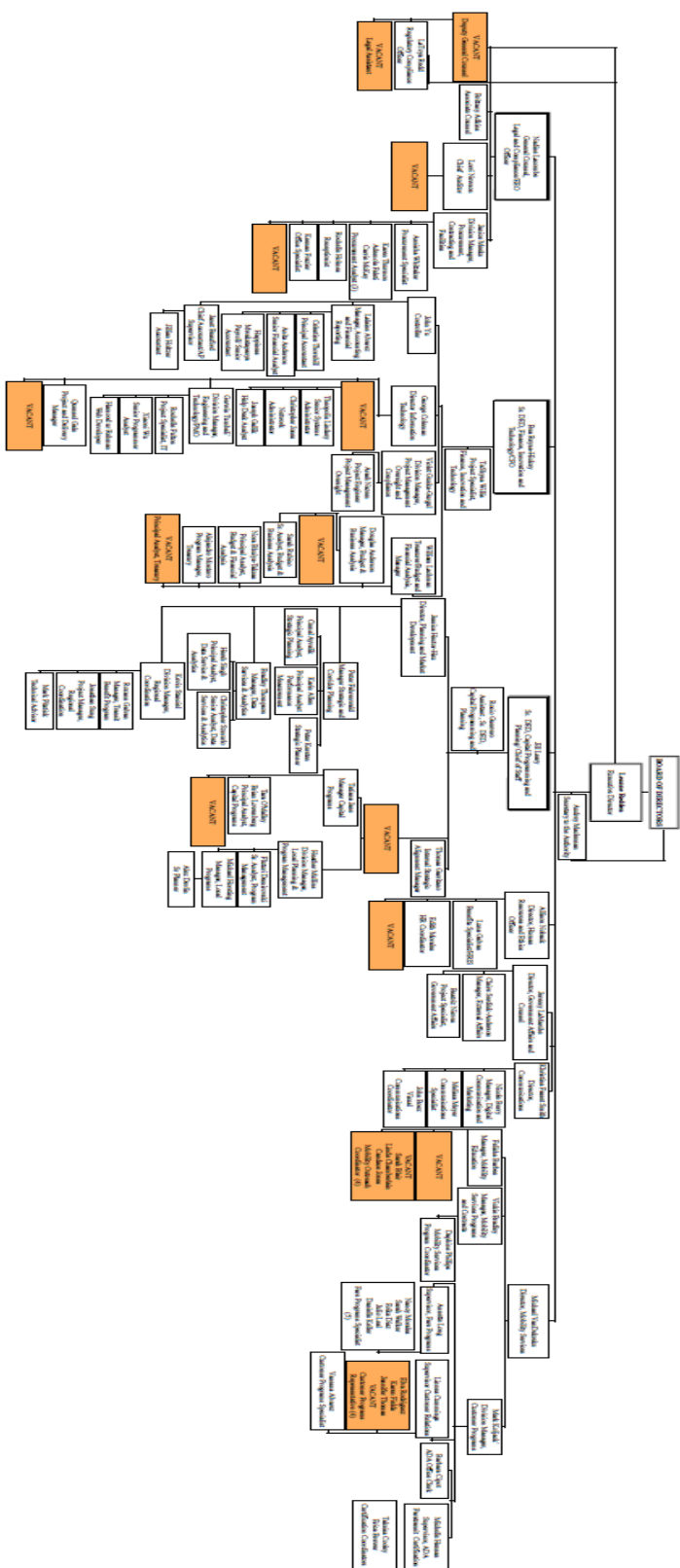
The RTA will require prime contractors to maintain records and documents of payments to DBEs for three years following the performance of the contract. These records will be made available for inspection upon request by any authorized representative of the RTA or DOT. This reporting requirement also extends to any certified DBE subcontractor.

We will perform reviews of contract payments to DBEs. The RTA will review payments to DBE subcontractors to ensure that the actual amount paid to DBE subcontractors equals or exceeds the dollar amounts states in the schedule of DBE participation.

ATTACHMENTS

Attachment A	RTA Organizational Chart
Attachment B	2020-2022 Regional Transportation Authority Disadvantage Business Enterprise Goal Rationale
Attachment C	DBE Commitment Forms Submitted by RTA Vendors
Attachment D	RTA's Internal Procurement Checklist
Attachment E	List of Assist Agencies
Attachment F	Monitoring and Enforcement Mechanisms
Attachment G	DBE Directory
Attachment H	Regulations 49 CFR Part 26

**ATTACHMENT A
RTA ORGANIZATIONAL CHART
[ATTACHED]**



	ACTUAL HEADCOUNT	BUDGETED VACANCIES	TOTAL POSITIONS
Executive Offices	2	0	2
Legal and Compliance	11	4	15
Human Resources	3	1	4
Finance, Innovation and Technology	25	4	29
Capital Programming Planning & Performance	22	2	24
Government Affairs	3	0	3
Marketing and Communications	4	0	4
Mobility Services	23	3	26
Totals	93	14	107

ATTACHMENT B

2020-2022 REGIONAL TRANSPORTATION AUTHORITY DISADVANTAGE BUSINESS ENTERPRISE GOAL RATIONALE

I. Introduction

The Regional Transportation Authority-Chicago, Illinois (RTA) submits its three-year Disadvantaged Business Enterprise (DBE) overall goal for Federal Fiscal Years (FFYs) 2020-2022. Our methodology is in accordance with U.S. Department of Transportation Regulations at 49 C.F.R. § 26.45, the US Department of Transportation's General Counsel's *Tips for Goal-Setting* (USDOT Tips),¹ the appellate court's decision in *Northern Contracting v. Illinois Department of Transportation*,² and the approach recommended by the National Academy of Sciences that is now the standard for designing legally defensible disparity studies for transportation agencies.³ This goal is based on projected contracting opportunities funded in whole or in part by the Federal Transit Administration (FTA). In addition, the goal is based on an Availability Study completed in October 2016 for the RTA and conducted by Colette Holt & Associates, an attorney and national expert on the DBE program with extensive experience in designing defensible DBE goals.

The regulations require that the overall goal be prepared using a two-step process. RTA must first determine a base figure for the relative availability of certified and non-certified minority and woman-owned business enterprises in the relevant market area (step 1). Next, RTA must examine all relevant evidence to determine what adjustment to the base figure, if any, is needed in order to arrive at an overall goal (step 2). The final adjusted figure is RTA's overall goal and represents the proportion of federal transportation funding it expects to allocate to DBEs during the subsequent three FFYs. Once the adjusted overall goal is determined, RTA must estimate what portion of the goal will be met by race-neutral measures, and if necessary, what portion of the goal will be met by race-conscious contract goals.⁴

RTA's proposed overall goal for the time period covered by FFYs 2020-2022 (October 1, 2019 through September 30, 2021) is 16.2%. Of the overall goal, 0.0% will be achieved through race-neutral measures and 16.2% will be achieved through race-conscious measures.

RTA expects to award approximately \$995,000 over this time period.

Table 1

¹ United States Department of Transportation, "Tips for Goal Setting in the Disadvantaged Business Enterprise (DBE) Program", <http://www.osdbu.dot.gov/DBEProgram/tips.cfm>.

² 473 F.3d 715 (2007).

³ "Guidelines for Conducting a Disparity and Availability Study for the Federal DBE Program," Transportation Research Board of the National Academy of Sciences, NCHRP Report, Issue No. 644, 2010.

