

**GMT**  
**Green Mountain Transit Authority**  
**Burlington, Vermont**

**Disadvantaged Business Enterprise**  
**Program**

**Effective September 1, 1999**

(Revised January 31, 2023 to add contractor oversight requirements and update staff names)

**GREEN MOUNTAIN TRANSIT AUTHORITY  
DISADVANTAGED BUSINESS ENTERPRISE PROGRAM**

**Policy Statement**

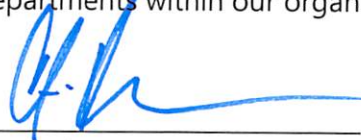
The Green Mountain Transit Authority (GMT) has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. GMT has received Federal financial assistance from the Department of Transportation Federal Transit Administration (FTA) and as a condition of receiving this assistance, GMT has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of GMT to ensure that DBEs, as defined in part 26, have an equal opportunity to receive and participate in DOT-assisted FTA contracts. It is also our policy:

1. To ensure nondiscrimination in the award and administration of DOT assisted FTA contracts;
2. To create a level playing field on which DBEs can compete fairly for DOT assisted FTA contracts;
3. To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
4. To ensure that only certified DBE firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs and small businesses in DOT assisted FTA contracts; and
6. To refer firms that may be eligible for the DBE and/or small business program(s) to the State of Vermont Agency of Transportation for assistance so they have the resources to compete successfully in the market place outside the DBE Program.

The Director of Grants & Project Development has been designated as the DBE Liaison Officer. The Director of Grants & Project Development also acts as the DBE Administrator and implements the DBE program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by GMT in its financial assistance agreements with the Department of Transportation.

GMT has disseminated this policy statement to the GMT Board of Commissioners and all departments within our organization. It is also posted on the GMT website.



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Clayton Clark, General Manager

**GREEN MOUNTAIN TRANSIT  
DISADVANTAGED BUSINESS ENTERPRISE PROGRAM**

**Definitions of Terms**

The terms used in this program have the meanings defined in 49 CFR §26.5.

**Nondiscrimination**

GMT will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR Part 26 on the basis of race, color, sex, or national origin.

In administering its DBE program, GMT will not, directly or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives of the DBE program with respect to individuals of a particular race, color, sex, or national origin.

**DBE Program Updates**

We will continue to carry out this program until all funds from DOT FTA financial assistance have been expended. We will provide to FTA updates representing significant changes in the program.

**Quotas**

We do not use DBE quotas or set-aside contracts to DBE in any way in the administration of this DBE program.

**DBE Liaison Officer (DBELO)**

We have designated the Director of Grants & Project Development as our DBE Liaison Officer:

Mr. Matt Kimball  
Green Mountain Transit Authority  
101 Queen City Park Road  
Burlington, VT 05401,  
Phone: 802-540-2452  
Fax: 802-864-5564  
Email: [mkimball@ridegmt.com](mailto:mkimball@ridegmt.com)

In that capacity, Mr. Kimball is responsible for managing the DBE program and ensuring that GMT complies with all provisions of 49 CFR Part 26. Mr. Kimball has direct, independent access to the General Manager concerning DBE program matters. The Director of Grants & Project Development, Grants Manager, and the Project Coordinator devote a portion of their time to the DBE program.

The DBE Liaison Officer is responsible for developing, implementing and monitoring the DBE program, in coordination with the Capital Projects Manager and the Grants and Procurement Coordinator. Duties and responsibilities include the following:

DBE Liaison Officer:

- Works with GMT departments to establish the overall triennial goal.
- Ensures that all bid notices and requests for proposals are advertised publicly and available to DBE's as well as non-DBE's. Bid notices are published in the newspaper and online.
- Identifies procurements where a DBE goal is reasonable (both race-neutral methods and contract specific goals) and monitors results.
- Participates with Project Coordinator to determine contractor compliance with good faith efforts as well as post award compliance.
- Partners with Vermont Agency of Transportation (VTrans) for outreach to DBEs and community organizations through electronic media to advise them of procurement opportunities. VTrans manages an e-mail list that they utilize to send small businesses and DBEs potential contracting opportunities.
- Prepares and submits the semi-annual reports and other reports as required by FTA.
- Analyzes GMT's progress toward goal attainment and identifies ways to improve progress.

