Introduction

Jacklyn Montgomery  
Executive Director  
California Association for Coordinated Transportation (CalACT)

Edward Salcedo  
Principal  
GCAP Services, Inc.

Purpose

- Provide overview of DBE Program Requirements
- Review the Caltrans Triennial DBE Overall DBE Goal for FFY 2020 - 2022
- Review and explain Subrecipient Reporting Requirements
Agenda

- DBE Program Requirements
- Completing the DBE Threshold Questionnaire
- When You Must Report
- What You Must Report
- Memorandum of Understanding (MOU) Letter
- Completing the Uniform Report
- Summary

DBE Program Requirements
Caltrans Receives FTA Funds

- Your Agreement with Caltrans refers to:
  - Federal requirements, including DBE Program
- DBE requirements apply to FTA funds for the following:
  - Construction
  - Services
1. Subrecipients required to comply with Caltrans’ Race-Conscious goal requirements
2. Report semi-annual awards and payments
3. Solicitation Requirements

Race Conscious (RC) DBE Program
- All DBEs:
  - Asian Pacific American
  - Black American
  - Native American
  - Non-Minority Women
  - Latino/Hispanic
  - Asian Subcontinent
- Caltrans has a Race Conscious DBE Program to address the underutilization
- Effective Oct. 1, 2019, Caltrans updated its DBE overall goal to 4.6 percent.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Oct. 1, 2019</th>
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</thead>
<tbody>
<tr>
<td>Caltrans’ DBE Program</td>
<td>Race-Neutral and Race-Conscious</td>
</tr>
<tr>
<td>Overall Goal</td>
<td>RN = 0.2%</td>
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<tr>
<td></td>
<td>RC = 4.4%</td>
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<td></td>
<td>Overall Goal = 4.6%</td>
</tr>
<tr>
<td>Contract Goals</td>
<td>Required based on work</td>
</tr>
<tr>
<td>Good Faith Efforts</td>
<td>Required if contract goal not met at bid/proposal time</td>
</tr>
</tbody>
</table>
Caltrans’ Current DBE Program

- Requires subrecipients to set contract goals on FTA-funded projects for DBEs
- Good Faith Efforts (GFE) requirements for DBEs
- Continue commitments to RN measures

Annual DBE Threshold Questionnaire

- Assists Caltrans Division of Rail and Mass Transportation (DRMT) in determining how subrecipients of FTA funding will comply with the Disadvantaged Business Enterprise (DBE) obligations.
  - Will be conducted annually for ALL DRMT subrecipient utilizing FTA funding

Annual DBE Threshold Questionnaire (continued)

- Threshold Requirements to report directly to FTA:
  - FTA 5307 recipients receiving planning, capital, or operating assistance,
  - Awarding prime contracts exceeding in aggregate $250,000 in FTA funds in an FFY
  - Must have DBE program and Triennial goal approved by FTA (49 CFR Part 26)

- If you are not a 5307 recipient, use Caltrans program plan.
Memorandum of Understanding (MOU)

- If you meet the threshold requirements, you will receive a MOU.
  - The subrecipient, _______ is a direct recipient of FTA funds and has submitted a DBE Program Plan through the Transit Award Management System (TrAMS) which has been acknowledged by the FTA with the annotation “Concur.”

Implementation Agreement Applicable to Caltrans Subrecipients

If you do not meet the thresholds, you will need to sign an Implementation Agreement. As a condition of receiving pass-through FTA funds, subrecipients have signed an Implementation Agreement, which requires you to do the following:

- Comply with 49 CFR, Part 26 regarding DBE firms
- Identify a DBE Liaison Officer (DBELO)
- Include federal clauses in subrecipient contracts
  - Prompt Payment
  - Nondiscrimination
- Report DBE awards and payments

When Must You Report?

- For the six-month period between April 1, 2019 – September 30, 2019:
  - Caltrans, as a direct recipient, must submit semi-annual reports on: December 1, 2019
  - Metro subrecipients must submit completed Uniform Report on or around: October 17, 2019
When Must You Report?

