

**Indianapolis Public Transportation Corporation  
Disadvantaged Business Enterprise  
Policy/Program Update**

Revised February 28, 2025

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# I. Introduction

## A. IPTC's Mission

To connect our community to economic and culture opportunities through safe, reliable, and accessible mobility experiences.

## B. IPTC's Vision

Our vision is advancing mobility as a catalyst for success. We strive to reach these goals through work that aligns with our values.

Accountability  
Respect  
Teamwork

Excellence  
Safety  
Diversity

## C. IPTC's Goals

Align with our customers' perspectives.  
Pursue and maximize partnerships.  
Foster a collaborative, employee centric culture.  
Innovate and leverage best practices.  
Establish and sustain a performance-driven organization.

## D. History

From 1864 to 1953, Indianapolis was home to several streetcar routes. The first bus routes were established in 1953, and trolley buses arrived between 1953 and 1957. Indianapolis then transitioned to an all-bus transit system, and the Indianapolis Public Transportation Corporation (IPTC) was established by the City of Indianapolis in 1975. In 1996, the IPTC became known as IndyGo.

During the 1990s until the early 2000s, IndyGo faced significant service cuts. In 2009, the Indy Connect initiative was launched, and a long-term transportation plan for Indianapolis was developed.

The Marion County Transit Plan (MCTP) was developed in 2014, which paved the way for the proposed grid network, longer service hours, and the addition of three bus rapid transit lines. In 2016, Marion County voters approved the 0.25% income tax needed to implement the MCTP. The first local route improvements and construction of the Red Line, the first bus rapid transit line, began in 2018, and the Red Line opened for service in 2019. Local route improvements continued, including all of IndyGo's routes beginning to operate every day of the week.

Looking ahead, IndyGo plans to construct the Blue Line, and implement a new bus network.

## II. Policy Statement

### A. Objectives/Policy Statement (49 CFR 26.1 and 26.23)

The Indianapolis Public Transportation Corporation (IPTC) has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. IPTC has received Federal financial assistance from the Department of Transportation. As a condition of receiving this assistance, IPTC has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of IPTC 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;
6. To promote the use of DBEs in all types of federally assisted contracts and procurement activities;
7. To assist in the development of firms that can compete successfully in the marketplace outside the DBE Program; and
8. To provide appropriate flexibility to recipients of Federal financial assistance in establishing and providing opportunities for DBEs.

This Policy Statement is a modification to the DBE Program currently on file with the Federal Transit Administration (FTA) announcing that Supplier Diversity Program Manager has been delegated as the DBE Liaison Officer.

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In this capacity, the Supplier Diversity Program Manager is responsible for implementing all aspects of the DBE Program. This implementation has the same priority as compliance with all other legal obligations incurred by IPTC in its financial assistance agreements with the DOT.

IPTC has disseminated this policy statement to the FTA, the IPTC governing board of officials, and all our organization's components. We have also distributed this statement via e-mail, U.S. Mail, and personal delivery to DBE and non-DBE business communities that perform work for us on DOT-assisted contracts.

**B. Objectives (49 CFR 26.1)**

The objectives of the Indianapolis Public Transportation Corporation (IPTC) Disadvantaged Business Enterprise Program (DBE) are:

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;
6. To promote the use of DBEs in all types of federally assisted contracts and procurement activities;
7. To assist in the development of firms that can compete successfully in the marketplace outside the DBE Program; and
8. To provide appropriate flexibility to recipients of Federal financial assistance in establishing and providing opportunities for DBEs.

**C. Applicability (49 CFR 26.3)**

IPTC is the 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, II, and V of the Teas-21, Pub. L. 105-178. Titles I, III, and V of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy of Users (SAFETEA-LU), PL 109-59, 119 Stat. 1144; Divisions A and B of the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21P), PL 112-141, 126 Stat. 405; Titles I, II, III, and VI of the Fixing America's Surface Transportation Act (FAST Act) PL 114-94; and Divisions A and C of the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act (IIJA)(PL 117-58), PL 117-58.

**D. Definitions (49 CFR 26.5)**

The IPTC adopts the definitions contained in 49 CFR 26.5 for its DBE Program.

**E. Non-Discrimination Requirements (49 CFR 26.7)**

IPTC will not 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, IPTC 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.

**F. Record-Keeping Requirements (49 CFR 26.11)**

**1. Reporting to DOT (49 CFR 26.11(a) and (b))**

IPTC will report DBE participation to FTA semi-annually on June 1 and December 1 using the Uniform Report of DBE Awards or Commitments and Payments form.

IPTC will continue to provide data regarding its DBE program as directed by DOT Operating Administrations.

**2. Bidders List (49 CFR 26.11(c))**

IPTC will create and maintain a bidders list with information about all DBE and non-DBE contractors and subcontractors seeking to work on its DOT-assisted contracts.

1. Firm name;
2. Firm address;
3. Firm's status as a DBE or non-DBE;
4. Race and gender information for the firm's majority owner;
5. NAICS code applicable for each scope of work the firm sought to perform in its bid;
6. Age of the firm; and
7. The annual gross receipts of the firm based on brackets, rather than an exact figure.

IPTC will collect this information from all DBE and non-DBEs who bid as prime contractors and subcontractors for each of its federally assisted contracts. IPTC will require all bidders on its federally assisted contracts to provide this information with their bids or initial responses to negotiated procurements.

IPTC will use its bidders list to assist with calculating overall goals and to provide data to the DOT for evaluating the extent to which the objectives of 49 CFR §26.1 are being met.

IPTC will submit its bidder list data in the DOT's designated system annually no later than December 1 following the fiscal year in which the relevant contract was awarded. For design-build contracts, IPTC will submit its bidder list data to the DOT no later than December 1 following the fiscal year in which the design-build contractor awards the relevant subcontracts.

#### **G. Record Retention (49 CFR 26.11(d))**

IPTC will keep the complete application package for each certified firm and all declarations of eligibility, change notices, and on-site visit reports to document a firm's compliance with the requirements of 49 CFR Part 26. The records will be maintained in accordance with IPTC's record retention requirements set forth in its financial assistance agreement. IPTC will maintain all other related records for a minimum of three (3) years unless otherwise provided by applicable record retention requirements for IPTC's financial assistance agreement, whichever is longer.