Project Coordinator:

- Refers DBEs and small businesses to VTrans and the Vermont Small Business Development Centers for information on how to prepare bids, obtain bonds, and insurance.
- Reviews third party contracts and purchase requisitions for compliance with the DBE Program. Documents examined include job site monitoring, prompt payment to DBEs, and prompt retainage payment.
- Works with the DBELO to determine contractor compliance with good faith efforts.

### **Federal Financial Assistance Agreement Assurance**

GMT has signed the following assurance, applicable to all DOT-assisted FTA contracts and their administration and includes this language in financial assistance agreements with all sub-recipients.

GMT shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT assisted FTA contract or in the

administration of its DBE Program or the requirements of 49 CFR part 26. The recipient shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of DOT assisted contracts. The recipient's DBE Program, as required by 49 CFR part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to GMT of its failure to carry out its approved program, the Department may impose sanctions as provided for under part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

### **DBE Financial Institutions**

To the extent that there may be DBE financial institutions operating in Vermont, GMT may consider services from DBEs. No such financial institution currently exists in Vermont. The DBE directory will be checked every 3 years for updates.

### **Directory**

The VTrans maintains a DBE Directory identifying all firms eligible to participate as DBEs. GMT relies on this directory to identify firms eligible to participate as DBEs. The directory lists the firm's name, address, phone number, date of most recent certification, and the type of work the firm has been certified to perform as a DBE. The current version of the directory is posted online at <http://vtranscivilrights.vermont.gov/doing-business/dbe-center/directory>.

### **Overconcentration**

GMT has not identified an over concentration of DBEs in any particular field. If an over concentration is identified, GMT will work closely with the Vermont Agency of Transportation to reach out to business development agencies to assist in moving DBEs into additional areas of work.

### **Required Contract Clauses**

#### Contract Assurance

GMT will include the following clause, as written, in every DOT-assisted FTA contract and subcontract. We will request the contractor include this clause in their contract to the subcontractor as well:

The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall

carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT assisted FTA contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in withholding progress payments, assessing sanctions, and/or disqualifying the contractor from future bidding as non-responsible.

### Prompt Payment

We will include the following clause in each DOT-assisted prime FTA contract:

The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than 30 days from the receipt of each payment the prime contractor receives from GMT. The prime contractor agrees further to return retainage payments to each subcontractor within 30 days after the subcontractor's work is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of GMT. This clause applies to both DBE and non-DBE subcontractors. [Prompt Payment Running Tally – Form D]

GMT requires prime contractors to provide evidence of compliance with prompt payment including detailed copies of invoices, subcontractor invoices, and payment vouchers. Failure to comply with the prompt payment provisions may result in withholding monthly progress payments until the matter is resolved. Whenever possible, GMT will provide the contractor with an opportunity to remedy the error or negotiate a fair remedial agreement.

### **Monitoring and Enforcement Mechanisms**

For all contracts and projects with DBE participation, GMT will implement appropriate mechanisms to ensure compliance with 49 CFR Part 26. GMT will apply legal and contract remedies available under Federal, State, and Local law in the enforcement of these mechanisms. An appropriately detailed DBE monitoring and oversight plan capturing the elements outlined in this section shall be prepared for each project and/or contract with DBE participation. To ensure that compliance expectations between GMT and the prime contractor are fully aligned, GMT's monitoring and enforcement mechanisms shall be conveyed in bid solicitation materials in sufficient detail to provide potential Contractors with the understanding necessary to comply with program requirements.

Key elements of GMT's monitoring and enforcement mechanisms of DBE program compliance include, but may not be limited to, the following:

### Determination of Commercially Useful Function (CUF)

The work proposed to be performed by DBE Contractors and Subcontractors must comply with the required elements of a Commercially Useful Function (CUF) as defined by 49 CFR Part 26.55. The general elements of a CUF and the determination responsibilities of GMT, as defined by 49 CFR Part 26.55, include the following:

- 1) The DBE performs a CUF when it is responsible for execution of the work of the contract and is carrying out its responsibilities by actually performing, managing, and supervising the work involved. The DBE must also be responsible, with respect to materials and supplies used on the contract, for negotiating price, determining quality and quantity, ordering the material, and installing (where applicable) and paying for the material itself. GMT will determine compliance by evaluating the amount of work subcontracted, industry practices, whether the amount the firm is to be paid under the contract is commensurate with the work it is actually performing and the DBE credit claimed for its performance of the work, and other relevant factors.
- 2) The DBE does not perform a CUF if its role is limited to that of an extra participant in a transaction, contract, or project through which funds are passed in order to obtain the appearance of DBE participation. GMT will examine similar transactions, particularly those in which DBEs do not participate, to determine whether a DBE is merely an extra participant and does not perform a commercially useful function.
- 3) GMT will evaluate the responsibility that a DBE has over its contract in determining whether the DBE performs a CUF. If a DBE does not perform or exercise responsibility for at least 30 percent of the total cost of its contract with its own work force, or the DBE subcontracts a greater portion of the work of a contract than would be expected on the basis of normal industry practice for the type of work involved, then it is presumed that the DBE is not performing a commercially useful function.
  - a. DBE firms which are presumed to not perform a CUF through the mechanism outlined in part (3) above may present evidence to rebut this presumption. The type of work involved and normal industry practices may warrant a determination of a CUF despite nonconformance with certain elements of this section.

To aid in the determinations above, GMT will require the submission of contracting records between the prime contractor and DBE subcontractors for review by GMT. Additional factors used for determining the CUF of DBE trucking companies are set forth by 49 CFR Part 26.55(d). GMT will comply with the requirements of this 49 CFR Part 26.55(d) when making determinations of the commercially useful functions of DBE trucking companies.

### Oversight of Payments to DBE Subcontractors

GMT will enforce the prompt payment requirements of this program through the requirement of payment records to be submitted with payment requisitions where appropriate. Prime contractors shall be required to submit detailed invoices that include subcontractors' invoices, including DBE subcontractors. Such payment records shall be provided in accordance with the timeframe for prompt payment established in the "Prompt Payment" section of GMT's DBE contract provision. Prior to approval for payment, the project manager will review invoices for the extent to which performance has matched promises.

GMT's project manager shall review payment records to DBE subcontractors in conjunction with the review of project invoices for work performed and tracks these payments against DBE commitments in the original contract to ensure compliance.

Evidence that DBE subcontractors have been paid in full for work performed shall be required by GMT as part of the closeout documentation requirements for all projects and contracts with DBE participation.

As a key element of the management of contracts and projects, GMT's project manager and/or DBELO will keep a running tally of actual DBE attainments and tracking against DBE commitments in the original contract.

### Oversight of DBE Work Performed

GMT's project manager shall, throughout the project duration, monitor for DBE participation based on the DBE commitment at award. Monitoring of DBE participation shall be a key element of general project oversight procedures undertaken by GMT's project manager. The project manager shall document all DBE participation monitoring activities including, but not limited to, the following:

- Including DBE participation as a required element of daily and weekly project site visit reports during construction. Such participation shall include days worked, number of workers on site, and actual work performed.
- Verifies DBE certified payroll reports in conjunction with Davis-Bacon compliance oversight and compares payroll records with daily and weekly site visit reports.
- As a required element of contract closeout documentation, GMT's project manager shall sign a written certification that contracting records have been reviewed and work sites have been monitored to ensure that DBE participation conforms to the work committed at contract award or following any contract modifications which impact DBE commitments.

GMT's project manager shall review the above documentation with the DBELO to ensure that oversight procedures are followed throughout the duration of the project. GMT will



utilize DBE oversight tools such as daily construction report templates and the FHWA Commercially Useful Function (CUF) Compliance Evaluation Form as appropriate to ensure program compliance.

Any requests to terminate a DBE subcontractor during the pre-award or post-award stage of the contract must follow the process outlined in the "*Good Faith Efforts when a DBE is Replaced on a Contract*" section of this document. GMT's project manager and/or DBELO will ensure compliance with this process and will only entertain the termination or substitution of a DBE subcontractor if it is determined that the prime contractor has good cause to terminate the DBE firm. This requirement will be enforced through the inclusion of the DBE subcontractor termination requirements in the bid solicitation as well as a contract provision stating the following:

- 1) The prime contractor shall utilize the specific DBEs listed to perform the work and supply the materials for which each is listed unless the contractor obtains prior written consent from GMT pursuant to 49 CFR Part 26.53(f); and
- 2) That, unless prior consent is provided by GMT under 49 CFR Part 26.53(f), the prime contractor shall not be entitled to any payment for work or material unless it is performed or supplied by the listed DBE.