⁴ 49 CFR §§26.51(f)(1), and §26.51(d).

RTA FTA-Assisted Projects FFYs 2020-2022

RTA PROJECTS	FTA-FUNDED AMOUNT
Interagency Signage Expansion: Fabrication & Installation:	\$275,000
Engineering Activities (541330) 25%; Highway, Street, and Bridge Construction (237310) 75%	
Transit Oriented Development Projects:	\$720,000
Engineering Activities (541330) 70%; Other Activities Related to Real Estate (531390) 20 %; Public Relations Agencies (541820) 10%	
Total	\$995,000

Of these funds, RTA expects that \$143,620 will be expended with DBEs.

II. Overall DBE Goal Setting Methodology for Federal Fiscal Years 2020-2022

RTA's overall goal was set based on the two-step process described in 49 C.F.R. §26.45. This process ensures that the goal derived by RTA is based on the availability of ready, willing, and able DBEs in RTA's relevant market area.

A. Step One Base Figure Calculation

The first element in estimating DBE availability was to determine empirically the relevant geographic and industry market areas for RTA's federally assisted contracts. The Availability Study (attached as Exhibit A) determined RTA's service area to be its market area.

While RTA's market area has not changed, the types of contracts RTA anticipates awarding during FFYs 2020-2022 will be in industries that were not awarded during the Study period. We therefore requested the consultant to estimate DBE availability in our market area for five new North American Industry Classification System ("NAICS") codes, using the availability methodology applied in the Study.

Table 1

DBE Availability – Federal Funds

NAICS	NAICS Code Label	Non-DBE	DBE	Total
237310	Highway, Street, and Bridge Construction	85.9%	14.1%	100.0%
339950	Sign Manufacturing	89.6%	10.4%	100.0%
531390	Other Activities Related to Real Estate	80.9%	19.1%	100.0%
541330	Engineering Services	85.8%	14.2%	100.0%
541820	Public Relations Agencies	81.3%	18.7%	100.0%

We next weighted these estimates by the expected distribution of NAICS codes by dollars for the upcoming projects:

$$DBE\ availability \times NAICS\ dollar\ amount \div Total\ project\ dollars$$

- 541330: 14.2 x \$504,000 = \$71,568
- 531390: 19.1 x 144,000 = \$27,504
- 541820: 18.7 x \$72,000 = \$13,464
- 237310: 14.1 x \$68,750 = \$96,347
- 339950: 10.4 x \$206,250 = \$21,450

The result is a step one base figure of 14.3. percent.

B. Step Two, Consideration of Adjustments to the Step One Base Figure

Step 2 requires RTA to examine all evidence in its jurisdiction to determine what adjustment, if any, is needed to the base figure to arrive at the overall goal. Included among the types of evidence that must be considered are the current capacity of DBEs to perform work on RTA's federally assisted contracts, as measured by the volume of work DBEs have performed in recent years, and evidence from the availability/disparity study, to the extent not already accounted for in the base figure. RTA may also consider available evidence from related fields that affect the opportunities for DBEs to form, grow and compete. These include, but are not limited to, statistical disparities in the ability of DBEs to get the financing, bonding and insurance required to participate in the Program, and data on employment, self-employment, education, training, and union apprenticeship programs, to the extent relevant to the opportunities for DBEs to perform in the Program. The regulations caution that any adjustment to the base figure to account for the continuing effects of past discrimination or the effects of an ongoing DBE program must be based on "demonstrable evidence that is logically and directly related to the effect for which the adjustment is sought." § 26.45(d)(3). Each of these categories is discussed separately below.

1. Past DBE utilization

RTA considered the current capacity of certified DBEs to perform on its FTA-assisted contracts, measured by the volume of work certified DBEs have received in recent years. The contracts awarded from FFY 2016 through 2018 were in industries similar to those we expect to award in the future, such as engineering, installation, planning, training and marketing services. Therefore, it is appropriate to use past participation as a guide to a possible adjustment, as provided in 49 C.F.R. § 26.45(d)(1)(i). The median DBE participation for FFYs 2016 through 2018 is 18.1%.

Table 2

DBE Utilization for FFYs 2016-2018

FEDERAL FISCAL YEAR	OVERALL DBE UTILIZATION	RACE-NEUTRAL UTILIZATION	RACE-CONSCIOUS UTILIZATION
2016	9.4%	0%	9.4%
2017	18.1%	0%	18.1%
2018	34.4%	0%	34.4%

2. Additional Step 2 Evidence

While the study's evidence of economy-wide disparities⁵ might be used to make a step two adjustment, in our view, this does not provide evidence that is sufficiently directly related to an adjustment to reflect the level of participation that would be expected "but for" discrimination. Further, the law in the Seventh Circuit Court of Appeals is that affirmative action goals should reflect the "plausible lower bound estimate" of availability.

⁵ The study examined disparities in business receipts and in business formation and earnings. Minority and women-owned firms are significantly less profitable than similar nonminority or women-owned firms, and minorities and women earn substantially and significantly less from their labor than do their similarly situated nonminority male counterparts in RTA's market area. Barriers to equal access to business and human capital were also identified.

3. Base Figure Adjustment

RTA reviewed its expected available contracting opportunities for FFYs 2020 through 2022 and determined that federally-funded contracts for the upcoming triennial period are substantially similar to the recent past. Therefore, past participation is an appropriate adjustment factor. RTA therefore averaged the median past participation with the step 1 base figure estimate for an overall, annual goal of 16.2%.

Baseline DBE Availability:	14.3%
Median Past DBE Participation:	18.1%
Average:	16.2%

III. Projection of Race-Neutral versus Race-Conscious Goal Attainment

To estimate the portions of the goal to be met through race-neutral and race-conscious measures, RTA evaluated past race-neutral certified DBE participation as defined in § 26.51(a).

A. Race-Neutral versus Race-Conscious Projection

As detailed in Table 2, RTA has achieved its DBE participation through the use of race-conscious contract goals. Based upon the average of the race-neutral participation achieved from FFY 2016 through 2018, we project that we will achieve 0.00% DBE participation through race-neutral measures and 14.4% through race-conscious contract goals.

B. Efforts to increase race-neutral participation

RTA will meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating DBE participation. To facilitate race-neutral participation, the RTA consistently conducts outreach to DBEs to provide information regarding opportunities to participate in RTA projects and procurements. Representatives from the RTA participate on committees of minority and female organizations and attend numerous events and programs to provide information about the RTA and to assist in identifying and utilizing DBEs, such as:

- Annual Chicago Business Opportunity Fair/Chicago Minority Supplier Development Council
- Annual Entrepreneurial Woman's Conference/Women's Business Development Council (WBDC)
- Annual Illinois Hispanic Chamber of Commerce Conference
- Annual Conference of Minority Transportation Officials - National Meeting and Training Conference
- Metra's Annual Vendor Fair
- Illinois Department of Transportation Annual DBE Conference

In addition, RTA staff is available to meet with DBEs and other small firms to assist them with how to do business with the agency, such as preparing bids and proposals to comply with the RTA's procurement requirements and processes. We also search the IL UCP and the RTA's Vendor Profile database to identify DBE prime firms and DBE subcontractors; answer questions of DBEs and provide DBE information to bidders/proposers during pre-proposal conferences; send solicitation information to DBEs based upon contacts obtained during outreach events; and participate in events to facilitate the development, growth, and sustainability of DBEs in contracting opportunities.