#### **H. Federal Financial Assistance Agreement (49 CFR 26.13)**

IPTC has signed the following assurances, applicable to all DOT-assisted contracts and their administration.

##### **1. Assurance (49 CFR 26.13(a))**

The recipient 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 recipient 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 recipient's DBE Program as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this agreement. The implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the Department may impose sanctions as provided for under 49 CFR 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.).



## **2. Contract Assurance (49 CFR 26.13(b))**

IPTC will ensure that the following clause is placed in every DOT-assisted contract and each subcontract a prime contractor signs with a subcontractor.

The contractor, sub-recipient, or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate, which may include, but is not limited to, (1) withholding monthly progress payments, (2) assessing sanctions, (3) liquidated damages, and/or (4) disqualifying the contractor from future bidding as non-responsible.

## **III. Administrative Requirements**

### **A. DBE Program Updates (49 CFR 26.21)**

Since IPTC has received more than \$250,000 in FTA planning capital and/or operating assistance in each federal fiscal year, this DBE Program will be continually carried out until IPTC expends all funds from DOT financial assistance. IPTC will ensure this DBE Program is continuously carried out and exercise its due diligence to comply with 49 CFR Part 26. If IPTC makes significant changes to its DBE program, IPTC will submit an updated DBE Program to FTA for approval.

### **B. Policy Statement (49 CFR 26.23)**

IPTC has issued a signed and dated Policy Statement that expresses our commitment to this DBE Program. The policy statement is included as Exhibit B. This Policy Statement will be posted to IPTC's intranet and website to ensure distribution throughout the organization and to DBE and non-DBE business communities that perform work on its DOT-assisted contracts.

### **C. DBE Liaison Officer (DBELO) (49 CFR 26.25)**

IPTC has designated its Supplier Diversity Program Manager as its DBE Liaison Officer (DBELO). The Supplier Diversity Program Manager has direct and independent access to the Chief Executive Officer/CEO. See Exhibit A.

Contact information is listed below:

Indianapolis Public Transportation Corporation  
Supplier Diversity Program Manager  
9503 E. 33<sup>rd</sup> Street  
Indianapolis, IN 46235  
Email: [supplierdiversity@indygo.net](mailto:supplierdiversity@indygo.net)

The DBELO is responsible for implementing all aspects of the DBE program and will collaborate with IPTC staff to ensure that IPTC complies with 49 CFR Part 26. Additionally, the DBELO works with the Supplier Diversity Analyst, who is responsible for supporting the objectives of the DBE Program in collaboration with the DBELO.

**D. DBE Financial Institutions (49 CFR 26.27)**

IPTC has thoroughly investigated its service area for financial institutions owned and controlled by socially and economically disadvantaged individuals. The investigation revealed that there are no such institutions within the Indianapolis metropolitan area. IPTC will continue to monitor new institutions as they enter the area to see if they qualify as being controlled by DBEs. IPTC will also include a paragraph in all procurements encouraging prime contractors, subcontractors, and vendors to utilize the services of financial institutions owned and controlled by DBEs.

**E. Prompt Payment Mechanisms (49 CFR 26.29)**

IPTC will include the following clause in each DOT-assisted prime contract:

The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than 10 days from the receipt of each payment the prime contract receives from IPTC. The prime contractor agrees further to return retainage payments to each subcontractor within 30 days after the subcontractor's 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 IPTC. This clause applies to both DBE and non-DBE subcontracts.

Failure to carry out prompt payment requirements will be considered a breach of contract. IPTC will not reimburse prime contractors for work performed by subcontractors unless and until the prime contractor ensures that the subcontractors have been promptly paid for the work they have performed.

**1. Procedures to Monitor Prompt Payment and Return of Retainage**

IPTC will proactively monitor and oversee all its prime contractors' compliance with the 49 CFR Part 26 subcontractor prompt payment and return of retainage requirements. This includes monitoring to ensure that the prompt payment and retainage requirements of 49 CFR Part 26 are applied to all lower tier subcontractors.

IPTC will monitor compliance using contract compliance software to conduct monthly audits of prompt payments until project competition.

Further, IPTC's Supplier Diversity Department will work collaboratively with Accounts Payable to ensure that prime contractors who fail to carry out the prompt payment requirements are not

reimbursed for work unless and until they come into compliance by promptly paying subcontractors for work performed.

**F. Directory (49 CFR 26.31)**

Indiana Department of Transportation (INDOT) oversees the Uniform Certification Program (UCP) for the State of Indiana and maintains a DBE directory that lists all firms eligible to participate as a DBE. The list includes the firm name, address, phone number, date of most recent certification, and type of work the firm is certified to perform as a DBE. IPTC reviews the DBE directory to identify all firms certified as a DBE business. The Indiana DBE Directory is available from the INDOT website. Additionally, IPTCs contract compliance monitoring software includes a real-time database of certified suppliers, which ensures IPTC has up to date information on certified vendors and helps IPTC engage in informed decision making and maintain its compliance with 49 CFR Part 26.

**G. Overconcentration (49 CFR 26.33)**

IPTC has not identified an overconcentration in any area with regards to DBEs. The DBELO will monitor the DBE directory and NAICS codes to see that an overconcentration does not exist that would put an unfair burden on non-DBE firms. At no time will non-DBE firms be unfairly prevented from competing for contracts and subcontracts.

1. IPTC will ensure that DBEs have access to nontraditional NAICS code contracting areas.
2. IPTC will ensure that non-DBEs are not excluded from contracts and subcontracts in overconcentrated DBE participation NAICS Code areas if they do exist.
3. IPTC will obtain approval from FTA for the determination of overconcentration and written approval for any measures they feel are needed to address the issue.

**H. Business Development Program (49 CFR 26.35)**

IPTC has not established a business development or mentor-protégé program.

**I. Monitoring and Enforcement Mechanisms (49 CFR 26.37)**

IPTC will implement the following monitoring and enforcement mechanisms to ensure compliance with 49 CFR Part 26.

1. IPTC will notify the DOT of any false, fraudulent, or dishonest conduct in connection with the program. IPTC may impose such remedies as are available under law. Such remedies may include withholding payments, liquidated damages, and termination of the contract in whole or part.