#### General Program Enforcement Elements

GMT will enforce Section 26.107 remedies as indicated in our Procurement Policy and Procedures Manual.

GMT will bring to the attention of the Department of Transportation any false, fraudulent, or dishonest conduct in connection with the program, so that DOT can take the steps (e.g., referral to the Department of Justice for criminal prosecution, referral to the DOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided in §26.109. We also will consider similar action under our own legal authorities, including responsibility determinations in future contracts.

GMT will require prime contractors to maintain records and documents of payments to DBEs for three years following the performance of the contract. These records must be made available for inspection upon request by any authorized representative of GMT, the Vermont Agency of Transportation or USDOT. This reporting requirement also extends to any certified DBE subcontractor.

#### Reporting to DOT

GMT will report DBE participation to FTA, through semi-annual reports due 6/1 and 12/1. The semi-annual reports will reflect awards, commitments, and payments to DBE's on FTA-assisted contracts. As needed, GMT will prepare the shortfall analysis when the

overall goal is not met in any year. The shortfall analysis is due 12/31 and is available to FTA upon request.

## **Overall Goals**

### Transit Vehicle Manufacturers

GMT will require each transit vehicle manufacturer, as a condition of being authorized to bid or propose on FTA-assisted transit vehicle procurements, to certify that it has obtained approval from FTA to operate its DBE program as a TVM and is in compliance with the requirements of this section.

### Process

GMT will submit its overall goal to FTA on August 1 every 3 years.

The DBE goal uses census data to determine the relative availability of DBEs, weighted by the projected FTA funded contracting opportunities for the 3 year goal period.

GMT must consult with minority, women's and general contractor groups, community organizations, and other officials or organizations which could be expected to have information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and our efforts to establish a level playing field for the participation of DBEs. The consultation must include a scheduled, direct, interactive exchange (e.g., a face-to-face meeting, video conference, teleconference) with as many interested stakeholders as possible focused on obtaining information relevant to the goal setting process.

Following this consultation, GMT will publish a notice of the proposed overall goal informing the public that the proposed goal and its rationale are available for inspection during business hours at GMT, 101 Queen City Park Road, Burlington, Vermont for 30 days following the date of the notice. The notice will inform the public that GMT and DOT will accept comments on the goals for 30 days from the date of the notice. The notice will be published on the GMT website at [www.ridegmt.com](http://www.ridegmt.com) and, if available, in the local daily newspaper, the *Burlington Free Press*. Normally, we will issue this notice by June 1.

Our overall goal submission to FTA will include a summary of information and comments received during the consultation and public participation process.

We will begin using our overall goal on October 1 of each year, unless we have received other instructions from FTA.

### Breakout of Estimated Race-Neutral and Race-Conscious Participation

GMT will meet the maximum feasible portion of its overall goal by using race-neutral (R/N) means of facilitating DBE participation. That portion not obtained by race-neutral means will be obtained by race-conscious efforts (R/C).

GMT has always taken a non-discriminatory approach to contracting and has sought to increase participation by DBE firms through race/gender-neutral means. In recent years, it has employed the following methods to maximize DBE participation in contracting:

- 1) Training all GMT staff who are involved in procurement about the DBE program and about utilizing DBEs.
- 2) Analyzing GMT's progress toward goal attainment and identifying ways to improve progress.
- 3) Encouraging firms to get DBE certified.
- 4) Referring DBEs to significant resources such as VTrans and the Vermont Women's Small Business Program.
- 5) Working with local business organizations to increase awareness of GMT's DBE program such as the VPTA and Vermont small business centers.
- 6) Distributing the State of Vermont updated directory on certified DBEs to potential proposers as part of the RFP/IFB package.

### **Contract Goals** (Race-Conscious Measures)

GMT anticipates being able to meet the overall goal using a combination of race-neutral and race-conscious means. Contract goals will be used when DBE goals cannot be met by R/N means.

We will establish contract goals on those DOT-assisted FTA contracts that have subcontracting possibilities. We need not establish a contract goal on every such contract, and the size of contract goals will be adapted to the circumstances of each such contract (e.g., type and location of work, availability of DBEs to perform the particular type of work).

