

**COLORADO DEPARTMENT OF TRANSPORTATION
DISADVANTAGED BUSINESS ENTERPRISE
PROGRAM MANUAL**

REVISED NOVEMBER 2016

TABLE OF CONTENTS

CHAPTER ONE: SUBPART A – GENERAL

- Section 1: Objectives
- Section 2: Application
- Section 3: Definitions and Terms
- Section 4: Nondiscrimination
- Section 5: USDOT Guidance and Interpretations
- Section 6: Record Keeping and Reports
- Section 7: Assurance Statements
- Section 8: Exemptions or Waivers

CHAPTER TWO: SUBPART B – ADMINISTRATIVE REQUIREMENTS

- Section 1: CDOT's DBE Program
- Section 2: Policy Statement
- Section 3: DBE Liaison Officer
- Section 4: DBE Financial Institutions
- Section 5: Prompt Payment and Retainage
- Section 6: DBE Directory
- Section 7: Overconcentration
- Section 8: Business Development Program
- Section 9: Monitoring and Enforcement Mechanisms
- Section 10: Race-Neutral Small Business Participation

CHAPTER THREE: SUBPART C – GOALS, GOOD FAITH EFFORTS, AND COUNTING

- Section 1: Role of Statutory 10% Goal
- Section 2: Use of Set-Asides or Quotas
- Section 3: Setting Overall Goals
- Section 4: Failure to Meet Overall Goal
- Section 5: Transit Vehicle Manufacturers
- Section 6: Meeting Annual Overall Goals
- Section 8: Good Faith Efforts Process
- Section 9: Counting DBE Participation Toward Goals

CHAPTER FOUR: SUBPART D – DBE CERTIFICATION APPLICATION AND STANDARDS

- Section 1: Burdens of Proof
- Section 2: Group Membership
- Section 3: Business Size Determinations
- Section 4: Determination of Social and Economic Disadvantage
- Section 5: Determination of Ownership
- Section 6: Determination of Control
- Section 7: Other Rules Affecting Certification

CHAPTER FIVE: SUBPART E – CERTIFICATION PROCEDURES

- Section 1: Unified Certification Program
- Section 2: Procedures in Making Certification Decisions
- Section 3: Interstate Certification
- Section 4: Denials of Initial Requests for Certification
- Section 5: Removing a DBE's Eligibility
- Section 6: Summary Suspension of Certification
- Section 7: Appealing Certification Decisions to the USDOT
- Section 8: Effect of USDOT Certification Appeal Decisions

CHAPTER SIX: SUBPART F – COMPLIANCE AND ENFORCEMENT

- Section 1: Compliance Procedures Which Apply to CDOT
- Section 2: Enforcement Actions under FHWA and FTA
- Section 3: Enforcement Actions in FAA Programs
- Section 4: Enforcement Actions for Participants in the DBE Program
- Section 5: Confidentiality, Cooperation, and Intimidation or Retaliation

SUBPART G – EXHIBITS

- Exhibit A 2018 DBE Program Approval
- Exhibit B Memorandum of Understanding for FTA Direct Recipients
- Exhibit C Policy Directive 604.0
- Exhibit D Organizational Chart
- Exhibit E Direct and Independent Access
- Exhibit F Professional Services DBE/ESB Requirements
- Exhibit G Reporting Requirements and FAQs for Grant Partners
- Exhibit H FHWA ESB Approval
- Exhibit I FTA ESB Approval
- Exhibit J Good Faith Effort Administrative Reconsideration Process
- Exhibit K UCP Program Plan