2. IPTC will institute and implement a monitoring and enforcement mechanism to verify that work committed to DBEs at contract award is actually performed by DBEs. This mechanism will monitor actual DBE participation through contractor and subcontractor reports of payments.
3. IPTC will also review and verify certification documentation and conduct periodic site visits of construction and capital projects. Monitoring may consist of scheduled or unscheduled site visits.
4. IPTC will keep a running tally of actual payments to that will provide for frequent comparison of payments made to each listed DBE relative to the progress of work, including payments for such work to the prime contractor to determine whether the contractor is on track with meeting its DBE commitment and whether any projected shortfall exists that requires the prime contractor's good faith efforts to address to meet the contract goal pursuant to 49 CFR 26.53(g). IPTC may require prime contractors, subcontractors, and suppliers to provide supporting documentation to verify such payments. Credit toward overall or contract goals will be given upon satisfactory evidence payments were actually made to DBEs.

To assist with all of the above, the following are required from either the prime contractor or subcontractor:

- DBE Participation Form to be completed by prime contractor
- DBE Good Faith Effort Form
- DBE Commitment Letters

#### **J. Fostering Small Business Participation (49 CFR 26.39)**

IPTC recognizes the importance of structuring contracting requests to facilitate competition by small businesses including DBEs. IPTC will not perform unnecessary and unjustified bundling of contract requirements that may preclude small business participation in procurements as prime contractors or subcontractors.

IPTC will continue working in conjunction with the City of Indianapolis' Office of Minority and Women Business Development (OMWBD) and the Indiana Department of Administration's Division of Supplier Diversity (DSD) in the promotion of small businesses, including, but not limited to Minority-owned Business Enterprises (MBE), Women-owned Business Enterprises (WBE), Veteran-owned Business Enterprises (VBE), and Disability-Owned Business Enterprises (DOBE). IPTC will strive to attain the goal amounts as set by the City of Indianapolis, on each non-federally funded solicitation, or show that there were "good faith efforts" made to reach this goal.

- In large contracts, IPTC will require bidders on the prime contract to specify elements of the contract, or specific subcontracts that are of a size the small businesses, including DBEs, can perform. This information shall be noted on the DBE Participation Form.
- IPTC will require bidders to specify elements of the contract or specific subcontracts that are of a size that small businesses, including DBEs, can perform. IPTC will verify that these elements of the contract have been met and bidders who have not identified specific elements or provided justification for not meeting these elements will be considered non-responsive.
- On prime contracts not having a DBE goal, IPTC will, when practicable, encourage the prime contractor to provide subcontracting opportunities of a size that small businesses, including DBEs, can reasonably perform rather than self-performing all the work involved.
- IPTC will work to identify alternative acquisition strategies and structure procurements to facilitate the ability of consortia or joint ventures consisting of small businesses, including DBEs, to compete and perform as the prime.
- Project managers will be required to verify that they have evaluated the project and identified portions of the contract which could be performed by DBEs and other small businesses.
- Businesses registered with IPTC will be made aware of bidding opportunities through IPTC's website. IPTC will also partner with INDOT, the City of Indianapolis Office of Minority and Women Business Development, and the Indiana Department of Administration (IDOA) on outreach events to publicize IPTC opportunities.
- IPTC will seek small business participation on contracts in a race-neutral manner by ensuring that a reasonable number of prime contracts are of a size that small businesses, including DBEs, can perform.

To be eligible to participate in strategies designed and implemented for small businesses, the firm must meet the small business definition as defined by USDOT 49 CFR Part 26.65. IPTC will verify business size by receipt of certification(s). IPTC will recognize small business enterprise certifications performed by certifying entities, such as the United States Small Business Administration. Firms will not be allowed to self-certify. Certified DBEs are presumed eligible to participate as a small business.

## IV. Goals, Good Faith Efforts, and Counting

### A. Goal Setting (49 CFR 26.41)

IPTC will strive to set a realistic goal utilizing the information available from the County Business Pattern and the Indiana Department of Transportation listing of certified DBEs.

**B. Set asides or Quotas (49 CFR 26.43)**

IPTC does not use quotas or set asides in any way in the administration of its DBE program.

**C. Overall Goals (49 CFR 26.45 and 26.47)**

IPTC will submit its overall goal to FTA on or before August 1 of each three-year period. Before establishing the overall goal, IPTC will consult local businesses, general contractor groups, and minority and women owned businesses in the Indianapolis metropolitan area through public meetings and outreach. These meetings may take place during public outreach performed with other City and State entities. As well as a publicized meeting. The purpose is to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs and IPTC's efforts to establish a level playing field for the participation of DBEs before establishing its goals. Meeting announcements for IPTC will be published on the IPTC website, legal ads, and shared with stakeholder agencies.

Following these consultations, IPTC will publish a notice of its proposed overall goals to its website at [www.indygo.net](http://www.indygo.net). IPTC will accept public comments.

When IPTC submits the overall goal to FTA on or before August 1, IPTC will also include a summary of information and comments, if any, received during the public participation process and its responses, if any.

IPTC will begin using its new overall goal on October 1 unless it receives other instructions from FTA. If IPTC establishes a goal on a project basis, IPTC will begin using the goal at the time of the first solicitation for a DOT-assisted contract for the project.

In accordance with 49 CFR 26.47(c), should IPTC fail to attain its overall goal as shown on the Uniform Report of Awards or Commitments and Payments at the end of any fiscal year, IPTC will submit a detailed analysis and action plan to FTA. The analysis will detail the reasons for the difference between the overall goal and the awards and commitments in that fiscal year and establish specific steps and milestones to correct the problems identified in the analysis.

**D. Transit Vehicle Manufacturers Goals (49 CFR 26.49)**

IPTC will require each transit vehicle manufacturer (TVM), as a condition of being authorized to bid or propose on FTA-assisted transit vehicle procurements, to certify that it has complied with the requirements of 40 CFR 26.49. IPTC will verify a firm is TVM included on FTA's list prior to an award. Within 30 days of becoming contractually required to procure a transit vehicle, IPTC will report to the FTA the name of the successful bidder and the Federal share of the contractual commitment.

Alternatively, IPTC may, at its discretion and with FTA approval, establish projected-specific goals for DBE participation in the procurement of transit vehicles from specialized manufacturers when a TVM cannot be identified.

**E. Contract Goals (49 CFR 26.51)**

IPTC will use contract goals to meet any portion of the overall goal IPTC does not project being able to meet using race neutral means.

