

BEFORE THE
FRESNO COUNCIL OF GOVERNMENTS
RESOLUTION NO. 2018-13

In the Matter of:)
Disadvantaged Business)
Enterprise Goals)

RESOLUTION ADOPTING THE
COG DISADVANTAGED
BUSINESS ENTERPRISE GOALS

WHEREAS, the Fresno Council of Governments (Fresno COG) has been designated the Regional Transportation Planning Agency (RTPA) for Fresno County by the Secretary of the Business and Transportation Agency pursuant to Section 29532 of the California Code of Regulations (as amended by AB 402, 1977); and acting as the Metropolitan Planning Agency (MPO) (Federal Highway Act of 1974 and the Urban Mass Transportation Act of 1964, as amended, pursuant to the joint regulations-Code of Federal Regulations, Title 26, Part 450; Title 49, Part 613); and

WHEREAS, Fresno COG is a recipient of Federal financial assistance; and

WHEREAS, Fresno COG, as a condition of grant award, is required to adopt a goal for Disadvantaged Business Enterprise (DBE) participation in Fresno COG awarded contracts where federal financial assistance is provided pursuant to Code of Federal Regulations, Title 49, Part 26, as amended; and

WHEREAS, the Federal Transit Administration requires adoption of a three year DBE goal setting program, to be adjusted on an annual basis to reflect changes in participation rates, and

WHEREAS, Fresno COG acknowledges the National Aspiration Goal of 10% and expects at a minimum, to meet the National Aspiration Goal using Race Neutral Measures, and

WHEREAS, the goal applies to a variety of technical transportation and air quality related studies funded by Federal Highways, and Federal Transit Administration programs itemized in the Fresno COG fiscal year 2018-19 Overall Work Program and Budget. Also included are some Federal Transit Administration 5310 grants passed on to Fresno Area Express for transit infrastructure. The triennial DBE goal takes into consideration the availability of certified DBE's in Fresno COG's local market area and the California Unified Certification Program. It also considers a Disparity Study done by the state Department of Transportation which determined three groups exhibited disparity indices substantially below parity and are presumed to be disadvantaged; Black American, Hispanic American and Native American. Two additional groups displayed disparity indices below parity but did not reach the threshold considered substantial; White Woman-Owned Business and Subcontinent Asian American, and

WHEREAS, Fresno COG anticipates meeting their goal using 100% Race Neutral measures, however Fresno COG reserves the right to use Race Conscious Measures should they be warranted, and

NOW, THEREFORE, BE IT RESOLVED, that Fresno COG adopt the 2018-19 through 2020-21 DBE goal at 16% to be applied in federally assisted contract awards using Race Neutral means. .

THE FOREGOING RESOLUTION was passed and adopted by the Fresno Council of Governments on this the 28th day of June, 2018.

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Signed: _____
Amarpreet Dhaliwal, Chairman

I hereby certify that the foregoing is a true copy of a resolution of the Fresno Council of Governments duly adopted at a regular meeting thereof held on the 28th day of June, 2018.

Signed: _____
Tony Boren, Executive Director