We will express our contract goals as a percentage of the total amount of a DOT-assisted FTA contract.

### **Good Faith Efforts**

#### Information to be submitted

GMT treats bidders/offerors compliance with good faith effort requirements as a matter of responsiveness.

Each solicitation for which a contract goal has been established will require the bidders/offerors to submit the following information: [Good Faith Effort Form – Form B; DBE Commitment Form – Form C]

- The names and addresses of DBE firms that will participate in the contract;
- A description of the work that each DBE will perform;
- The dollar amount of the participation of each DBE firm participation
- Written and signed documentation of commitment to use a DBE subcontractor whose participation it submits to meet a contract goal;
- Written and signed confirmation from the DBE that it is participating in the contract as provided in the prime contractor's commitment; and
- If the contract goal is not met, evidence of good faith efforts.

#### Demonstration of Good Faith Efforts

The obligation of the bidder/offeror is to make good faith efforts. The bidder/offeror can demonstrate that it has done so either by meeting the contract goal or documenting good faith efforts. Refer to Appendix A of 49 CFR part 26 when determining responsiveness to good faith efforts.

The project manager assigned to the procurement and the DBE Liaison Officer are responsible for determining whether a bidder/offeror who has not met the contract goal has documented sufficient good faith efforts to be regarded as responsive.

GMT will ensure that all information is complete and accurate and adequately documents the bidder/offeror's good faith efforts before we commit to the performance of the contract by the bidder/offeror.

#### Administrative reconsideration

Within five (5) days of being informed by GMT that it is not responsive because it has not documented sufficient good faith efforts, a bidder/offeror may request administrative reconsideration. Bidders/offerors should make this request in writing to the following reconsideration official:

Clayton Clark, General Manager  
Green Mountain Transit  
101 Queen City Park Road  
Burlington, VT 05401  
802-864-2282

The reconsideration official will not have played a role in the original determination that the bidder/offeror did not document sufficient good faith efforts.

As part of this reconsideration, the bidder/offeror will have the opportunity to provide written documentation or argument concerning the issue of whether it met the goal or made adequate good faith efforts to do so. The bidder/offeror will have the opportunity to submit its written argument or GMT may consider meeting in person with our reconsideration official to discuss the issue of whether it met the goal or made adequate good faith efforts to do. We will send the bidder/offeror a written decision on reconsideration, explaining the basis for finding that the bidder did or did not meet the goal or made adequate good faith efforts to do so.

The result of the reconsideration process cannot administratively be appealed to the Department of Transportation.

#### Good Faith Efforts when a DBE is Replaced on a Contract

Before transmitting to GMT its request to terminate and/or substitute a DBE subcontractor, the prime contractor must give notice in writing to the DBE subcontractor, with a copy to GMT, of its intent to terminate and/or substitute, and the reason. The DBE firm has five (5) days to respond to the prime contractor's notice and advise GMT and the contractor of the reasons, if any, why it objects to the proposed termination of its subcontract and why GMT should not approve the prime contractor's action. If it is a matter of public safety, GMT may provide a response period shorter than five (5) days.

A prime contractor must not terminate a DBE subcontractor without GMT's prior written consent. This includes, but is not limited to, instances in which a prime contractor seeks to perform work originally designated for a DBE subcontractor with its own forces or those of an affiliate, a non-DBE firm, or with another DBE firm. The prime contractor is not entitled to payment for work or material, unless it is performed or supplied by the DBE. However, written consent for payment may be given, only if it is agreed, for reasons stated in GMT's concurrence document, if the prime contractor has good reason to terminate the DBE firm.

GMT will require the prime contractor to make the same good faith efforts [Good Faith Effort Form – Form B; DBE Commitment Form – Form C] to replace the DBE that it terminated or has otherwise failed to complete its work on a contract with another certified DBE, to the extent needed to meet the contract goal. GMT will require the prime contractor to notify the Project Manager immediately of the DBE's inability or unwillingness to perform and provide reasonable documentation.

Good cause for terminating and replacing a DBE firm include the following:

- The listed DBE subcontractor fails or refuses to execute a written contract.