IPTC will set individual contract goals so that over the period to which the goal applies they will cumulatively result in meeting IPTC overall goal that is not projected to be met through race-neutral means. IPTC will only establish contract goals on DOT assisted contracts that have subcontracting possibilities.

To ensure that IPTC's DBE program continues to be narrowly tailored to overcome the effects of discrimination, contract goals will be adjusted as follows:

1. If the approved projection shows that 100% of our goal can be reached in a race-neutral manner, then IPTC will implement the program for that year without setting contract goals.
2. If, during the course of the year when using contract goals, IPTC sees that it will exceed the overall goal, then IPTC will either reduce or eliminate the use of contract goals to the extent necessary to ensure that the original goal is not exceeded. IPTC will make the necessary adjustments in the use of race-neutral and race-conscious methods to meet their overall goal.
3. If DBE participation achieved by race-neutral means alone meets or exceeds the overall goal for two consecutive years, IPTC will not make a projection of how much to meet through race-conscious standards, but will set no contract goals for the next year and will use only race-neutral means to meet the goal. This will continue until the first year the goal is not met by race-neutral means, then IPTC will revert back to a race-conscious means of goal attainment.
4. If IPTC obtains DBE participation that exceeds the overall goal in two consecutive years through the use of contract goals, they will reduce the use of contract goals proportionately in the following year.

In any year in which IPTC projects meeting part of the goal through race-neutral means and the remainder through contract goals, data related to DBE achievements in those contracts with and contracts without contract goals will be tracked separately. This information will be reported to FTA on the bi-annual reports as required under 26.11.

## **F. Good Faith Efforts Procedures (49 CFR 26.53)**

### **1. Demonstration of Good Faith Efforts**

When IPTC has established a DBE contract goal, it will only award the contract to a bidder or proposer who has met the established DBE goal or demonstrated a good faith effort to meet the established DBE contract goal.

All bidders/proposers agree by the submission of a bid or proposal for work on a project for which a contract is to be awarded by IPTC, to ensure that they will not discriminate against DBEs in assembling contract bids and that where there is a contract goal, that they will either present a bid that meets the established DBE goal or provide documentation of their good faith efforts made to meet the goal. IPTC considers the failure of a bidder/proposer to make good faith efforts and to adequately document such efforts grounds for disqualifying a bid/proposal as nonresponsive.

IPTC shall also ensure that all information is complete, accurate, and adequately documents the bidder/proposer's good faith efforts before IPTC commits to the performance of the contract by the bidder/proposer.

### **2. Information to be Submitted**

IPTC treats a bidder/proposer's compliance with the good faith efforts requirements as a matter of bid responsiveness. IPTC requires bidders/proposers to identify all DBE participation and good faith efforts during the bidding process. IPTC will not consider an increase in DBE participation that occurs after the bidding process in determining the bidder/proposer's achievement of the goal or its good faith efforts to achieve the goal. The DBELO shall make the initial determination as to whether the bidder/proposer has made sufficient good faith efforts. In making the determination, the DBELO will only consider documentation submitted during the bidding process.

Each solicitation for which a DBE contract goal has been established will require the bidders/proposer to submit the following information:

1. The name and address of the DBE subcontractors who will participate in the contract;
2. A description of the work that each DBE will perform. To count toward meeting a goal, each DBE firm must be certified in a NAICS code applicable to the kind of work the firm would perform on the contract;
3. The dollar amount of the participation of each DBE firm participating;
4. Written and signed documentation of the bidder/proposer's commitment to use a DBE subcontractor whose participation it submits to meet a contract goal; and



5. Written confirmation from each listed DBE firm that it is participating in the contract in the kind and amount of work provided in the bidder/proposer's commitment.
6. If the contract goal is not met, the bidder/proposer must submit evidence of its good faith efforts, which must include copies of each DBE and non-DBE subcontractor quote submitted to the bidder/proposer when a non-DBE subcontractor was selected over a DBE for work on the contract.

For each DBE listed as a regular dealer or distributor, IPTC will make a preliminary counting determination to assess its eligibility for 60 or 40 percent credit, respectively, of the costs of materials and supplies based on its demonstrated capacity and intent to perform as a regular dealer or distributor as defined under 49 CFR 26.55(e)(2)(iv)(A), (B), and (C) and (e)(3) under the contract at issue. IPTC's preliminary determination will be based on the DBE's written response to relevant questions and its affirmation that its subsequent performance of a commercially useful function will be consistent with the preliminary counting of such participation. Where the DBE supplier does not affirm that its participation will meet the specific requirements of either a regular dealer or distributor. IPTC will make appropriate adjustments in counting such participation toward the bidder/proposer's good faith efforts to meet the contract goal. IPTC will require the bidder to verify that the information provided by the DBE supplier is consistent with the counting of such participation toward the contract.

IPTC requires that the information described above be submitted under sealed bid and proposal procedures as a matter of responsiveness.

### **3. Administrative Reconsideration**

Within three (3) business days of being informed by IPTC that it is not responsive because it has not documented sufficient good faith efforts, a bidder/proposer may request administrative reconsideration. Bidder/proposers must make this request in writing to the administrative reconsideration official, the Chief Legal Officer or their designee, at the following address:

Chief Legal Officer  
9503 E. 33<sup>rd</sup> St.  
Indianapolis, IN 46235

The reconsideration official will not have played any role in the original determination that the bidder/proposer did not document sufficient good faith efforts.

The bidder/proposer will have the opportunity to meet in person with the reconsideration official to discuss the issue of whether it met the goal or made adequate good faith efforts to do so. The reconsideration official or their designee will send the bidder/proposer a written decision on reconsideration, explaining the basis for finding that the bidder/proposer did or did not meet the goal or make adequate good faith efforts to do so. The result of the reconsideration process is not administratively appealable to the Department of Transportation.

#### **4. Design Build Contracting**

In a design-build contracting situation where IPC solicits proposals to design and build a project with minimal project details at the time of letting, IPTC may set a goal that bidders/proposers must meet by submitting a DBE Open-Ended DBE Performance Plan (OEPP) with their proposal. The OEPP replaces the requirement to provide the information requested in section 2 of this section.

To be responsive, the OEPP must include the following:

1. An estimated timeframe in which actual DBE subcontracts would be executed.
2. Names and addresses of any known partner firms that may participate in the preconstruction phase.
3. A detailed description of its history of contracting and/or good faith efforts to contract with DBE firms.
4. A description of the bidder/proposer's commitment to maximizing diversity in subcontracting, which should include a subcontracting management plan and implementation strategy.
5. A description of how the bidder/proposer will ensure the proposed subcontracting plan is applied at all tiers.

