

# NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION

## Year 2010 DBE PROGRAM under – 49CFR PART 26

### Definitions of Terms

The terms used in this program have the meanings defined in 49 CFR 26.5.

### Objectives /Policy Statement

The Northwestern Indiana Regional Planning Commission has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. The Northwestern Indiana Regional Planning Commission has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, the Northwestern Indiana Regional Planning Commission has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of the Northwestern Indiana Regional Planning Commission 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 nondiscrimination 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 in DOT assisted contracts; and
6. To assist the development of firms that can compete successfully in the market place outside the DBE Program.

Allen Hammond has been delegated as the DBE Liaison Officer. In that capacity Allen Hammond is responsible for implementing all aspects of the DBE program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by the Northwestern Indiana Regional Planning Commission in its financial assistance agreements with the Department of Transportation. Any questions or comments regarding DBE should be addressed to Allen Hammond at 219-763-6060.

The Northwestern Indiana Regional Planning Commission's and their sub-grantees overall goal for FY 2010 is the following: 4% of the Federal financial assistance we will expend in DOT-assisted contracts exclusive of FTA funds to be used for the purchase of transit vehicles.

We estimate that, in meeting our overall goal of 4%, we will obtain 100% from race-neutral DBE participation. We base this on previous years goals met through 100% race neutral means.

The following is a summary of the method we used to calculate this goal:

A two step process for goal setting has been adopted by the Northwestern Indiana Regional Planning Commission to ensure that the program is narrowly tailored to remedy the effects of discrimination. The process is intended to provide the maximum flexibility while insuring that goals are based on the availability of ready, willing and able DBE's in the Northwestern Indiana market.

Step 1: A baseline figure of .86% has been created to represent the availability of ready, willing and able DBE's in the Northwestern Indiana market. The DBE Directory and Census Bureau data was used as a model to determine the baseline figure.


Step 2: An adjustment was made to the baseline figure to reflect past participation. We then determined the historical median of the past three years and averaged it with our baseline figure. There were no anticipated changes in DOT-assisted contracting over the coming year.

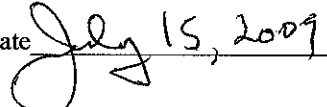
- ❖ The method used to calculate the relative availability to DBE's ("base figure") for "Step 1" of the process is 1.04%. A weighted percentage figure calculated by dividing a number representing available DBE's (61) by a number representing all available firms (5867).
- ❖ The data sources used to derive the numerator and denominator in the calculation was 61 DBE's in our Directory and 5,867 total firms in the following NAICS codes for Lake, Porter and La Porte County found in the Census Bureau's database.
- ❖ While Northwestern Indiana Regional Planning Commission only has no registered DBE, we believe there are disadvantaged firms in the area who are not registered.

**Nondiscrimination**

The Northwestern Indiana Regional Planning Commission will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR Part 26 on the basis of race, color, sex, or national origin.

In administering its DBE program, the Northwestern Indiana Regional Planning Commission 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, sex, or national origin.

  
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Executive Director

Date   
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**Available in alternate formats upon request.**