IV. Proof of Publication

The initial goal submittal Notice was posted on June 10, 2019 to the RTA's Official Internet Webpage. The proposed overall goal and its rationale were available for inspection on the RTA's website and during normal business hours at the RTA's offices for a 45-day comment period. The Notice contained the building and electronic mail addresses where comments could be sent.

V. Public Consultation

The RTA consulted with Colette Holt & Associates to determine the availability of stakeholder organizations in the RTA's service area. These stakeholder organizations would have an interest in participating in a scheduled exchange regarding preparation of the goal setting methodology. Forty-six organizations were identified: 51st Street Business Association, African American Contractors Association, Association of Asian Construction Enterprises, Austin African American Business Networking Association, Black Contractors Owners and Executives, Black Contractors United, Business Leadership Council, Center for Development Initiatives, Chatham Business Association, Chicago Minority Supplier Development Council, Inc., Chicago Chinatown Chamber of Commerce, Chicago Urban League, Chicago Women in Trades, Contractor Advisors Business Development Corp., Cosmopolitan Chamber of Commerce, Do For Self-Community Development Co., Far South Community Development Corporation, Federation of Women Contractors, Fresh Start Home Community Development Corporation, Greater Englewood Community Development Corp., Greater Far South Halsted Chamber of Commerce, Greater Pilsen Economic Development Association, Greater Southwest Development Corporation, Hispanic American Construction Industry Association,

Illinois Hispanic Chamber of Commerce, Illinois State Black Chamber of Commerce, JLM Business Development Center, Latin American Chamber of Commerce, LGBT Chamber of Commerce of Illinois, National Association of Women Business Owners, National Organization of Minority Engineers, NDIGO Foundation, Neighborhood Development Services, Public Narrative, Rainbow/PUSH Coalition, RTW Veteran Center, South Shore Chamber, Inc., St. Paul Church of God in Christ Community, Sustainable Options for Urban Living, Inc., The Monroe Foundation, Turn 2 Growth, Urban Broadcast Media, Inc., US Minority Contractors Association, Inc., Women Construction Owners & Executives, Women's Business Development Center, and Your Community Consultants Foundation.

Each of the organizations was invited to a consultative meeting to provide comments and input into the goal setting methodology. In addition, DBEs in the IL UCP under the NAICS codes listed in Table 1 DBE Availability-Federal Funds were also invited to the consultative meeting. The comments from the consultative meetings are attached.

If you have any questions or require additional information regarding this matter, please contact LaToya Redd at redl@rtachicago.org or (312) 913-3212.

ATTACHMENT C
DBE COMMITMENT FORMS SUBMITTED BY RTA VENDORS
[ATTACHED]

REGIONAL TRANSPORTATION AUTHORITY (RTA)
DISADVANTAGED BUSINESS ENTERPRISE (DBE) COMPLIANCE PLAN

Project name: _____

Vendor name: _____

Instructions for Completing the DBE Compliance Plan

It is the objective of the RTA to promote the participation of DBEs in the performance of its contracts. To promote this objective, the RTA has established a DBE Program in conformance with U.S. Department of Transportation (U.S. DOT) regulations at 49 CFR Part 26. Additional information and guidance about the regulations is available at <http://www.dot.gov/osdbu/>. Additional information on the RTA's DBE Program is available at <https://ebidexchange.com/Default.aspx?cid=fea19256-6318-46d1-9c7a-d7e5a74935eb>.

A proposer or bidder for this RTA project (referred to herein as "Vendor") must either achieve or exceed the DBE contract goal established for this project through DBE participation or must sufficiently document its good faith efforts to meet the DBE goal.

A DBE is a business certified through the Illinois Unified Certification Program (IL UCP), in accordance with the U.S. DOT's requirements. The firm must be certified as a DBE at the time of bid or proposal submittal in order to be counted as a DBE on this project. Other certifications are not acceptable and dollars spent with firms not DBE certified will not be counted towards achieving the DBE contract goal on this project. Information on DBE certification in Illinois through the IL UCP, including a listing of certified DBEs, is available at <http://www.idot.illinois.gov/doing-business/certifications/disadvantaged-business-enterprise-certification/il-ucp-directory/index>. All DBE certifications must be pre-certifications, i.e., certifications that have been made final before the due date for bids/proposals as required by 49 CFR 26.81(c).

All Vendors must submit the DBE Compliance Plan to the RTA at the time specified by the RTA. A Vendor that is itself a DBE must still submit the DBE Compliance Plan to the RTA. Specific instructions for completing this DBE Compliance Plan are included for each Section. The DBE Compliance Plan must be signed and dated by an authorized representative of the Vendor. **If the DBE Compliance Plan is not submitted at the time specified by the RTA, the Vendor's bid/proposal may be deemed non-responsive and be rejected.**

The RTA-approved DBE Compliance Plan will be incorporated into any contract relating to this project and will be attached as an exhibit thereto. Sections I – VII are the DBE Compliance Plan and supporting forms.

Questions about this DBE Compliance Plan may be directed to the RTA's Regulatory Compliance Officer by email at redidl@rtachicago.org or by telephone at 312-913-3212.

DBE Compliance Plan Check List

Please complete the following steps:

- () Review Section I, DBE Program Provisions and DBE Compliance Plan Instructions.
- () Complete and sign Section II, DBE Participation Commitment, even if no DBEs will be utilized. Submit it with your bid/proposal (or as otherwise specified by the RTA).
 - Designate the Vendor's DBE contact person for the project.
 - List all DBE subconsultants, subcontractors, suppliers and joint venture partners.
 - Describe the area of specialty and type of work to be performed by the DBE subconsultant, subcontractor, supplier and joint venture partner.
 - List the dollar amount of DBE participation commitment.
 - List the total proposal/contract price.
- () If the DBE contract goal was not fully achieved through participation, complete Section III, Documentation of Good Faith Efforts to Achieve DBE Contract Goal, and submit it with your bid/proposal (or as otherwise specified by the RTA).
 - Complete the Good Faith Efforts checklist and attach relevant documents.
 - Complete Good Faith Efforts Contacts Log.
- () If the Vendor proposes to achieve the DBE contract goal by entering into a joint venture arrangement with a DBE, complete Section IV, DBE Joint Venture Agreement. Submit a copy of the Joint Venture Agreement with your bid/proposal (or as otherwise specified by the RTA).
- () Complete Section V, Letter of Intent, for each DBE proposed to be utilized on the project as a subconsultant, subcontractor or supplier (but not as a joint venture partner), and submit it with your bid/proposal (or as otherwise specified by the RTA).

DBE PROGRAM

- () Have an authorized officer of the Vendor sign Section VII, Attestation, and have it notarized.
- () Submit entire DBE Compliance Plan to the RTA with your bid/proposal (or as otherwise specified by the RTA).

SECTION I
DBE PROGRAM PROVISIONS AND DBE COMPLIANCE PLAN INSTRUCTIONS

The DBE Compliance Plan must list all DBE firms that will participate on the project as subconsultants, subcontractors, suppliers or joint venturer partners for the Vendor. By listing a subconsultant, subcontractor, supplier or joint venture partner on the DBE Compliance Plan, the Vendor indicates that the firm agrees to the price and scope of work proposed. In the event the Vendor is awarded a contract (or, in the case of a task order contract, task orders are established), the Vendor agrees to contract with the firms listed on the Compliance Plan for the scope and price disclosed. These Provisions and Instructions will be incorporated by reference into the contract.

