BEFORE THE
FRESNO COUNCIL OF GOVERNMENTS
RESOLUTION NO. 2021-15

In the Matter of:	)	RESOLUTION ADOPTING THE
	)	**COG DISADVANTAGED**
Disadvantaged Business	)	**BUSINESS ENTERPRISE GOALS**
Enterprise Goals	)	

WHEREAS, the Fresno Council of Governments (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, the COG is a recipient of Federal financial assistance; and

WHEREAS, the COG, as a condition of grant award, is required to adopt a goal for disadvantaged enterprise (DBE) participation in 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, 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 2021-22 Overall Work Program and budget. Also included is a Federal Transit Administration 5339 grants passed 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, COG anticipates meeting their goal using 100% Race Neutral measures, however COG reserves the right to use Race Conscious Measures should they be warranted, and

NOW, THEREFORE, BE IT RESOLVED, that the COG adopt the 2021-22 through 2023-24 DBE goal at 7.14% 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 this 27th day of May, 2021.

AYES:

NOES:

ABSTAIN:

ABSENT:

Signed: _____
Chairman

ATTEST:

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 27th day of May, 2021.

Signed: _____
Tony Boren, Executive Director