- The semi-annual report is due October 17, 2019
  - This is for the period of April 1, 2019 through September 30, 2019
  - Submit the report in an Excel file
  - Submit signed report via PDF
- Submit to your agency’s Caltrans District Representative

Caltrans District Representatives

Northern California

<table>
<thead>
<tr>
<th>NAME</th>
<th>PHONE</th>
<th>NAME</th>
<th>PHONE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michele DeMetras (DTR)</td>
<td>510-654-3085</td>
<td>Vacant</td>
<td>948-942-7981</td>
</tr>
<tr>
<td>Rick Franz (DTR)</td>
<td>559-760-5763</td>
<td>Mark Heckman</td>
<td>530-559-4017</td>
</tr>
<tr>
<td>Steven Martinez</td>
<td>707-263-7445</td>
<td>Scott Lau</td>
<td>760-739-6962</td>
</tr>
<tr>
<td>Lorena Calate (DTR)</td>
<td>805-962-3277</td>
<td>Scott Lau</td>
<td>760-739-6962</td>
</tr>
<tr>
<td>Jennifer Calate (DTR)</td>
<td>805-962-3277</td>
<td>Scott Lau</td>
<td>760-739-6962</td>
</tr>
<tr>
<td>Mike Ricks, Chief</td>
<td>916-654-9207</td>
<td>Uzma Rehman, Sr (DTR)</td>
<td>916-654-8021</td>
</tr>
<tr>
<td>Mike Ricks, Chief</td>
<td>916-654-9207</td>
<td>Uzma Rehman, Sr (DTR)</td>
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Central California

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<tr>
<td>Kelly McEachron, Chief</td>
<td>530-559-5763</td>
<td>Kelly McEachron</td>
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</tr>
<tr>
<td>Laura Lash, Regional Planning</td>
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<tr>
<td>Jennifer Brandt, Chief</td>
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<td>Jennifer Brandt</td>
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<td>Jennifer Brandt, Chief</td>
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Caltrans District Representatives
Southern California

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<tr>
<th>DISTRICT</th>
<th>NAME</th>
<th>PHONE</th>
<th>REGION</th>
<th>HQ STAFF</th>
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<tbody>
<tr>
<td>7</td>
<td>Mine Struhl</td>
<td>-</td>
<td>Regional Planning</td>
<td>Miya Edmonson, Branch Chief</td>
</tr>
<tr>
<td>8</td>
<td>Diane Morales</td>
<td>916-654-7076</td>
<td>Ventura County</td>
<td>Talvin Dennis</td>
</tr>
<tr>
<td>9</td>
<td>Seth Cutter</td>
<td>619-688-2597</td>
<td>Imperial and San Diego County</td>
<td>Ronaldo Hu</td>
</tr>
<tr>
<td>11</td>
<td>Barby Valentine</td>
<td>619-688-6003</td>
<td>San Diego County</td>
<td>C. Edward Philpot, Jr., Chief</td>
</tr>
</tbody>
</table>

Submit Uniform Report of DBE Commitments/Awards and Payments

What does the Uniform Report Require?
- All wholly or partially FTA funded contracting opportunities – including lower tier subcontracts
- DBE Participation on these contracting opportunities
- Awards/commitments and current/final payments

Contact Information:
- c.edward.philpot@dot.ca.gov
- C. Edward Philpot, Jr., Chief
- Transportation Equity Branch
- Office of Regional Planning
- Office - (916) 653-8817
- Cell - (916) 869-1561
What are Contracting Opportunities?

- **Examples of Expenditures Considered Contracting Opportunities:**
  - Printing
  - Maintenance and Janitorial Services
  - Project Design - Engineering
  - Construction Work
  - Research and Studies

What are Contracting Opportunities? (continued)

- **Examples of Expenditures Considered Contracting Opportunities:**
  - Consulting Services
  - Supply & Material Purchases
  - Fuel Purchases
  - Landscaping and Pest Control
  - Equipment Repairs
  - Transportation Services

What are Contracting Opportunities?