Counting DBE Participation Toward the DBE contract Goal

All DBE's must be certified at the time the bid/proposal is submitted to the RTA. The value of the work actually performed by the DBE, including supplies purchased or equipment leased by the DBE, will be counted toward the DBE contract goal established by the RTA in the manner set forth in 49 CFR 26.55.

If a DBE subconsultant, subcontractor, supplier or joint venture partner elects to subcontract part of the work to another firm (i.e., to a second tier subcontractor), the value of the second tier work may be counted toward the DBE contract goal only if the second tier subcontractor is itself a DBE. Work that a DBE subcontracts to a second tier non-DBE will not count towards the goal.

After contract award, when evaluating compliance with DBE requirements, the RTA will not credit the participation of a DBE subconsultant, subcontractor or supplier towards the DBE contract goal until that amount has been paid to the DBE.

The participation of a DBE subconsultant, subcontractor, supplier or joint venture partner that "graduates" from the Illinois Unified Certification Program, or another state's program, based upon exceeding the firm size or personal net worth limitations, after contract award and execution of a subcontract with the Vendor, will be counted toward achieving the contract goal (as set forth in 49 CFR 26.87(i)). The participation of a DBE subconsultant, subcontractor, supplier or joint venture partner that loses its certification eligibility before it signs a subcontract for this RTA project for any reason or as a result of fraud, collusion or any other misconduct after contract award shall not be counted toward the contract goal. RTA may require that a subconsultant, subcontractor, supplier or joint venture partner that loses its certification because of misconduct be replaced.

The DBE must perform a "Commercially Useful Function" on the contract in the "Area of Specialty" for which it is certified as a DBE to be counted towards the DBE contract goal. Commercially Useful Function means responsibility for the execution of a distinct element of the work on the project and carrying out its responsibilities by actually performing, managing, and supervising the work involved. To determine whether a firm is performing a Commercially Useful Function, the RTA will evaluate the amount of work subcontracted, whether the amount the firm is to be paid under the contract is commensurate with the work it is actually performing and the credit claimed for its performance of the work, industry practices, and other relevant factors. Area of Specialty means the description of a DBE's activity most reflective of the firm's claimed specialty or expertise, as listed on its IL UCP letter of certification. The RTA does not make any representations concerning the ability of any DBE to perform work within its Area of Specialty

or the quality of any DBE's work. It is the responsibility of the Vendor to determine the capability and capacity of DBEs to perform the proposed work.

Demonstrating Good Faith Efforts to Achieve the DBE Contract Goal

If the Vendor cannot achieve the DBE contract goal through DBE participation on the contract (or, in the case of a task order contract, on the relevant task order), it must document adequate "Good Faith Efforts" to do so in Section III of this document, including providing any supporting documentation requested by the RTA in order for the bid/proposal to be deemed responsive.

A Vendor must show that it took all necessary and reasonable steps to achieve the DBE goal. The fact that there may be some additional costs involved in finding and using DBEs is not in itself sufficient reason for a Vendor's failure to achieve the DBE contract goal, as long as such costs are reasonable. Also, the ability or desire of a Vendor to perform the work on the project with its own forces or organization does not relieve the Vendor of the responsibility to achieve the DBE contract goal through participation or to make Good Faith Efforts to do so. A Vendor is not, however, required to accept higher quotes from DBEs if the price difference is excessive or unreasonable.

The RTA, in its sole discretion, will determine whether the Vendor has made adequate Good Faith Efforts to achieve the DBE contract goal. In evaluating the Vendor's Good Faith Efforts, the DBE participation and/or Good Faith Efforts of other vendors on this project or projects of a similar nature may be considered for comparative purposes.

If the RTA determines that the Vendor has made Good Faith Efforts to achieve the DBE contract goal, the Vendor will be eligible for contract award (provided that it is otherwise eligible for award).

If the RTA determines that the Vendor has not made Good Faith Efforts to achieve the DBE contract goal, the RTA will notify the Vendor of that determination and will provide the apparent successful Vendor an opportunity for administrative reconsideration prior to contract award as set forth in 49 CFR 26.53(d).

The RTA may request written clarification of items on the DBE Compliance Plan; however, such clarification does not provide an opportunity to augment listed DBE participation commitments or Good Faith Efforts. Changes to the DBE Compliance Plan are permitted only pursuant to the procedures established in Section VI of this document.

Only those vendors who make adequate good faith efforts to meet a contract DBE goal on a contract funded in whole or in part with federal funds will be eligible for contract award.

Joint Ventures with DBEs

Joint venture(s) that the Vendor enters into with DBEs may be counted toward the DBE contract goal. A joint venture is an association between two or more persons, or any combination of types of business enterprises and persons numbering two or more, proposing to perform a for-profit business enterprise in which each joint venture partner contributes property, capital, effort, skill and knowledge, and in which the DBE joint venturer is responsible for a distinct, clearly defined portion of the work on the project and whose share in the capital contribution, control, management, risks, and profits of the joint venture are commensurate with its ownership

interest. Joint venturers must have an agreement in writing specifying the terms and conditions of their relationships and their risks and responsibility. The joint venturers must complete Section VI of the DBE Compliance Plan, submit a copy of their joint venture agreement at the time of submitting their DBE Compliance Plan, and must each provide the attestation to the DBE Compliance Plan at Section VII of this document.

Changes to the DBE Compliance Plan or Substitutions of Subconsultants, Subcontractors or Suppliers

The Vendor may not make changes to its DBE Compliance Plan or its contractual DBE commitments, or substitute a subconsultant, subcontractor or supplier at any time, without the prior written approval of the RTA. Requests for changes or substitutions must be made on the form provided in Section VI of this document. **Unauthorized changes or substitutions, including the performance by the Vendor's own forces of the work designated for a subconsultant, subcontractor or supplier may render the Vendor ineligible for contract award or, if a contract has already been established, will be considered a material breach of the contract.** The facts supporting the request for changes or substitutions must not have been known, or could not reasonably have been known, by the Vendor prior to submitting the DBE Compliance Plan to the RTA.

Section VI, Request for Change of Compliance Plan, should be submitted only if and when the Vendor seeks to change its DBE Participation Commitments as contained in Section II of this document, or make any other changes to its previously submitted DBE Compliance Plan. Changes or substitutions requested by the Vendor shall not be considered approved until such approval is given to the Vendor by the RTA in writing.

In the event that a Vendor's request for change(s) to its Compliance Plan or substitution(s) will result in a change in the Vendor's DBE participation, and the revised participation does not achieve the DBE commitment in the Compliance Plan, the Vendor will be required to submit an updated Section III of the DBE Compliance Plan to demonstrate that it made Good Faith Efforts to achieve the DBE contract goal.

If the Vendor's request involves adding a new DBE subconsultant, subcontractor or supplier, the Vendor must submit with the Request for Change of Compliance Plan a signed and notarized Letter of Intent (Section V of this document), from the DBE identified in the revised Compliance Plan.