IPTC and the contractor may agree to make revisions to the OEPP through the life of the project as long as the contractor continues to use good faith efforts to meet the goal.

#### **5. Good Faith Efforts When a DBE is Replaced**

Once a contract has been awarded with contract goals, IPTC will require a prime contractor to make good faith efforts to replace a DBE that is terminated or has otherwise failed to complete its work on a contract with another certified DBE, to the extent needed to meet the contract goal. IPTC will require the prime contractor to notify the DBELO immediately of the DBE's inability or unwillingness to perform and provide reasonable documentation. IPTC will not permit a prime contractor to terminate a DBE subcontractor for convenience or so a substituted DBE or its own forces may perform the work.

Before transmitting to IPTC its request to terminate and/or substitute a DBE subcontractor, the prime contractor must give notice in writing to the DBE subcontractor, with a copy to IPTC, of its intent to request to terminate and/or substitute, and the reason for the request. The prime contractor must give the DBE five (5) days to respond to the prime contractor's notice and advise IPTC and the prime contractor of the reasons, if any, why it objects to the proposed termination of its subcontract and why IPTC should not approve the prime contractor's action. If required in a particular case as a matter of public necessity, IPTC may provide a response period shorter

than five (5) days. In addition to post award terminations, the provisions of this section apply to pre-award deletions of or substitutions for DBE firms put forward by bidder/proposers in negotiated procurements.

IPTC will require the prime contractor to obtain prior written approval of the substitute DBE and to provide copies of the new or amended subcontracts, or documentation of good faith efforts. The prime contractor must submit the required documentation within seven (7) days, which may be extended for an additional seven (7) days, if necessary, at the request of the prime contractor. IPTC shall provide a written determination to the prime contractor stating whether good faith efforts have been demonstrated.

Failure by the prime contractor to carry out these requirements shall be considered a material breach of the contract and may result in termination of the contract or an order stopping all or part of payment or work, or both until satisfactory action has been taken to replace the DBE or show good faith efforts.

Extra payment for escalated costs incurred by the contractor when a substitution of subcontractors becomes necessary to comply with DBE contract requirements will not be approved by IPTC.

IPTC will include in each prime contract the following assurance and shall require each subcontract the prime contractor signs with a subcontractor to include the same.

The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of [49 CFR part 26](#) in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate, which may include, but is not limited to:

- (1) Withholding monthly progress payments;
- (2) Assessing sanctions;
- (3) Liquidated damages; and/or
- (4) Disqualifying the contractor from future bidding as non-responsible.

In determining whether a DBE bidder/proposer has met a contract goal, IPTC will count the work the DBE has committed to perform with its own forces, as well as the work that it has committed to DBE subcontractors and DBE suppliers.

**G. Counting DBE Participation (49 CFR 26.55)**

IPTC will count DBE participation toward overall and contract goals as provided in 49 CFR 26.55.

IPTC will count DBE participation toward the overall and contract goals as provided in 49 CFR 26.55.

1. When a DBE participates on a contract, IPTC will count only the value of the work actually performed by the DBE toward DBE goals.
2. Count the entire amount of that portion of a construction contract (or other contract not covered by paragraph 3 of this section) that is performed by the DBE's own forces. Include the cost of supplies and materials obtained by the DBE for the work of the contract, including supplies purchased or equipment leased by the DBE (except supplies and equipment the DBE subcontractor purchases or leases from the prime contractor or its affiliate).
3. Count the entire amount of fees or commissions charged by a DBE firm for providing a bona fide service, such as professional, technical, consultant, or managerial services, or for providing bonds or insurance specifically required for the performance of a DOT-assisted contract, toward DBE goals, provided you determine the fee to be reasonable and not excessive as compared with fees customarily allowed for similar services.
4. When a DBE subcontracts part of the work of its contract to another firm, the value of the subcontracted work may be counted toward DBE goals only if the DBE's subcontractor is itself a DBE. Work that a DBE subcontracts to a non-DBE firm does not count toward DBE goals.

## **1. Joint Ventures**

When a DBE performs as a participant in a joint venture, count a portion of the total dollar value of the contract equal to the distinct, clearly defined portion of the work of the contract that the DBE performs with its own forces toward DBE goals.

## **2. Commercially Useful Function**

Count expenditures to a DBE contractor toward DBE goals only if the DBE is performing a commercially useful function on that contract.

1. A DBE performs a commercially useful function when it is responsible for execution of the work of the contract and is carrying out its responsibilities by actually performing, managing, and supervising the work involved. To perform a commercially useful function, the DBE must also be responsible, with respect to materials and supplies used on the contract, for negotiation price, determining quality and quantity, ordering the material, and installing (where applicable) and paying for the material itself. To determine whether a DBE is performing a commercially useful function, IPTC will

evaluate the amount of work subcontracted, industry practices, whether the amount the firm is to be paid under the contract is commensurate with the work it is actually performing and the DBE credit claimed for its performance of the work, and other relevant factors.

2. A DBE does not perform a commercially useful function if its role is limited to that of an extra participant in a transaction, contract, or project through which funds are passed to obtain the appearance of DBE participation. IPTC will examine similar transactions, particularly those in which DBEs do not participate to determine whether a DBE is an extra participant.
3. If a DBE does not perform or exercise responsibility for at least 30 percent of the total cost of its contract with its own work force, or the DBE subcontracts a greater portion of work of a contract than would be expected on the basis of normal industry practice for the type of work involved, IPTC will presume that it is not performing a commercially useful function.
4. When a DBE is presumed not to be performing a commercially useful, the DBE may present evidence to dispute this presumption. IPTC may determine that the firm is performing a commercially useful function given the type of work involved and normal industry practices.
5. IPTC's decisions on commercially useful function are subject to review by FTA but are not administratively appealable.

### **3. Trucking Companies**

IPTC will use the following factors in determining whether a DBE trucking company is performing a commercially useful function:

1. The DBE must be responsible for the management and supervision of the entire trucking operation for which it is responsible on a particular contract, and there cannot be a contrived arrangement for the purpose of meeting DBE goals.
2. The DBE must itself own and operate at least one fully licensed, insured, and operational truck used on the contract.
3. The DBE receives credit for the total value of the transportation services it provides on the contract using trucks it owns, insures, and operates using drivers it employs.
4. The DBE may lease trucks from another DBE firm, including an owner-operator who is certified as a DBE. The DBE who leases trucks from another DBE receives credit for the total value of the transportation services the lessee DBE provides on the contract.