- **Examples of Expenditures Not Considered Contracting Opportunities:**
  - Salaries, Benefits, and Payroll Taxes
  - Mileage and Transportation
  - Meals & Lodging
  - Conferences and Seminars
  - Dues and Subscriptions
  - Postage
  - Transit Vehicle Purchases (need TVM certificate per §26.49)
Completing the Uniform Report
Subrecipient Requirements

If you received a MOU that states, "Based on the documentation provided through the Threshold Questionnaire, your agency has been confirmed to be a direct FTA 5307 recipient and accordingly are eligible to report your DBE and Non-DBE contracting activities directly to the FTA." You will be reporting your Caltrans funding DIRECTLY to FTA.
Completing the Uniform Report

Section A: Awards & Commitments

This section includes prime and subcontracts awarded or committed with Federal funds during this reporting period.

- BA = Total Federal funds awarded on prime contracts
- BB = Total number of prime contracts awarded with Federal funds

Awards - Commitments Made During This Reporting Period

---

Submitted to (check only one):

- [   ] FHWA
- [   ] FAA
- [X] FTA—Recipient ID Number

Federal fiscal year in which reporting period falls:

Reporting Period

Name and address of Recipient:

Annual DBE Goal(s):

AWARDS/COMMITMENTS MADE DURING THIS REPORTING PERIOD (total contracts and subcontracts committed during this reporting period)

Total Dollars
Total Number
Total to DBEs
Total to DBEs (dollars)
Total to DBEs (number)
Total to DBEs / Race Conscious
Total to DBEs / Race Neutral
Percentage of total dollars to DBEs

Prime contracts awarded this period
Subcontracts awarded/committed this period

TOTAL

Women
Men
Total

Black American
Hispanic American
Native American
Asian-Pacific American
Subcontinent Asian American
Non-Minority Women

TOTAL

PAYMENTS ON ONGOING CONTRACTS (report activity of ongoing contracts)

Total Number of Contracts
Total Number of Contracts with DBEs
Percent to DBEs

Prime and sub contacts currently in progress

TOTAL PAYMENTS ON CONTRACTS COMPLETED THIS REPORTING PERIOD

Percent to DBE

Race Conscious
Race Neutral
Totals

Submitted By (Print Name):

---

Los Angeles County Metropolitan Transportation Authority

AIP Numbers (FAA Recipients Only); Grant Number (FTA Recipients)
Section A: Awards and Commitments

- 8C = Total Federal funds awarded on prime contracts to DBEs
- 8D = Total number of prime contracts awarded to DBEs with Federal funds

- 8E = N/A
- 8F = N/A
  - ALL DBE Prime Contracts = Race Neutral

- 8G = Total Federal funds awarded on prime contracts to DBEs using Race Neutral measures
- 8H = Total number of prime contracts awarded to DBEs using Race Neutral measures with Federal funds
### Section A: Awards and Commitments

<table>
<thead>
<tr>
<th>Award/Commitment</th>
<th>Description</th>
<th>Value</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>8I = 8C</td>
<td>Total DBE Prime $</td>
<td>100,000</td>
<td>35%</td>
</tr>
<tr>
<td>8A</td>
<td>Total Prime $</td>
<td>15,000</td>
<td></td>
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</table>

### Section A: Awards and Commitments

- **9A**: Total Federal funds awarded on subcontracts
- **9B**: Total number of subcontracts awarded with Federal funds

<table>
<thead>
<tr>
<th>Award/Commitment</th>
<th>Description</th>
<th>Value</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>9A</td>
<td>Total Federal funds awarded on subcontracts</td>
<td>100,000</td>
<td></td>
</tr>
<tr>
<td>9B</td>
<td>Total number of subcontracts awarded with Federal funds</td>
<td>15,000</td>
<td></td>
</tr>
</tbody>
</table>