The RTA will evaluate the Vendor's request and, in its sole discretion, may approve or reject the request. The written request for a change or substitution must state specific reasons for the proposed change or substitution. Acceptable reasons for changes may include, but are not limited to, the following:

- Unavailability of the subconsultant, subcontractor or supplier after the initial submission of the DBE Compliance Plan;
- Failure of the subconsultant, subcontractor or supplier to perform the agreed scope(s) of work;
- Financial incapacity of the subconsultant, subcontractor or supplier;
- Failure of the subconsultant, subcontractor or supplier to honor the proposal price;
- Mistake of fact or law about the scope(s) of work where a reasonable price cannot be agreed upon;
- Failure of the subconsultant, subcontractor or supplier to meet bonding, insurance, or licensing requirements specified in the solicitation; or
- Withdrawal of the bid or proposal by the subconsultant, subcontractor or supplier.

A statement from the DBE to be substituted stating why it cannot perform on the project may be submitted to support the request. Where the reason for the requested change is a valid mistake or disagreement between the Vendor and the subconsultant, subcontractor or supplier on the scope of work, the request must document all efforts made by the parties to reach an agreement for a reasonable price for the corrected scope of work.

Records Retention

The Vendor must maintain a record of all relevant data with respect to the utilization of DBEs, including but without limitation, payroll records, invoices, canceled checks, sworn statements and books of account for a period of at least 5 years after the RTA's final acceptance of the work. Full access to these records shall be granted to the RTA, or to any municipal, state or federal authorities, by the Vendor upon 48 hours written demand by the RTA. The RTA shall have the right to obtain from the Vendor any additional data reasonably related or necessary to verify any representations by the Vendor in the DBE Compliance Plan or documents regarding the Vendor's compliance with its Compliance Plan or the DBE Program Provisions.

Sanctions

The RTA reserves the right to withhold payment to the Vendor to enforce the provisions of the Vendor's DBE Compliance Plan and the RTA's DBE Program. Final payment shall not be made on the contract until the Vendor demonstrates, to the reasonable satisfaction of the RTA, achievement of the DBE contract goal or its Good Faith Efforts to achieve the DBE contract goal, pursuant to its DBE Compliance Plan.

The RTA will periodically review the Vendor's compliance with its DBE Compliance Plan and the terms of its contract. Without limitation, the Vendor's failure to comply with its DBE Compliance Plan, failure to cooperate in providing information regarding its compliance, or the provision of false or misleading information or statements concerning compliance, certification status of

subconsultants, subcontractors, suppliers or joint venture partners, Good Faith Efforts or any other material fact or representation shall constitute a material breach of contract and entitle the RTA to declare a default, terminate the contract, or exercise those remedies provided for in the contract or at law or in equity.

SECTION II
DBE Participation Commitment

This form must be completed and submitted by the Vendor with its bid or proposal (or at the time otherwise specified by RTA) even if no DBE subcontractors will be utilized. Failure to do so may render the Vendor's bid/proposal non-responsive and cause it to be rejected and/or render the Vendor ineligible for contract award, at the RTA's sole discretion.

Project Name: _____

Vendor Name: _____

RTA's DBE contract goal for the project: _____%

The undersigned will enter into complete subcontracts, purchase orders or other appropriate agreements or joint venture agreements with all listed DBEs for work as described in this Section II, DBE Participation Commitment, and will enter into such agreements within 5 business days after the date of final execution of the contract with the RTA (or, in the case of a task order contract, 5 business days after final execution of the relevant task order to which the DBE participation commitments apply). Copies of each signed subcontract, purchase order, or other agreement with a DBE must be submitted to the RTA within 10 business days after execution.

The Vendor designates the following as its DBE contact person:

Name: _____

Please Print or Type

Address: _____

Telephone: _____ E mail: _____

All DBEs must be certified at the time you submit your proposal. If the DBE contract goal is achieved, in whole or in part, through a joint venture with a DBE, you must also complete the Joint Venture Affidavit, Section III, and submit it along with a copy of the joint venture agreement with your bid/proposal (or as otherwise specified by the RTA).

All DBE subconsultants, subcontractors, suppliers or joint venture partners must be listed on the following form.

By: _____

 Name/Title

DBE PROGRAM

DBE Prime, Subconsultant, Subcontractor, Supplier or Joint Venture Partner Participation Commitments:

Name of Prime, Subconsultant, Subcontractor, Supplier or Joint Venture Partner	Is firm certified as a DBE – yes or no? If yes, please identify the state the firm is certified in.	If DBE certified, list DBE Area of Specialty.	Description of Work to be Performed	Dollar amount of subcontract
				\$ _____
				\$ _____
				\$ _____
				\$ _____
			Total DBE participation: (Total Dollar Amount of all DBE subcontracts). \$ _____ Total proposal/contract price: \$ _____	

SECTION III

Documentation of Good Faith Efforts to Achieve DBE Contract Goal

If the DBE contract goal was not achieved, the Good Faith Efforts checklist (Section III A) and contacts log (Section III B) must be submitted with your bid or proposal (or as otherwise specified by the RTA). **Failure to do so may render the Vendor's bid/proposal non-responsive and cause it to be rejected, and/or render the Vendor ineligible for contract award, at the RTA's sole discretion.** The Vendor must provide documentation in support of its Good Faith Efforts to the RTA at the time it submits its bid or proposal. The RTA also reserves the right to independently verify that these efforts have been made.

SECTION III A

Good Faith Efforts Checklist

A representative of the Vendor should insert his/her initials on the line before each of the efforts described below that have been undertaken by the Vendor. Documentation evidencing those activities undertaken by the Vendor should be attached to this form. **If any of the items below were not completed, attach a detailed written explanation why such effort was not completed.** If any other efforts were made to obtain DBE participation in addition to the items listed below, attach a detailed written explanation of those efforts. The amount of effort that a Vendor must undertake to meet the DBE contract goal varies from contract to contract but includes a number of distinct activities geared to actually finding DBE subcontractors. Examples of the types of documentation that may be attached to support good faith efforts are listed below. These are examples only and are not intended to be the only type of documentation that Vendors can use. The Vendor should use its own judgment when determining which documentation in its possession best evidences the good faith efforts it has made.

_____ Identified portions of the project work which could be performed by available DBEs, including, where appropriate, breaking out contract work items into economically feasible units to facilitate DBE participation.

Ex: A clear summary of the work the Vendor intends to perform with its own employees and a clear summary of the work the Vendor identified as available for subcontracting.

_____ Solicited through reasonable and available means (e.g., written notices, advertisements) DBEs to perform the types of work that could be subcontracted on this project, within sufficient time to allow them to respond. (The IL UCP Directory is available at <http://www.idot.illinois.gov/doing-business/certifications/disadvantaged-business-enterprise-certification/index.>)

Ex: Copies of all advertisements, notices and solicitation letters placed in newspapers, trade magazines or small business media, posted in any public place or sent directly to DBE firms.

_____ Provided timely and adequate information about the plans, specifications and requirements of the project. Followed up initial solicitations to answer questions and encourage DBEs to submit proposals or bids.

Ex: Completion of the attached Good Faith Efforts Contacts Log including information on dates of initial contact and all follow-up contacts w/DBE's. If contact was written, copies of solicitation letter and any other written information could be attached.

_____ Negotiated in good faith with interested DBEs that submitted proposals or bids and thoroughly investigated their capabilities.

