

# LOCAL GOVERNMENT NEWS

From the Local Government Projects Office



April 2019

## Procedures for submitting DBE/HUB/SBE goal requests for LG projects

The federal Disadvantaged Business Enterprise (DBE) program and the state Historically Underutilized Business (HUB) and the Small Business Enterprise (SBE) programs have been developed to encourage participation by certified companies in the professional services and the construction industry.

On local government (LG) projects with federal funds participating in design and construction, the LG must adopt TxDOT's approved DBE program by execution of the Advance Funding Agreement or by signing a Memorandum of Understanding. On projects with state funds for design and construction, but no federal funds, the LG must comply with HUB/SBE program requirements. In all of these cases, a DBE/HUB/SBE goal will be set for the professional services or construction contract.

LG goal requests should be submitted directly to the single point of contact within the district. Typically, this will be the district's LG contact for that particular phase of the project. The district contact should then submit the formal goal setting request to the Civil Rights (CIV) Division.

### Design Phase Goal

- During district review of the LG's professional services provider selection process, the district is to submit the proposed consultant scope of services to [CIV\\_Reporting@txdot.gov](mailto:CIV_Reporting@txdot.gov) to assign a DBE/HUB goal.
- Upon receipt of the design phase goal from CIV, the district communicates the DBE/HUB goal to the LG along with district approval for the proposed procurement process.
- The district verifies the assigned DBE/HUB goal is included in the professional services Request for Qualifications/Proposal and contract.
- For projects where the LG is performing the design services and not being reimbursed for this work with federal or state funds, the use of TxDOT's DBE program or the state's HUB/SBE programs are not required.

### Construction Phase Goal

- The LG includes the DBE/SBE provisions in the bid document.
- The LG submits the estimate (including bid items and quantities) to the district project personnel along with the submittal of plans and bid documents for final approval prior to advertising.

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- The district submits the estimate to [CIV\\_Reporting@txdot.gov](mailto:CIV_Reporting@txdot.gov) in order for a DBE/SBE goal to be assigned.
- Upon receipt of the construction phase goal from CIV, the district communicates the DBE/SBE goal to the LG along with the plan/bid document review comments.
- The LG includes the CIV-provided project DBE/SBE goal in the bid document.
- The district verifies the DBE/SBE goal is included in the bid documents prior to the approval of the bid documents and the issuance of the State Letter of Authority/Federal Project Authorization and Agreement (as applicable).

## When to Submit

It is recommended districts submit goal requests during the two weeks of the month following the week of TxDOT lettings. As an example, if TxDOT letting is on the 7th and 8th, please submit the LG project goal requests between the 13th and 24th of the same month. Submittals within this window should be fulfilled within two weeks. Submittals outside this window may take up to four weeks to be fulfilled.

## Compliance and Monitoring of DBE Activities

CIV promotes diversity and inclusion opportunities within TxDOT's internal and external programs. In order to help LG and TxDOT district staff, CIV has developed the "Local Government DBE Compliance and Monitoring Guide," which provides guidance for LGs on the federal and state requirements of the DBE program. The guide contains the processes and procedures to be used by the LG to manage and monitor all phases of DBE compliance from project initiation to project close-out to ensure compliance. The guide is available at <http://onlinemanuals.txdot.gov/txdotmanuals/dlg/index.htm>.

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## Deadline quickly approaching for LGPP re-qualification

In 2016, TxDOT began requiring all "qualified persons" to take the Local Government Project Procedures (LGPP) Qualification course at least once every three years. Students who were qualified before June 30, 2016, were given until July 1, 2019, to re-take the class to remain qualified. The Local Government Projects (LGP) section is keeping this new requirement in mind as it considers possible dates and locations for training classes during the remainder of the fiscal year.

The LGPP training course provides an introduction to TxDOT's LGP program. Each local government managing a project in TxDOT's LGP program is required to have at least one qualified individual assigned to the project. Becoming qualified requires the successful completion of the 12-hour LGPP class.

A list of qualified persons who are not TxDOT employees is posted on LGP's training and qualification web page at <https://www.txdot.gov/government/programs/local-government-projects/training.html>. The list includes

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each individual's class completion date. It is up to each individual to monitor when his/her qualification expires.

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