### Section A: Awards and Commitments

- **9C**: Total Federal funds awarded on subcontracts to DBEs
- **9D**: Total number of subcontracts awarded to DBEs with Federal funds

<table>
<thead>
<tr>
<th>Award/Commitment</th>
<th>Description</th>
<th>Value</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>9C</td>
<td>Total Federal funds awarded on subcontracts to DBEs</td>
<td>20,000</td>
<td></td>
</tr>
<tr>
<td>9D</td>
<td>Total number of subcontracts awarded to DBEs with Federal funds</td>
<td>15,000</td>
<td></td>
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</table>
### Section A: Awards and Commitments

#### Awards/Commitments for the Reporting Period

<table>
<thead>
<tr>
<th>Week</th>
<th>9E: Total Federal funds awarded on subcontracts to DBEs using Race Conscious measures</th>
<th>9F: Total number of subcontracts awarded to DBEs using Race Conscious measures with Federal funds</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>100,000</td>
<td>15</td>
</tr>
<tr>
<td>2</td>
<td>35,000</td>
<td>2</td>
</tr>
<tr>
<td>3</td>
<td>35,000</td>
<td>2</td>
</tr>
<tr>
<td>4</td>
<td>35%</td>
<td>2</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Week</th>
<th>9G: Total Federal funds awarded on subcontracts to DBEs using Race Neutral measures</th>
<th>9H: Total number of subcontracts awarded to DBEs using Race Neutral measures with Federal funds</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>20,000</td>
<td>7</td>
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<tr>
<td>2</td>
<td>15,000</td>
<td>4</td>
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<tr>
<td>3</td>
<td>15,000</td>
<td>4</td>
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<tr>
<td>4</td>
<td>10,000</td>
<td>2</td>
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<tr>
<td>5</td>
<td>5,000</td>
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<table>
<thead>
<tr>
<th>Week</th>
<th>9I = 9C (Total DBE Subcontract $)</th>
<th>9A (Total Subcontract $)</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>100,000</td>
<td>15</td>
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<tr>
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<td>35,000</td>
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<td>3</td>
<td>35,000</td>
<td>2</td>
</tr>
<tr>
<td>4</td>
<td>35%</td>
<td>2</td>
</tr>
</tbody>
</table>

- 9E = Total Federal funds awarded on subcontracts to DBEs using Race Conscious measures
- 9F = Total number of subcontracts awarded to DBEs using Race Conscious measures with Federal funds
- 9G = Total Federal funds awarded on subcontracts to DBEs using Race Neutral measures
- 9H = Total number of subcontracts awarded to DBEs using Race Neutral measures with Federal funds
- 9I = Total DBE Subcontract $ = 9C (Total DBE Subcontract $) + 9A (Total Subcontract $)
Section A: Awards and Commitments

Awards/Commitments this Reporting Period

<p>| | | | | | |</p>
<table>
<thead>
<tr>
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</table>

10C = 8C + 9C
10D = 8D + 9D
10E = 9E
10F = 9F
10G = 8G + 9G
10H = 8H + 9H
10I = 10C + 8A

Completing the Uniform Report

DBE Award -- Commitments Breakdown by Ethnicity & Gender

Section B: Gender and Ethnicity Breakdown

This section includes the gender and ethnicity breakdown of all contracts awarded or committed by Federal funds during this reporting period.
Section B: Gender and Ethnicity Breakdown

This section includes the gender and ethnicity breakdown of all contracts awarded or committed with Federal funds during this reporting period.

