

**The Delaware Department of Transportation**  
**Disadvantaged Business Enterprise Program**



Creating Opportunities for Your Small  
Business

# What is a Disadvantaged Business Enterprise (DBE)?

- A DBE is a small, for-profit business that is at least 51% owned & controlled by a socially & economically disadvantaged individual(s)

# A Few Facts About the DBE Program

- Federal Program (USDOT) administered by State Agency (DeIDOT)
- Applies to any recipient of USDOT funds (FHWA), (FAA), (FTA)

# A Few Facts About the DBE Program

- Designed to help minority and women business owners compete for transportation-related contracts
- Goal-oriented program

# DBE Program Objectives



- To ensure non-discrimination in USDOT-assisted contracts
- To create a level playing field on which DBEs can compete fairly for USDOT-assisted contracts

# DBE Program Objectives



- To assist in the development of firms so they can successfully compete outside the program

# How are burdens of proof allocated in the certification process?

- The firm seeking certification has the burden of demonstrating to DeIDOT, **by a preponderance of the evidence**, that it meets the requirements of 49 CFR Part 26

# Qualifying as a “DBE” – Business Requirements

Average gross receipts of the applicant firm, including **all** affiliates, cannot exceed \$23.98 million over a three year period

# Qualifying as a “DBE” – Owner Requirements

Qualifying individuals must be **economically** disadvantaged.

Personal net worth of the applicant, excluding their primary residence & interest in the applicant firm cannot exceed \$1.32 million

# Qualifying as a “DBE” – Owner Requirements

Members of the following groups are rebuttably presumed to be **socially** disadvantaged:



- ★ Black Americans
- ★ Hispanic Americans
- ★ Native Americans
- ★ Asian-Pacific Americans
- ★ Subcontinent Asian Americans
- ★ Women
- ★ Any additional groups whose members are designated as socially and economically disadvantaged by the SBA

# Qualifying as a "DBE" – Basic Requirements

- 51% owned by one or more socially and economically disadvantaged individuals
- Ownership must be real, substantial and continuing
- Contributions of capital or expertise to acquire ownership must be real and substantial

# Qualifying as a "DBE" – Basic Requirements

- The firm must be independent.
- No restrictions that limit the customary discretion of the socially and economically disadvantaged owner(s).
- A disadvantaged owner must hold the highest officer position in the company.
- In a corporation, disadvantaged owner(s) must control the board of directors.
- In a partnership, disadvantaged owner(s) must serve as general partners.

# Qualifying as a “DBE” – Basic Requirements

- Qualifying owner(s) must possess the understanding and technical competence directly related to the type of business in which the firm is engaged.
- Non-disadvantaged individuals must not possess the power to control the firm or be disproportionately responsible for the firm's operation.

# Qualifying as a "DBE" – Basic Requirements

- Cannot engage in outside employment
- Disadvantaged owner(s) of a family firm must demonstrate that they, as distinct from the family as a whole, control the firm.

# The Certification Process

- Received application and required documents
- DBE/EO Specialist reviews application for completeness
- On-site Interview
- Eligibility determined, letter issued

# Why Do Applications Get Denied?

- Lack of owner experience, control, or documentation
- Owner employed someplace else
- Business is fraudulent
- Business size exceeds SBA limit
- Denials can be appealed through USDOT

# The Advantages of Being a Certified DBE

- Other Delaware Unified Certification Program Members (The Delaware Transit Corporation, The Delaware River & Bay Authority, And The Sussex County Department of Engineering) use the Directory of DBE Firms.

# The Advantages of Being a Certified DBE

- DBE participation goals provide more opportunity on Federal-Aid Transportation Projects
- Levels the playing field on which DBEs can compete fairly
- Supportive Services

# DBE Supportive Services and Other Benefits

- Inclusion in DBE Directory
- Invitations to Bid from Prime Contractors
- Financial Coaching
- Membership Sponsorship
- Training/Classes
- Networking Opportunities

# I'm a DBE, What Do I Do Now?

- Market your services
- Participate
- Review bid advertisements  
[www.bids.delaware.gov](http://www.bids.delaware.gov)
- Get organized
- Join a committee
- Read correspondence sent by DBE office

# Other Tips

- DBEs must still market themselves
- DBEs compete with other DBEs
- DBEs unwilling or unable to perform can be terminated from projects
- DBEs must perform a Commercially Useful Function (CUF)



# How to Apply

[www.dbe.deldot.gov](http://www.dbe.deldot.gov)

Information



Application

# Don't Qualify as a DBE?...

All DeIDOT purchases, contracts or agreements funded either in whole or in part by Transportation Alternatives Program (TAP) funds, are to be set-aside for competition only between eligible small business concerns.

# Small Business Provision

A race neutral set-aside program applied to an entire source of federal aid.

Transportation Alternatives Program (TAP)



# What are TAP Projects?

Program includes a list of all MAP-21 TAP eligible activities:

- Transportation Alternatives
- Trails and Recreation
- Safe Routes to Schools



# Participation Requirements

- The firm must be a DeIDOT-certified DBE prior to the bid date,

Or,

- The firm (including any of its affiliates) must be an existing small business, as defined by Small Business Administration (SBA) standards.

# Participation Requirements

- No personal net worth limits
- No social disadvantage requirement
- Not required to show control of firm



How do I find out about  
TAP projects?