- The listed DBE subcontractor fails or refuses to perform the work of its subcontract in a way consistent with normal industry standards. Provided, however, that good cause does not exist if the failure or refusal of the DBE subcontractor to perform its work on the subcontract results from the bad faith or discriminatory action of the prime contractor.
- The listed DBE subcontractor fails or refuses to meet the prime contractor's reasonable, nondiscriminatory bond requirements.
- The listed DBE subcontractor becomes bankrupt, insolvent, or exhibits credit unworthiness.
- The listed DBE subcontractor is ineligible to work on public works projects because of suspension and debarment proceedings pursuant 2 CFR parts 180, 215 and 1,200 or applicable state law.
- GMT determines that the listed DBE subcontractor is not a responsible contractor.
- The listed DBE subcontractor voluntarily withdraws from the project and provides to you written notice of its withdrawal.
- The listed DBE is ineligible to receive DBE credit for the type of work required.
- A DBE owner dies or becomes disabled with the result that the listed DBE contractor is unable to complete its work on the contract.
- Other documented good cause that GMT determines compels the termination of the DBE subcontractor. Provided, that good cause does not exist if the prime contractor seeks to terminate a DBE it relied upon to obtain the contract so that the prime contractor can self-perform the work for which the DBE contractor was engaged or so that the prime contractor can substitute another DBE or non-DBE contractor after contract award.

In this situation, we will require the prime contractor to obtain our prior approval of the substitute DBE and to provide copies of new or amended subcontracts, or documentation of good faith efforts. If the contractor fails or refuses to comply in the time specified, our contracting office will issue an order stopping all or part of payment/work until satisfactory action has been taken. If the contractor still fails to comply, and after consulting with FTA, the contracting officer may issue a termination for default proceeding or initiate any other remedy which is deemed appropriate.

## **Counting DBE Participation**

We will count DBE participation toward overall and contract goals as provided in 49 CFR §26.55.

## **Certification**

GMT does not certify DBEs, but defers to the Vermont Agency of Transportation Office of Civil Rights. VTrans will use the certification standards of Subpart D of part 26 and the certification procedures of Subpart E of part 26 to determine the eligibility of firms to participate as DBEs in DOT-assisted contracts. To be certified as a DBE, a firm must meet all certification eligibility standards. VTrans will make their certification decisions based on the facts as a whole.

## **Small Business Element**

In accordance with 49 CFR Part 26.39 GMT has established a Small Business Element to the Disadvantaged Business Enterprise Program in order to structure contracting opportunities to facilitate participation by small businesses. GMT is committed to creating a level playing field for all businesses to participate in its contracting opportunities.

GMT has identified the following methods to foster small business opportunities:

- Develop all procurements with only the true needs reflected in the requirements. Contracting staff will be instructed in procurement training classes, to be mindful that only necessary and justified requirements may be included. An emphasis will be placed on consideration of requirements that could unnecessarily impede the participation of small businesses.
- Ensure that contracting opportunities are widely distributed in a variety of media to reach as many businesses as possible. This includes posting opportunities on our website, in areas such as newspapers, online at the Vermont business registry and bid system, and VPTA.
- Include a section in the requests for bids and proposals that specifically encourages small businesses to contact the DBE officer to gain access to assistance.
- Refer small business to VTrans DBE Center and small business development centers. The VTrans DBE center is at <https://vtrans.vermont.gov/civil-rights/doing-business/dbe-center>. The small business development center is at <https://www.vtsbdc.org/>.

## **Information Collection and Reporting**

### Bidders List

As part of the goal refining process, GMT will create a bidders list, consisting of information about all DBE and non-DBE firms that bid or quote on DOT-assisted FTA contracts. The purpose of this requirement is to consider the bidders list data in our approach to calculating overall goals. The bidders list will include the name, address, DBE/non-DBE status, age, and range of annual gross receipts of firms. GMT will include, in its proposal and bid submittal documents, an opportunity for voluntary disclosure of the range of annual gross receipts of firms.

### Confidentiality

GMT will safeguard from disclosure to third party's information that may reasonably be regarded as confidential business information, consistent with Federal, state, and local law.

### **Attachments**

- A. GMT Organization Chart
- B. Good Faith Efforts Form
- C. DBE Commitment Form
- D. Prompt Payment Tally Form