

# DISADVANTAGED BUSINESS ENTERPRISE PROGRAM FAQs



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# DISADVANTAGED BUSINESS ENTERPRISE PROGRAM FAQs



## 1. WHO IS ELIGIBLE TO BE A DBE? (DISADVANTAGED BUSINESS ENTERPRISE)

For-profit, small businesses are eligible to be a DBE if socially and economically disadvantaged individuals own at least a 51% interest and control and manage daily business operations. African American, Hispanic/Latino/a, Native American, Asian-Pacific and Subcontinent Asian Americans, and women are presumed to be socially and economically disadvantaged; other individuals can also qualify as socially and economically disadvantaged on a case-by-case basis.

## 2. HOW DO I BECOME A DBE?

The [Texas Unified Certification Program \(TUCP\)](#) for the Federal Disadvantaged Business Enterprise Programs in Texas. ATP will accept DBE certifications from the TUCP members listed:

[City of Austin](#)

[City of Houston](#)

[Corpus Christi Regional Transportation Authority](#)

[North Central Texas Regional Certification Agency](#)

[South Central Texas Regional Certification Agency](#)

[Texas Department of Transportation](#)

## 3. MY COMPANY IS ALREADY MINORITY/ WOMEN BUSINESS ENTERPRISE (M/WBE) CERTIFICATION(S). IS THAT ENOUGH?

No. If your business does not have a DBE certification and is not found in the database, then you will not be counted for credit towards DBE participation.

## 4. WHAT IF MY BUSINESS HAS AN ACTIVE DBE CERTIFICATION IN ANOTHER STATE, DO I NEED TO BE CERTIFIED IN TEXAS?

Yes. DBE firms certified in other states as their home state are required to follow the Interstate certification expectations as outlined in 49 CFR §26.85(c) of the Code of Federal Regulations. Below are links to the [TUCP DBE Certification Checklist](#) and the [Interstate DBE Checklist & Affidavit](#). You also need to submit a hardcopy of your home-state DBE application.

## 5. ONCE DBE CERTIFIED, AM I GUARANTEED TO WIN CONTRACTS AND SUBCONTRACTS?

No. Certification does not guarantee a contract.

## 6. DOES BEING DBE CERTIFIED HELP MY FIRM GET BUSINESS?

When ATP sets a goal for DBE participation, prime contractors will seek

out qualified DBE firms to serve as potential subcontractors.

Certification is a designation and marketing tool that makes businesses visible as certified DBE. Another benefit is your business will be listed in the TUCP DBE Directory that issued by primes to find certified DBEs to participate on more contracts.

## 7. HOW CAN YOU LOCATE DBEs?

Search the [TUCP directory](#) for certified DBEs in Texas.

## 8. WHAT IS AN DBE ANNUAL GOAL?

ATP is a subrecipient of CapMetro. As a subrecipient, ATP adopts CapMetro's annual DBE goal for USDOT-assisted contracts. The goal is a percentage of the overall dollar amount of federally funded contracts for the year.

The goal is determined by comparing the current number of DBEs and the services they perform to the upcoming contracts at the ATP and the types of work needed for them.

## 9. WHAT IS A CONTRACT-SPECIFIC GOAL?

A contract-specific goal is a goal set on an individual ATP contract or bidding opportunity. The ATP Diversity, Equity, and Inclusion Department reviews all ATP procurements to determine DBE participation goals, if applicable. The department only sets goals on contracts with clear subcontracting opportunities to ensure DBEs have an equal chance to participate in ATP procurements.

## 10. ARE BIDDERS REQUIRED TO MEET THE ESTABLISHED CONTRACT-SPECIFIC GOAL?

No. Bidders must make a Good Faith Effort to meet contract goals by sub-contracting with certified DBEs.

## 11. WHAT IF BIDDERS FAIL TO MEET THE ESTABLISHED GOAL?

As detailed in the federal regulations (49 CFR Part 26.53), any bidder who responds to a solicitation that has an established DBE goal and wishes to be considered for it is required to either meet the contract goal or demonstrate that it has made Good Faith Efforts to meet it. DBE Compliance, the procurement department collaborates to determine whether a bidder has made sufficient good faith efforts to meet the contract goal. They also assess the marketplace to see if there are any ready, willing, and available DBEs that could have provided services on this contract.

## 12. WHAT IS EXPECTED OF CONTRACTORS AFTER A CONTRACT AWARD?

All firms (DBE and non-DBEs) are expected to meet performance standards as established by the contract. This relates to the quality of work done, the submission of reports, DBE compliance requirements, and other information in a timely manner.