5. The DBE may also lease trucks from a non-DBE firm, including from an owner-operator. The DBE that leases trucks equipped with drivers from a non-DBE is entitled to credit for the total value of transportation services provided by non-DBE leased trucks equipped with drivers not to exceed the value of transportation services on the contract provided by DBE-owned trucks or leased trucks with DBE employee drivers. Additional participation by non-DBE owned trucks equipped with drivers receives credit only for the fee or commission it receives as a result of the lease arrangement. Use of this arrangement requires IPTC to receive prior FTA approval.
6. The DBE may lease trucks without drivers from a non-DBE truck leasing company. If the DBE leases trucks from a non-DBE truck leasing company and uses its own employees as drivers, it is entitled to credit for the total value of the hauling services.
7. For purposes of this section, a lease must indicate that the DBE has exclusive use of and control over the truck. This does not preclude the leased truck from working for others during the term of the lease with the consent of the DBE, so long as the lease gives the DBE absolute priority for use of the leased truck. Leased trucks must display the name and identification number of the DBE.

#### **4. Materials or Supplies**

The counting of expenditures with DBEs for materials or supplies toward DBE goals will be as follows:

1. If the materials or supplies are obtained from a DBE manufacturer, IPTC will count 100% of the cost of the materials or supplies toward DBE goals.

A manufacturer is a firm that operates or maintains a factory or establishment that produces, on the premises, the materials, supplies, articles, or equipment required under the contract and of the general character described by the specifications. Manufacturing includes blending or modifying raw materials or assembling components to create the product to meet contract specifications. When a DBE makes minor modifications to the materials, supplies, articles, or equipment, the DBE is not a manufacturer. Minor modifications are additional changes to a manufactured product that are small in scope and add minimal value to the final product.

2. If the materials or supplies are purchased from a DBE regular dealer, IPTC will count 60% of the cost of the materials or supplies, including transportation costs, toward their DBE goals.

A regular dealer is a firm that owns (or leases), operates, or maintains a store, warehouse, or other establishment in which the materials, supplies, articles or equipment of the general character described by the specifications and required under the contract are bought, kept in sufficient quantities, and regularly sold or leased to the public in the usual course of business.

Items kept and regularly sold by the DBE are of the “general character” when they share the same material characteristics and application as the items specified by the contract.

IPTC will develop a system to evaluate whether a DBE is a regular dealer that over a reasonable period of time, keeps sufficient quantities and regularly sells the items in question. The system will be used to identify all DBE suppliers with capacity to be eligible for 60 percent credit, contingent upon the performance of a commercially useful function.

To be a regular dealer, the firm must be an established, regular business that engages, as its principal business and under its own name, in the purchase and sale or lease of the products in question.

A DBE may be a regular dealer in such bulk items as petroleum products, steel, concrete, or concrete products, gravel, stone, or asphalt without owning, operating, or maintaining a place of business as provided above if the person both owns and operates distribution equipment used to deliver the products. Any supplementing of regular dealers’ own distribution equipment must be by a long-term lease agreement and not on an ad hoc or contract-by-contract basis.

Packagers, brokers, manufacturers’ representatives, or other persons who arrange or expedite transactions are not regular dealers within the meaning of this definition.

3. If the materials or supplies are purchased from a DBE distributor who neither maintains sufficient inventory nor uses its own distribution equipment for the products in question, IPTC will count 40 percent of the cost of materials or supplies (including transportation costs). A DBE distributor is an established business that engages in the regular sale or lease of the items specified by the contract. A DBE distributor assumes responsibility for the items it purchases once they leave the point of origin (*e.g.*, a manufacturer's facility), making it liable for any loss or damage not covered by the carrier's insurance. A DBE distributor performs a CUF when it demonstrates ownership of the items in question and assumes all risk for loss or damage during transportation, evidenced by the terms of the purchase order or a bill of lading (BOL) from a third party, indicating Free on Board (FOB) at the point of origin or similar terms that transfer responsibility of the items in question to the DBE distributor. If these conditions are met, DBE distributors may receive 40 percent for drop-shipped items. Terms that transfer liability to the distributor at the delivery destination (*e.g.*, FOB destination), or deliveries made or arranged by the manufacturer or another seller do not satisfy this requirement.
4. With respect to materials or supplies purchased from a DBE that is neither a manufacturer, a regular dealer, nor a distributor, IPTC will count the entire amount of fees or commissions charged for assistance in the procurement of the materials and supplies, or fees or transportation charges for the delivery of materials or supplies required on a job site, toward DBE goals, provided IPTC determines the fees to be reasonable and not excessive as compared with fees customarily allowed for similar

services. IPTC will not count any portion of the cost of the materials and supplies themselves toward the DBE goal.

#### **5. Firms Not Certified at Time of Contract Execution**

If a firm is not certified as a DBE in accordance with the standards of subpart D of 49 CFR Part 26 at the time of the execution of the contract, IPTC will not count the firm's participation toward any DBE goals except as provided in 49 CFR 26.87(j).

#### **6. Firms that Cease to be Certified**

IPTC will not count the dollar value of work performed under a contract with a firm after it has ceased to be a certified DBE.

#### **7. DBE Payment Required**

IPTC will not count the participation of a DBE subcontractor toward a contractor's final compliance with its DBE obligations on a contract until the contractor has paid the DBE the amount being counted.

## **V. Certification Standard**

### **A. Certification Process (49 CFR 26.61 -26.83)**

IPTC will rely on the Indiana Department of Transportation (INDOT) to use the proper certification standards of Subpart D, Part 26 to determine the eligibility of firms to participate as DBEs in DOT-assisted contracts. INDOT is the only agency within the state that certifies DBE firms.

### **B. Unified Certification Programs**

IPTC is a member of a Unified Certification Program (UCP) administered by Indiana Department of Transportation (INDOT). The UCP will meet all the requirements of Section 26.81.

### **C. Certification Appeals**

A firm or complainant may appeal an adverse notice of decision to the US Department of Transportation Office of Civil Rights.