- 11A – 16A = Identify All Female DBE Contract Award Amounts by Ethnicity ($)

- 11B – 16B = Identify All Male DBE Contract Award Amounts by Ethnicity ($)
Section B: Gender and Ethnicity Breakdown

- 11C – 16C = Column A (All Female Awards $) + Column B (All Male Awards $)

<table>
<thead>
<tr>
<th></th>
<th>A (All Female Awards $)</th>
<th>B (All Male Awards $)</th>
<th>Total (All Awards $)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black American</td>
<td>10,000</td>
<td>10,000</td>
<td>20,000</td>
</tr>
<tr>
<td>Asian American</td>
<td>2,000</td>
<td>0</td>
<td>2,000</td>
</tr>
<tr>
<td>Native American</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Other Hispanic American</td>
<td>4,000</td>
<td>0</td>
<td>4,000</td>
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<tr>
<td>Non-Hispanic</td>
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<td>10,000</td>
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<tr>
<td>Total</td>
<td>26,000</td>
<td>24,000</td>
<td>50,000</td>
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</table>

Section B: Gender and Ethnicity Breakdown

- 11D – 16D = Identify the number of All Female DBE Contractors by Ethnicity

<table>
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<tr>
<th></th>
<th>A (All Female Awards $)</th>
<th>B (All Male Awards $)</th>
<th>Total (All Awards $)</th>
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<tr>
<td>Black American</td>
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<tr>
<td>Native American</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Other Hispanic American</td>
<td>4,000</td>
<td>0</td>
<td>4,000</td>
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<tr>
<td>Non-Hispanic</td>
<td>10,000</td>
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<td>10,000</td>
</tr>
<tr>
<td>Total</td>
<td>26,000</td>
<td>24,000</td>
<td>50,000</td>
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Section B: Gender and Ethnicity Breakdown

- 11E – 16E = Identify the number of All Male DBE Contractors by Ethnicity

<table>
<thead>
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<th>B (All Male Awards $)</th>
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<tbody>
<tr>
<td>Black American</td>
<td>10,000</td>
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<td>10,000</td>
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<tr>
<td>Asian American</td>
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<td>2,000</td>
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<tr>
<td>Native American</td>
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<td>0</td>
<td>0</td>
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<tr>
<td>Other Hispanic American</td>
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<td>Non-Hispanic</td>
<td>10,000</td>
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<tr>
<td>Total</td>
<td>26,000</td>
<td>24,000</td>
<td>50,000</td>
</tr>
</tbody>
</table>
Section B: Gender and Ethnicity Breakdown

- **11F – 16F**
  - Column D (All Female Contractors) + Column E (All Male Contractors)

### Compare Section A and Section B for Accuracy

10D (Total number of DBE contracts awarded) = 17F (Total Number of DBE contractors by ethnicity)
Section C: Ongoing Payments

This section includes ongoing payments made with Federal funds on contracts during this reporting period.

Reporting DBE Participation

Section C: Ongoing Payments During Reporting Period

- Ongoing contracts = not complete
- All orders not yet received
- All services not yet completed
- All payments not yet made
Section C: Ongoing Payments

18A = Total number of Federally funded prime contracts, DBE and non-DBE, that remain active/ongoing during the reporting period.

18B = Total Federal funds to prime contracts for work currently being performed during the reporting period.
   - Payments are made to prime contractor, who is obligated to promptly pay its subcontractors.

18C = Total number of Federally funded prime and subcontracts, that DBEs are currently performing work on during the reporting period.
### Section C: Ongoing Payments

#### Payments Made This Period

<table>
<thead>
<tr>
<th>#</th>
<th>Full Name of Contractor</th>
<th>DBE Prime/Non-Prime</th>
<th>Total Amount Paid</th>
<th>DBE Prime Amount Paid</th>
<th>DBE Dummy Amount Paid</th>
<th>Total Amount to DBE</th>
<th>Total Amount to DBE Paid</th>
<th>Total Amount to DBE Paid (as of 09/30)</th>
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</thead>
<tbody>
<tr>
<td>30</td>
<td>762,000</td>
<td>10</td>
<td>83,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- **18D = Total dollar amount paid to DBE firms currently performing work on contracts during the reporting period**
- **18D is a subset of 18B**