[www.bids.delaware.gov](http://www.bids.delaware.gov)



# How do I find out about TAP projects?

The screenshot shows the State of Delaware Bid Solicitation Directory website. The browser window title is "State of Delaware Bid Solicitation Directory - Windows Internet Explorer" and the address bar shows "http://bids.delaware.gov/". The website header features the "State of Delaware" logo and a search bar. Below the header, the "Bid Solicitation Directory" section is displayed, including an introduction, a disclaimer, and a table of recent solicitations.

**Bid Solicitation Directory**

The Bid Solicitation Directory is the State's central repository across all three branches of state government that have an open Request for Information (RFI), Request for Quote (RFQ), Invitation to Bid (ITB), and/or a Request for Proposal (RFP). The goal of this directory is to provide a centralized location to find state RFIs, ITBs and RFPs without requiring knowledge of the specific structure of state government.

Please take a moment to register for any area of business you may wish to receive notification on here: <https://de.blackboardconnect.com/>. Please see the [Step by Step Guide](#) on how to register.

For more information about working with the State on bids, please see the [Doing Business with the State Topic Page](#).

Disclaimer:

- Information provided on this website is intended solely to provide general information on matters of interest to the reader of this page, who accepts full responsibility for its use.
- Due diligence has been followed to ensure the links in this service are accurate and complete; however, this service may omit some forms and/or contain outdated links.
- The bids and proposals listed may fall under the terms of [29 Del. C. § 6926, Multiple Source Contracting](#).
- Any amendments made to the initial postings on this page will appear as a separate item under the initial posting's detail page. It is the viewer's responsibility to download and read any applicable updates and amendments.
- Neither the State of Delaware nor any State entities that supply information through this service, nor any of their employees make any warranty or assume any legal liability or responsibility for the timely delivery of information updates through this service.

Please [contact us](#) if you discover any outdated links or have suggestions regarding this service.

[Recently Closed Solicitations](#) | [Solicitations Not Awarded](#) | [Awarded Contracts](#) | [Archived Contracts](#)

Ad Date	Agency (Agency Acronyms)	UNSPSC (UNSPSC Information)	Contract Title/Description	Deadline Date
4/26/2013	DOT	8115	<a href="#">Cultural Resources Services</a>	5/22/2013
4/26/2013	RCCD	4319	<a href="#">Bus Radios and Accessories</a>	5/10/2013
4/25/2013	HSS	7017	<a href="#">Certified Laboratory Support for Safe Drinking Water Act Compliance Monitoring</a>	6/27/2013
4/25/2013	DOC	1116	<a href="#">Terry Cloth Material</a>	6/7/2013
4/24/2013	DOT	7214	<a href="#">Underwater Bridge Inspection Services</a>	5/22/2013
4/24/2013	HSS	8016	<a href="#">Peer/Consumer-Run Program Administration Services</a>	6/7/2013

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**DELAWARE DEPARTMENT OF  
TRANSPORTATION**

**ADVERTISEMENT FOR BIDS**

Sealed proposals for the following contract will be received by the Department of Transportation, State of Delaware, in the Bidders Room (B1.11.01), in the DelDOT Transportation Administration Center, 800 Bay Road, U.S. Route 113 South, Dover, DE until 2:00 P.M., Local Time, August 6, 2013 and thereafter be publicly opened:

Contract No. T200920002.01  
Federal Aid Project No. ETEA-2008(29)  
PAPER MILL ROAD SIDEWALK IMPROVEMENTS  
COMPLETION DATE: 110 Calendar Days  
Cost of Contract Documents: \$27.50  
New Castle County

**DBE GOALS: Must Meet Requirements of DelDOT's Small Business Program**

**PROSPECTIVE BIDDERS NOTE:**

- - No retainage will be withheld on this contract.

The Department has adopted an External Complaint Procedure. The procedure can be viewed on our website at: <http://www.deldot.gov/information/business/>, or you may request a copy by calling (302) 760-2555.

This project incorporates a newer version of the electronic bidding system, Expedite 5.9a.. The installation file and instructions are available at: [http://www.deldot.gov/information/business/bids/const\\_proj\\_bid\\_info.shtml](http://www.deldot.gov/information/business/bids/const_proj_bid_info.shtml).



**Small Business Program:**

Firms that wish to submit a bid for this project must be an existing, for-profit, small business, as defined by SBA standards and 49 CFR Part 26. DelDOT applies the SBA business size standard that correlates to the appropriate type of work that the small business seeks to perform on the contract. In determining business size, firms must count their receipts or employees, including all of those of its domestic and foreign affiliates, regardless of whether the affiliates are organized for profit. See "Small Business Program" Special Provision for further information.

1.00	LS	CLEARING AND GRUBBING
\$18.00	CY	EXCAVATION AND EMBANKMENT
6.00	CY	EXCAVATION AND BACKFILLING FOR PIPE TRENCH

# Resources

NAICS Main Page

<http://www.census.gov/eos/www/naics/>

DBE Program Manual

[http://deldot.gov/information/business/dbe/pdf/DBE\\_Program\\_Plan\\_Jan2014.pdf](http://deldot.gov/information/business/dbe/pdf/DBE_Program_Plan_Jan2014.pdf)

DBE Program Website

[www.dbe.deldot.gov](http://www.dbe.deldot.gov)

49 CFR Part 26

[http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title49/49cfr26\\_main\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title49/49cfr26_main_02.tpl)



# Questions?

**THANK YOU!**

**DeIDOT DBE Program  
(302) 760-2035**

**[www.dbe.deldot.gov](http://www.dbe.deldot.gov)**

**or by email**

**[DOT.delawaredbe@state.de.us](mailto:DOT.delawaredbe@state.de.us)**