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*PLEASE REPLY TO
CONYERS OFFICE*

August 22, 1997

**VIA FACSIMILE
AND U. S. MAIL**

Mr. Frank M. Billue
Regional Civil Rights Officer
Region IV
U.S. Department of Transportation
Federal Transit Administration
Atlanta Federal Center, Suite 17150
61 Forsyth Street, S.W.
Atlanta, Georgia 30303



Re: Disadvantaged Business Enterprise Program
Rockdale County, Georgia

Dear Mr. Billue:

In regard to our telephone conversations subsequent to my correspondence of July 8, 1997, the following supplemental responses are provided.

a. **DBE Policy Statement.** Enclosed please find the Policy Statement of the Rockdale County Board of Commissioners as executed by the Chairman dated March 26, 1996, which coincides with the date the Board of Commissioners adopted Resolution (R-1996-13) entitled "Authorizing Resolution for a Transportation Program with the United States Department of Transportation, and the Georgia Department of Transportation" effective the commencement of the current fiscal year July 1.

b. **Methodology for Establishing DBE Goal.** Rockdale County, through the Department of Finance, has adopted as the process to be undertaken to determine annual, project specific, contract specific and leasing goals the following assessment standards:

- 1) the number, type, and dollar value of contracting and leasing opportunities expected to be financed or made available with UMTA assistance and to be awarded in the period;

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- 2) the number of DBEs available, based on the type of opportunity, to compete for such contracts and leases (known and projected);
- 3) the past results of Rockdale County's efforts to contract or lease with DBEs during the previous fiscal year, (calendar fiscal year) and the reasons for the high or low level of those results; and
- 4) methods used by Rockdale County to increase DBE participation in DOT assisted contracts and leases.

As Rockdale County begins the process of administering its DBE program the foregoing standards will be reviewed and expanded in an effort to maintain and practice a methodology that is in compliance with the applicable regulations.

c. **DBE Goal.** The information provided by your office has been reviewed by the undersigned as well as representatives of the Department of Public Works. Rockdale County has previously engaged DBE qualified firms absent formal participation in DBE program. (For instance the County has a long standing relationship with A & S Paving.) For the current fiscal year the County anticipates involvement in one UMTA funded project, the Sigman Road Park N' Ride. The DBE goal of participation for that project has been established at 18% of a total project estimated currently at approximately one million dollars. Consequently, as participation for this fiscal year, which concludes December 31, has been established contract specific, the calculation format provided is difficult to complete. I have submitted the sample formats provided by your office for review to the Department of Public Works and the Department of Finance.

Please advise of your comments and suggestions concerning the foregoing and every effort will be made to initiate a timely response to you.

Sincerely,



John Andrew Nix

JAN/mbc

Enclosures

cc: The Board of Commissioners
Lawrence K. Kaiser, P.E.
Deb Dobbs

Board of Commissioners

Randolph W. Poynter, Chairman
Ed Sosebee
Norman Wheeler



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DISADVANTAGED BUSINESS ENTERPRISE PROGRAM POLICY STATEMENT

Rockdale County, by and through its Board of Commissioners, by resolution, as a result of the implementation of Section 1003(b) of the Intermodal Surface Transportation Efficiency Act of 1991, which provided that except to the extent that the Secretary of the U.S. Department of Transportation determines otherwise, not less than ten (10%) percent of the amounts authorized to be appropriated under the Act shall be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals.

Rockdale County has developed an affirmative action plan to assure that Disadvantaged Business Enterprise (hereinafter called "DBE"), shall have the maximum practical opportunity to participate in the performance contracts financed in whole or in part with funds derived from the U.S. Department of Transportation for Rockdale County.

Rockdale County in keeping with this commitment has established a DBE goal of eighteen (18%) percent of all Federal Transit Administration (hereinafter referred to as "FTA") funds for fiscal year 1997 available for contracting to be expended with Disadvantaged Business Enterprises.

Rockdale County has authorized the Chairman of the Rockdale County Board of Commissioners to submit a Disadvantaged Business Enterprise Affirmative Action Plan to the FDA. Rockdale County acknowledges that failure to carry out this Plan may result in the termination of FTA funding.

Rockdale County by and through its Board of Commissioners has declared that it shall be the policy of the County to establish, review and maintain specific, measurable and attainable percentage goals for DBE participation in contracts utilizing FTA funds.

This the 26th day of March, 1996.

RANDOLPH W. POYNTER, Chairman
Rockdale County Board of Commissioners