Ex: Explain thoroughly why you were not able to reach agreement with each DBE listed on the Good Faith Efforts Contacts Log and attach copy of bids if any, submitted by those DBE's.

_____ Made efforts to assist interested DBEs in obtaining bonding, lines of credit, or insurance as may be required for performance of the contract (if applicable).

Ex: A brief written description of the assistance provided to DBEs.

_____ Utilized resources available to identify available DBEs, including but not limited to DBE assistance groups; local, state and federal minority or women business assistance offices; and other organizations that provide assistance in the recruitment and placement of DBEs.

Ex: Copies of letters, facsimiles and email messages sent to organizations, and responses received, and name and phone number of person(s) contacted.

SECTION III B
Good Faith Efforts Contacts Log for Soliciting
DBE Subconsultant, Subcontractor or Supplier Participation

Use this form to document all contacts and responses (telephone, e-mail, fax, etc.) regarding the solicitation of DBE subconsultants, subcontractors and suppliers. Duplicate as needed. (It is not necessary to show contacts with DBEs with which the Vendor reached an agreement to participate on this project, as shown on Section II of this document.)

Name of DBE firm	Date and method of contact	Scope of work solicited	Reason agreement was not reached

SECTION IV
DBE Joint Venture Agreement

If Vendor proposes to utilize a joint venture arrangement for this project to meet the DBE contract goal, this form must be submitted with the bid or proposal (or as otherwise specified by the RTA). Failure to do so may render the Vendor's bid/proposal non-responsive and cause it to be rejected, and/or render the Vendor ineligible for contract award, at the RTA's sole discretion. (Attach additional sheets as necessary for additional joint venture partners.)

Attach a copy of the joint venture agreement(s). The agreement(s) must describe each partner's roles and responsibilities and demonstrate that the DBE partner's share in the capital contribution, control, management, risks, costs and profits of the joint venture is equal to its ownership interest.

If there is any change in the information submitted below or to the joint venture agreement after this form is submitted to the RTA, you must immediately inform the RTA.

Name of joint venture: _____

Address: _____

Telephone: _____ Fax: _____ Email: _____

Contact person: _____

Name of non-DBE partner: _____

Address: _____

Telephone: _____ Fax: _____ Email: _____

Contact person: _____

Name of DBE partner: _____

Address: _____

Telephone: _____ Fax: _____ Email: _____

Contact person: _____

SECTION V
Letter(s) of Intent between Vendor and
DBE Subconsultant, Subcontractor or Supplier

A separate Letter of Intent must be provided for each DBE subconsultant, subcontractor or supplier. Failure to provide a Letter of Intent may result in that DBE firm's participation not being counted for purposes of achieving the DBE contract goal. The Letter of Intent must match the description of services or products and the amount stated in Section II, DBE Participation Commitment. (Duplicate this form as needed.)

Project name: _____

Name of Vendor: _____

Address: _____

Street _____ City _____ State _____ Zip Code _____

Telephone: (____) _____ Fax: (____) _____ Email: _____

Name of DBE subconsultant, subcontractor or supplier: _____

Address: _____

Street _____ City _____ State _____ Zip Code _____

Telephone: (____) _____ Fax: (____) _____ Email: _____

Proposed subcontract amount: \$: _____

Specific description of work to be performed by DBE:

The Vendor and the DBE listed above hereby agree that upon the execution of a contract for the above-named project with the RTA, the DBE will perform the scope of work described above for the price indicated above.

Vendor: _____ DBE: _____
 Name of Firm Name of Firm

By: _____ By: _____
 Signature Signature

Print Name and Title

Print Name and Title

SECTION VI
Request for Change of Compliance Plan or Substitution of
Subconsultants, Subcontractors, Suppliers or Joint Venture Partners

This form should be submitted only if and when the Vendor seeks to change its previously submitted and approved DBE Compliance Plan or to substitute a previously approved subconsultant, subcontractor, supplier or joint venture partner. **Failure to obtain prior written approval from the RTA before making the change may render the Vendor ineligible for contract award, at the RTA's sole discretion, or, if a contract has already been established, will be a material breach of the contract.**

Vendor name: _____

Project Name: _____

Current total contract price: \$ _____

DBE goal established by RTA for the contract: _____%

DBE participation achieved prior to proposed change: _____% \$ _____

DBE participation anticipated after proposed change: _____% \$ _____

Complete the following with this request for change:

- Revised Section II, DBE Participation Commitment form.
- Updated Section III, Good Faith Efforts form (if applicable).
- Section V, Letter(s) of Intent between Vendor and DBE (if applicable).
- Section VII, Attestation and Affidavit

Detailed explanation of reasons for requesting change (attach additional pages and supporting documentation as necessary):

PROPOSED DELETION:

Name of subconsultant, subcontractor or supplier:

Contact Person: _____

Telephone No.: _____

E mail: _____

Amount of subcontract/joint venture: \$ _____ (_____ % of Vendor's contract)

Description of work: _____

PROPOSED ADDITION:

Name of subconsultant, subcontractor or supplier:

Contact Person: _____

Telephone No.: _____

E mail: _____

Amount of subcontract/joint venture: \$ _____ (_____ % of Vendor's contract)

Description of work: _____

Is the firm DBE certified?: _____ yes _____ no

If the firm is DBE certified, please identify which state it is certified in: _____

If yes, area of specialty identified certification: _____

SECTION VII
Attestation and Affidavit

This form must be submitted with your bid/proposal (or as otherwise specified by the RTA). Failure to do so may render the Vendor's bid/proposal non-responsive and cause it to be rejected, and/or render the Vendor ineligible for contract award, at the RTA's sole discretion.

I DO SOLEMNLY DECLARE AND AFFIRM UNDER PENALTY OF PERJURY THAT THE CONTENTS OF THE FOREGOING DOCUMENT ARE TRUE AND CORRECT, THAT I HAVE READ THE DBE COMPLIANCE PLAN INSTRUCTIONS AND THAT I AM AUTHORIZED ON BEHALF OF VENDOR TO MAKE THIS ATTESTATION.

 Name of Vendor

 Name/Title

 Signature

 Date

On this _____ day of _____, 20____,

the above signed officer, _____,
Name of Affiant

personally appeared and, known by me to be the person described in the foregoing Affidavit, acknowledged that (s)he executed the same in the capacity stated therein and for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and seal.

 Notary Public Signature

Commission Expires: _____

Seal

ATTACHMENT D
RTA'S INTERNAL PROCUREMENT CHECKLIST
[ATTACHED]

ATTACHED E
ASSIST AGENCIES

51st Street Business Association

220 E. 51st Street
Chicago, IL 60615
Contact: Sandra Bivens, Executive Director
Phone: 773-285-3401
Email: the51ststreetbusinessassociation@yahoo.com Web: www.51stStreetChicago.com

African American Contractors Association (AACA)

P.O. Box #19670
Chicago, IL 60619
Contact: Omar Shareef, Founder & President
Phone: 312-915-5960
Email: aacanatlassoc@gmail.com
Web: www.aacanatl.org

Association of Asian Construction Enterprises

5677 W. Howard
Niles, IL 60714
Contact: Perry Nakachi
Phone: 847-673-7377
Email: nakmancorp@aol.com

Austin African American Business Networking Assoc. 5820 W.