## **VI. Compliance and Enforcement**

### **A. Information, Confidentiality, and Cooperation (49 CFR 26.109)**



IPTC will not release any information that may reasonably be construed as confidential business information to any third party without written consent from the firm that submitted the information.

**B. Monitoring Payments to DBEs**

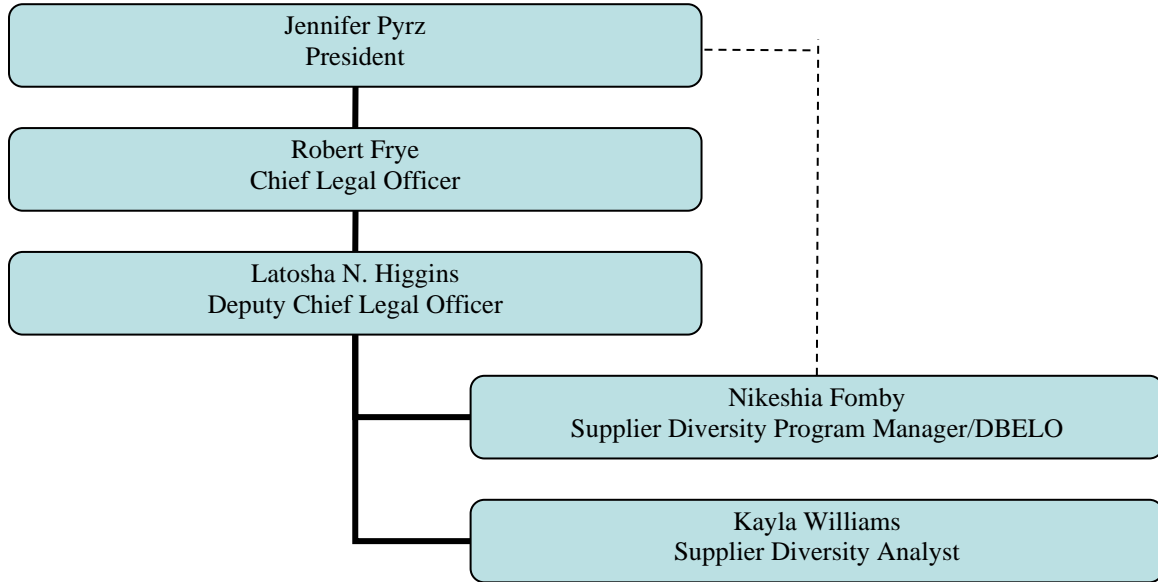
IPTC will require prime contractors to maintain records and documents of payments to DBEs for three years following the performance of the contract. These records will be made available for inspection upon request by any authorized representative of IPTC or FTA. This reporting requirement also extends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

Interim audits will be performed of contract payments to DBEs. The audit will review payments to DBE subcontractors to ensure that the actual amount paid to DBE subcontractors is equal to or exceeds the dollar amounts stated in the schedule of DBE participation.

## VII. List of Exhibits

IPTC Organization Chart  
IPTC Disadvantaged Business Enterprise Program Policy Statement  
Link to DBE Directory  
Monitoring and Enforcement Mechanisms  
Forms for Demonstration of Good Faith Efforts

**A. Exhibit A – IPTC Organization Chart**



**B. Exhibit B - IPTC Disadvantage Business Enterprise Program Policy Statement**

## Disadvantaged Business Enterprise Policy Statement

The Indianapolis Public Transportation Corporation (IPTC) has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. IPTC has received Federal financial assistance from the Department of Transportation. As a condition of receiving this assistance, IPTC has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of IPTC 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;
6. To promote the use of DBEs in all types of federally assisted contracts and procurement activities;
7. To assist in the development of firms that can compete successfully in the marketplace outside the DBE Program; and
8. To provide appropriate flexibility to recipients of Federal financial assistance in establishing and providing opportunities for DBEs.

This Policy Statement is a modification to the DBE Program currently on file with the Federal Transit Administration (FTA) announcing that Supplier Diversity Program Manager has been delegated as the DBE Liaison Officer.

Nikeshia Fomby  
Supplier Diversity Program Manager  
9503 East 33rd Street  
Indianapolis, IN 46235  
(317) 614-9330

[supplierdiversity@indygo.net](mailto:supplierdiversity@indygo.net)

In this capacity, the Supplier Diversity Program Manager is responsible for implementing all aspects of the DBE Program. This implementation has the same priority as compliance with all other legal obligations incurred by IPTC in its financial assistance agreements with the DOT.

IPTC has disseminated this policy statement to the FTA, the IPTC governing board of officials, and all our organization's components. We have also distributed this statement via e-mail, U.S. Mail, and personal delivery to DBE and non-DBE business communities that perform work for us on DOT-assisted contracts.



\_\_\_\_\_  
Jennifer Pyrz, President and CEO

February 28, 2025  
\_\_\_\_\_

Date

**C. Exhibit C – Link to Indiana Department of Transportation DBE Directory**

The most current database of DBE firms serving the state of Indiana can be found at:  
<https://entapps.indot.in.gov/DBELocator/>.

**D. Exhibit D – Monitoring and Enforcement Mechanisms**

IPTC has several remedies available to enforce the DBE requirements contained in its contracts, including:

1. Breach of contract action, pursuant to terms of the contract.
2. Monitoring records of all progress payments to DBEs through monthly reports from prime contracts through IPTC contract compliance monitoring software. Records are verified by obtaining confirmation from DBE subcontractors. IPTC's web-based software system is accessible to all certified firms, contractors, and the public and includes the following features:
  - An enhanced online DBE directory,
  - Communication with contractors via email, regarding compliance issues,
  - Submission of contractors' monthly utilization reports online, and automate tracking of DBE goals, and
  - DBE subcontractor verification of payments.
3. Monitoring the progress of DBE work through onsite reviews and communication with DBEs.
4. Conducting any additional investigation that may be necessary due to lack of proper record keeping; failure of the prime contractor to cooperate; failure of DBEs to cooperate; evidence of unsatisfactory performance; or other evidence as may warrant further investigation.

**E. Exhibit E – Demonstration of Good Faith Efforts**



# DBE PARTICIPATION FORM

## RFP

**IPTC has set the following DBE goal for this Solicitation: \_\_\_\_\_%**

Bidder must check the appropriate box, provide the information requested, sign and submit this form with its Proposal. Failure to complete and submit this form may result in rejection of the Proposal as non-responsive.