<table>
<thead>
<tr>
<th>#</th>
<th>Full Name of Contractor</th>
<th>DBE Prime/Non-Prime</th>
<th>Total Amount Paid</th>
<th>DBE Prime Amount Paid</th>
<th>DBE Dummy Amount Paid</th>
<th>Total Amount to DBE</th>
<th>Total Amount to DBE Paid</th>
<th>Total Amount to DBE Paid (as of 09/30)</th>
</tr>
</thead>
<tbody>
<tr>
<td>30</td>
<td>762,000</td>
<td>10</td>
<td>83,000</td>
<td></td>
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</table>

- **18E = Total number of DBE firms paid on active/ongoing contracts during the reporting period**
- **18E is less than or equal to 18C**

#### Compare Cells 18C and 18E

- **18C** = ongoing/active DBE contracts (prime and sub-contracts)
- **18E** = number of DBE contractors currently performing work
Section C: Ongoing Payments

• Percent to DBEs
  = Total Payments to DBEs
  Total Payments to DBEs and non-DBEs

Recipients must establish a mechanism to track the ongoing payment information required in Section C

Completing the Uniform Report
Section D: Completed Contracts

This section includes payments made to prime contracts completed with Federal funding during this reporting period.

Contracts

Section D: Completed Contracts

Contracts Completed

• All orders are received
• All services are completed
• All payments have been made

19A = Total number of contracts completed using Race Conscious measures
Section D: Completed Contracts

- **19B** = Total number of contracts completed using Race Conscious measures

- **19C** = Total dollar value needed to meet the contract goals on the prime contracts completed using Race Conscious measures

**REMEMBER:** Do not fill in cell 19C unless a race conscious contract (i.e., contract with DBE goal) has been completed. If no race conscious contracts completed, leave 19C blank.
Section D: Completed Contracts

- 19D = Total dollar value of completed contracts with DBE participation using Race Conscious measures

- 19E = 19D/19B OR Percent to DBEs = Total Dollar Value of DBE Participation / Total Dollar Value of DBE and non-DBE contracts completed

- 20A = Total number of contracts completed using Race Neutral measures
### Section D: Completed Contracts

<p>| | | | | |</p>
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>20B</td>
<td>20D</td>
<td>20E</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total dollar value of prime contracts completed using Race Neutral measures</td>
<td>Total dollar value of completed contracts with DBE participation using Race Neutral measures</td>
<td>20D/20B OR Percent to DBEs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20B = Total dollar value of prime contracts completed using Race Neutral measures</td>
<td>20D = Total dollar value of completed contracts with DBE participation using Race Neutral measures</td>
<td>20E = 20D/20B OR Percent to DBEs</td>
<td>Total Dollar Value of DBE Participation</td>
<td>Total Value of DBE and non-DBE contracts completed</td>
</tr>
</tbody>
</table>
**Section D: Completed Contracts**

<table>
<thead>
<tr>
<th>21A</th>
<th>19A + 20A</th>
</tr>
</thead>
<tbody>
<tr>
<td>21B</td>
<td>19B + 20B</td>
</tr>
<tr>
<td>21D</td>
<td>19D + 20D</td>
</tr>
<tr>
<td>21E</td>
<td>21D + 21B</td>
</tr>
</tbody>
</table>

**QUESTIONS?**

**Summary**

- Complete your Uniform Reports on time
  - Report due on October 17, 2019
  - Return via email on Excel file
  - Submit signed report via PDF
- For assistance contact Sharon Beasley at Sharon.Beasley@dot.ca.gov
Other DBE Program Items to Consider

- Solicitation Language must include DBE Program flow downs
- Include contract goals when appropriate
- Require monthly DBE subcontract payment reporting

Key Reference Links

- Caltrans Overall DBE Goal and Methodology: https://dot.ca.gov/programs/business-and-economic-opportunity/obeo-reports/proposed-goal-methodology
- CUCP: http://californiaucp.org/

Questions?

Contact Sharon Beasley at Sharon.Beasley@dot.ca.gov

Thank You for Your Time!