Chicago Ave.,
Chicago, IL 60651
Contact: Malcolm Crawford, Executive Director
Phone: 773-626-4497
Email: aaabna@yahoo.com
Web: www.aaabna.org

Black Contractors Owners and Executives

7811 S. Stony Island Ave.
Chicago, IL 60649
Contact: Kendra Dinkins, President
Phone: 773-346-5658
Email: admin@bcoeChicago.org
Web: www.bcoeChicago.org

Black Contractors United

12000 S. Marshfield Ave.
Calumet Park, IL 60827
Contact: Carole Williams, Office Manager
Phone: 708-389-5730
Email: bcunewera@att.net
Web: www.blackcontractorsunited.com

Business Leadership Council

230 W. Monroe Street, Ste. 2650
Chicago, IL 60606
Contact: Frank Clark, Chairman & President
Phone: 312-628-7844
Email: Karen.r@businessleadershipcouncil.org
Web: www.businessleadershipcouncil.org

Center for Community Development Initiatives

8016 S. Halsted Street
Chicago, IL 60620
Contact: Lori A. Hicks, Executive Director
Phone: 872-205-5821
Email: anibal.vega@ccdiiil.org
Web: www.ccdiiil.org

Chatham Business Association Small Business Dev.

800 E. 78th Street
Chicago, IL 60619
Contact: Melinda Kelly, Chairman & President
Phone: 773-994-5006
Email: melindakelly@cbaworks.org
Web: www.cbaworks.org

Chicago Minority Supplier Development Council Inc. 105 W.

Adams, Suite 2300
Chicago, IL 60603-6233
Phone: 312-755-2550
Contact: Phillip Barreda, Executive Vice President
Email: pbarreda@chicagomsdc.org
Web: www.chicagomsdc.org

Chicago Chinatown Chamber of Commerce

2169B. S. China Place
Chicago, IL 60616
Contact: Emma Yu
Phone: 312-326-5320
Email: emma@chicagochinatown.org
Web: info@chicagochinatown.org

Chicago Urban League

4510 S. Michigan Ave.
Chicago, IL 60653
Contact: Barbara Lumpkin, Interim Pres. & CEO
Phone: 773-624-8810
Email: sbrinston@thechicagourbanleague.org
Web: www.cul-chicago.org

Chicago Women in Trades (CWIT)

2444 W. 16th Street
Chicago, IL 60608
Contact: Jayne Vellinga, Executive Director
Phone: 312-942-1444
Jayne Vellinga, Executive Director
Email: jvellinga@cwit2.org
Web: www.chicagowomenintrades2.org

Contractor Advisors Business Development Corp.

1507 E. 53rd Street, Suite 906
Chicago, IL 60615
Contact: Suzanne Stantley, CEO
Phone: 312-436-0301
Email: info@contractoradvisors.us
Web: www.contractoradvisors.us

Cosmopolitan Chamber of Commerce

1633 S. Michigan Avenue
Chicago, IL 60616
Contact: Carnice Carey, Executive Director
Phone: 312-971-9594
Email: rmcgowan@cosmochamber.org
Web: www.cosmochamber.org

Do For Self Community Development Co.

7447 S South Shore Drive, Unit 22B
Chicago, IL 60649
Contact: Dennis Muhammad, Exec. Dir. & Founder
Phone: 773-356-7661
Email: dennisdoforself@hotmail.com
Web: www.doforself.org

Far South Community Development Corporation

9923 S. Halsted Street, Suite D
Chicago, IL 60628
Contact: Abraham Lacy, Executive Director
Phone: 773-941-4833
Email: lacy@farsouth.org
Web: www.farsouthcdc.org

Federation of Women Contractors

216 W. Jackson Blvd., #625
Chicago, IL 60606
Contact: Julie Savitt, President
Phone: 312-360-1122
Email: fwcchicago@aol.com
Web: www.fwcchicago.com

Fresh Start Home Community Development Corp.

5168 S. Michigan Avenue, 4N
Chicago, IL 60615
Contact: Vianna W. Little, Chairperson & CEO
Phone: 312-632-0811
Email: Info@FreshStartNow.us
Web: www.FreshStartNow.us

Greater Englewood Community Development Corp.

815 W. 63rd Street
Chicago, IL 60621
Contact: Derrick Warren, Executive Director
Phone: 773-651-2400
Email: jharbin@greaterenglewoodcdc.org
Web: www.greaterenglewoodcdc.org

Greater Far South Halsted Chamber of Commerce

10615 S. Halsted Street
Chicago, IL 60628
Contact: Linda Clarke, President/CEO
Phone: 518-556-1641
Fax: 773-941-4019
Email: halstedchamberevents@gmail.com
Web: www.greaterfarsouthhalstedchamber.org

Greater Southwest Development Corporation

2601 W. 63rd Street
Chicago, IL 60629
Contact: Ghian Foreman, Executive Director
Phone: 773-362-3373
Email: c.james@greatersouthwest.org
Web: www.greatersouthwest.org

Illinois Hispanic Chamber of Commerce

222 Merchandise Mart Plaza, Suite 1212 c/o 1871 Chicago, IL 60654
Contact: Alex Alcantar, Director Procurement
Phone: 312-425-9500
Email: aalcantar@ihccbbusiness.net
Web: www.ihccbbusiness.net

JLM Business Development Center

2622 W. Jackson Boulevard
Chicago, IL 60612
Contact: Dr. Johnny Miller, Executive Director
Phone: 773-826-3295
Email: jlbizcenter@gmail.com
Web: www.jlmcenter.org

LGBT Chamber of Commerce of Illinois

3179 N. Clark St., 2nd Floor
Chicago, IL 60657
Contact: Jerome Holston, Director
Phone: 773-303-0167
Email: jholston@lgbtcc.com
Web: www.lgbtcc.com

Greater Pilsen Economic Development Assoc.

1801 S. Ashland
Chicago, IL 60608
Contact: Natalia Rodriguez, Administrative Coord.
Phone: 312-698-8898
Email: greaterpilsen@gmail.com
Web: www.greaterpilsen.org

Hispanic American Construction Industry Association

650 W. Lake St., Unit 415
Chicago, IL 60661
Contact: Ivan Solis, President
Phone: 312-575-0389
Email: jperez@haciaworks.org
Web: www.haciaworks.org

Illinois State Black Chamber of Commerce

411 Hamilton Blvd., Suite 1404
Peoria, Illinois 61602
Contact: Larry Ivory, President & CEO
Phone: 309-740-4430 / 773-294-8038
Email: LarryIvory@IllinoisBlackChamber.org
Web: www.illinoisblackchamberofcommerce.org

Latin American Chamber of Commerce

3512 W. Fullerton Avenue
Chicago, IL 60647
Contact: D. Lorenzo Padron, Chairman & CEO
Phone: 773-252-5211
Email: d.lorenzopadron@LACCUSA.com
Web: www.LACCUSA.com

National Association of Women Business Owners

500 Davis Street, Ste. 812
Evanston, IL 60201
Contact: Susan Gotham, President
Phone: 773-410-2484
Email: wjaehn@nawbochicago.org
Web: www.nawbochicago.org

National Organization of Minority Engineers (NOME) 33 W.
Monroe, Suite 1540
Chicago, IL 60603
Contact: Michael Sutton, President & Founder
Phone: 312-960-1239
Email: grandevents1@sbcglobal.net
Web: www.nomeonline.org