Bidder will meet the DBE goal for this contract. Bidder is certified according to requirements of DOT 49C.F.R. Part 26 as a DBE eligible for participation in DOT assisted contracts and will be performing \_\_\_percent (%) of the contract work. Further, Bidder is State of Indiana DOT (INDOT) certified DBE.

Bidder will meet the DBE goal for this contract. If awarded this contract, Bidder will subcontract with the DBE(s) listed below which will be performing \_\_\_ percent (%) of the total dollar amount of contract work. Each DBE listed below is INDOT certified according to requirements of DOT 49 C.F.R. Part 26 for participation in DOT assisted contracts.

DBE Name	DBE Address	Scope of Services	Total Dollar	Percent of Total

Bidder does not meet the DBE goal for this contract. Bidder certifies that it has made good faith efforts in accordance with the Invitation for Bid to meet the DBE goal but, despite those efforts, has been unable to meet the goal. Bidder has completed The Good Faith Efforts Documentation Form attached to this Participation Form.

**Please note:** A Letter of Commitment (LOC) from each DBE listed above shall be submitted with the proposal. The LOC is a signed letter, on the DBE's letterhead, that shall serve as acknowledgment from the DBE of their level of participation in this solicitation. The dollar amount of the commitment, the scope of service or product to be provided and the applicable NAICS code(s) shall be included in the letter.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

# DBE GOOD FAITH EFFORTS DOCUMENTATION FORM

## RFP

DBE GOAL: \_\_\_ %

Bidder must submit this form with its DBE Participation Form as documentation of its good faith efforts to meet the goal pursuant to 49C.F.R. Part 26.53. **Failure to submit this form and supporting documentation with the Bid may render this Proposal non-responsive.**

Good faith efforts include, but are not limited to:

- 1) Soliciting DBEs through all reasonable and available means (e.g. – conducting market research, attendance at pre-bid meetings, advertising and/or written notices) and following up on initial solicitations. The bidder must solicit this interest within sufficient time to allow the DBEs to respond to the solicitation. The bidder must determine with certainty if the DBEs are interested by taking appropriate steps to follow up initial solicitations.
- 2) Selecting portions of work to be performed by DBEs in order to increase the likelihood of DBE goal achievement (e.g. – breaking out contract work items into economically feasible units, even when the performance of work with vendor’s own forces might otherwise be preferred).
- 3) Providing interested DBEs with adequate information about the plans, specifications and requirements of the proposal in a **timely manner** to facilitate their response to the solicitation. Please allow more than five business days for communication.
- 4) Negotiating in good faith with interested DBEs. It is the bidder’s responsibility to make a portion of the work available to DBE subcontractors and suppliers and to select those portions of the work or material needs consistent with the available DBE subcontractors and suppliers, so as to facilitate DBE participation. Bidders must provide evidence as to why agreements could not be reached for DBEs to perform the work.
- 5) Not rejecting DBEs as being unqualified without sound reasons based on a thorough investigation of their capabilities.
- 6) Making efforts to assist DBEs in obtaining bonding, lines of credit or insurance.
- 7) Making efforts to assist interested DBEs in obtaining necessary equipment, supplies, materials or related assistance or services.

The fact that a bidder can self-perform 100% of the work with its own workforce is not sufficient justification to fail to negotiate with DBEs or not to meet the DBE participation goal. Note the fact that there may be some additional costs involved in finding and utilizing DBEs is not in itself sufficient reason for a bidder’s failure to meet the contract DBE goal, as long as such costs are reasonable. Prime contractors are not required to accept higher quotes from DBEs if the price difference is excessive or unreasonable.

**I. A Bidder representative attended the pre-bid meeting:** Yes \_\_\_\_\_ No \_\_\_\_\_

**II. Advertisement Log: (Attach copies of ads):**

Newspaper/Publication	Type of Publication	Date(s) of Advertisement

**III. Selected Portions of the Work to be Performed by DBEs:**

Work Categories	Type of Bid	Bidder's Estimated	Additional Comments

**IV. Made efforts to assist interested DBEs in obtaining bonding, lines of credit, insurance or any necessary equipment, supplies and materials, etc. List any specific offers made by Bidder:**

--

**V. Solicited the following DBEs:**

DBE Firm and Address	Type of Contact	Date of Initial	Goods or Services

**VI. Followed up with initial contacts:**

DBE Firm	Date	DBE Phone#	Bidding? Yes/No	Reason for No-Bid

**VII. Negotiated with DBEs in good faith. If one or more DBEs submitted a bid and an agreement could not be reached, please explain why. If a non-DBE subcontractor was selected over a DBE for work on the contract, copies of each DBE and non-DBE subcontractor quote submitted to the bidder must be submitted to IPTC as documentation of good faith efforts pursuant to 49 CFR 26.53(b)(2)(vi).**

DBE Firm Submitting Bid	Price Quote	Explanation

**BELOW: PLEASE INCLUDE OR ATTACH ANY ADDITIONAL INFORMATION TO SUPPORT YOUR DEMONSTRATION OF GOOD FAITH EFFORTS:**

**IPTC only accepts DBE firms are certified by the Indiana Department of Transportation (INDOT).**  
A current listing of certified firms with contact information is available online. For more

information about DBE firms and certification requirements, please see <http://www.in.gov/indot/2748.htm>.

As a recipient of federal funds, IPTC has the responsibility to make a fair and reasonable judgment as to whether a bidder that did not meet the goal made adequate good faith efforts.

IPTC will consider the quality, quantity and intensity of the different kinds of efforts that the bidder has made, based on federal regulations and guidance.

IPTC will review and compare the performance of other bidders in meeting the contract goal. The good faith efforts employed by the bidder should be those that one could reasonably expect a bidder to take if the bidder were actively and aggressively trying to obtain DBE participation for the proposal.

A verbal or written “promise” to utilize DBEs after contract award is considered non-responsive to the contract solicitation and does not constitute good faith efforts.

If you have further questions, please contact:

***Supplier Diversity Specialist***

**Indianapolis Public Transportation Corporation**

**9503 E. 33rd St.**

**Indianapolis, IN 46235**

**(317)614-9241 Direct**

**[SupplierDiversity@indygo.net](mailto:SupplierDiversity@indygo.net)**