NDIGO Foundation
329 W. 18th Street, Ste. 613
Chicago, IL 60616
Contact: Hermene Hartman, Founder
Phone: 312-264-6272
Email: hhartman@ndigo.com
Web: www.ndigo.com

Neighborhood Development Services, NFP
5705 S. Honore Street
Chicago, IL 60636
Contact: Willia Allen, Principal
Phone: 773-224-9299
Email: neighborhooddevservices@gmail.com
Web: www.ndsnfp.org

Public Narrative
600 S. Michigan Avenue
Chicago, IL 60605
Contact: Susy Schultz, President
Phone: 312-369-6400
Email: info@publicnarrative.org
Web: www.publicnarrative.org

Rainbow/PUSH Coalition
930 E. 50th Street
Chicago, IL 60615
Contact: John Mitchell, Chief of Staff & Scheduling Dir.
Phone: 773-256-2768
Email: jmitchell@rainbowpush.org
Web: www.rainbowpush.org

RTW Veteran Center
7415 E. End, Suite 120
Chicago, IL 60649
Contact: Arnetha Habeel, Co-founder
Phone: 773-406-1069
Email: rtwvetcenter@yahoo.com
Web: www.rtwvetcenter.org

South Shore Chamber, Inc.
1750 E. 71st Street
Chicago, IL 60649-2000
Contact: Tonya Trice, Executive Director
Phone: 773-955- 9508
Email: ttrice@southshorechamberinc.org
Web: www.southshorechamberinc.org

St. Paul Church of God in Christ Community Development Ministries, Inc. (SPCDM)
4550 S. Wabash Avenue
Chicago, IL. 60653
Contact: Kevin Ford, Executive Director
Phone: 773-538-5120
Email: spcdm@sbcglobal.net
Web: www.stpaulcdm.org

Sustainable Options for Urban Living, Inc. (SOUL)
11603 S. Throop Street
Chicago, IL 60643
Contact: Cynthia Stewart, Executive Director
Phone: 773-250-1770 Ext 702
Email: Cyndi@soul-program.com
Web: www.soul-program.com

The Monroe Foundation
1547 South Wolf Road
Hillside, Illinois 60162
Contact: Otis Chandler Monroe III, CEO
Phone: 773-315-9720
Email: omonroe@themonroefoundation.org
Web: www.themonroefoundation.org

Turn 2 Growth

15475 S. Park
South Holland, IL 60473
Contact: Ramona L. Turner, Executive
Phone: 708-913-4700
Email: info@turn2growth.org
Web: www.turn2growth.org

Urban Broadcast Media, Inc.

4108 S. King Drive
Chicago, IL 60653
Contact: Leon Finney, President
Phone: 312-614-1075
Email: drleonfinney312@gmail.com
Web: www.urbanbroadcastmedia.org

US Minority Contractors Association, Inc.

1250 Grove Ave., Suite 200
Barrington, IL 60010
Contact: Larry S. Bullock, CEO
Phone: 847-708-1597
Email: admin@usminoritycontractors.org
Web: www.USMinorityContractors.org

Women Construction Owners & Executives (WCOE) Chicago

Caucus
308 Circle Avenue
Forest Park, IL 60130
Contact: Mary Kay Minaghan
Phone: 708-366-1250
Email: mkm@mkmservices.com
Web: www.wcoeusa.org

Women's Business Development Center

8 S. Michigan Ave., 4th Floor
Chicago, IL 60603
Contact: Freida Curry, Managing Director
Phone: 312-853-3477
Email: fcurry@wbdc.org
Web: www.wbdc.org

Your Community Consultants Foundation

9301 S. Parnell Ave.
Chicago, IL 60620
Contact: Willia Allen, CEO
Phone: 773-224-9299
Email: allen81354@aol.com

ATTACHMENT F

MONITORING AND ENFORCEMENT MECHANISMS/LEGAL REMEDIES

The following sections contain the standards, policies, practices, and procedures RTA uses to assess whether a contractor is in compliance with regulatory and contract requirements applicable to DOT-assisted projects:

A. Contract Requirements and Remedies

Contract requirements and remedies are provided in this DBE program and by administrative policies, practices and procedures requirements in each contract. All contractors, as a condition of participation in any DOT-assisted contract, shall agree to the terms of this DBE program, and shall incorporate the DBE program and the DBE administrative policies, practices and procedures requirements into their contracts and subcontracts at all tiers.

1. Contracts Provisions - The RTA requires each project supported by DOT-assisted funds to include in its contract terms and conditions set forth in the RTA's contract with the Contractor.

2. Auditing and Inspection - RTA reserves the right to audit the records and of its Contractors and any Subcontractors of any tier for the purpose of verifying the DBE participation and/or adherence to the DBE Program requirements. Contractors and Subcontractors shall permit access to their records at the request of RTA.

B. Regulatory Provisions

The federal government has available several enforcement mechanisms that it may apply to firms participating in the DBE program, including, but not limited to, the following:

1. 49 CFR Part 26 – Participation by Disadvantaged Business Enterprises Department of Transportation Financial Assistance Programs; particularly, Subpart F, Compliance and Enforcement
2. 49 CFR Part 31 – Program Fraud Civil Remedies
3. 49 CFR Part 29 – Government-wide Debarment and Suspension (Non-Procurement) and Government-wide Requirements for Drug-Free Workplace
4. Prosecution pursuant to 18 USC 1001.

C. Findings of Non-Compliance and Administrative Sanctions

Contractors found not to be compliant with any part of the DBE program requirements shall be notified of RTA's finding of Non-Compliance, in writing. The notice shall cite the DBE program requirement under which the contractor is noncompliant, state the date of the findings and the grounds on which the finding was made and state the category of sanctions being imposed. Upon a finding of noncompliance, RTA may choose to impose sanctions including, but not limited to:

1. Suspension of Payment - RTA may suspend payment to the contractor of any monies held by it.
2. Termination of the Contract for Default .
3. Suspension and Debarment (49 CFR Part 29) - Information concerning the existence of a cause for suspension or debarment shall be reported, investigated, and referred, when appropriate, to the proper official for consideration. After consideration, the official will issue the appropriate notice of proposed action.

D. Enforcement Mechanisms

The federal government has available several enforcement mechanisms that it may apply to firms participating in the DBE program, including, but not limited to, the following:

1. Suspension or debarment proceedings pursuant to 49 CFR Part 26,
2. Enforcement action pursuant to 49 CFR Part 31, and
3. Prosecution pursuant to 18 USC 1001.

E. Resolution of Disputes

Disputes between the Contractor and any subcontractors, which cannot be settled by discussions between the parties involved, shall be settled as described herein. Contractor shall notify the RTA of such dispute within ten 10 days of failure to resolve through a written notice. The Contractor and Subcontractors shall include the dispute resolution provision in their contract. Both parties shall agree to proceed through informal meetings, mediation, or arbitration, or any combination thereof. Dispute submittals shall include terms and timeframes and the service or assistance to be employed.

ATTACHMENT G

DBE DIRECTORY

A list of certified DBEs can be found under the following link:

<https://idot.illinois.gov/doing-business/certifications/disadvantaged-business-enterprise-certification/il-ucp-directory/index>

Attachment H
Regulations 49 CFR Part 26

A link to U.S. DOT Regulations 49 CFR Part 26:

https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr26_main_02.tpl