



U.S. Department
of Transportation


**Federal Highway
Administration**

Memorandum

Subject: **ACTION: Due June 18, 2021**
Fiscal Year 2021 (FY21)
Disadvantaged Business Enterprise
Supportive Services (DBE/SS) Call for
Statements of Work

Date: May 10, 2021

In Reply Refer To:
HCR-30

From: 
Martha Kenley
DBE & Contractor Compliance
Team Leader

To: Directors of Field Services
Division Administrators
Civil Rights Specialists

The Federal Highway Administration (FHWA) Office of Civil Rights (HCR) requests that State Departments of Transportation (State DOTs) submit their FY2021 Disadvantaged Business Enterprises Supportive Services (DBE/SS) Statements of Work (SOW) to their respective FHWA Division Office (Division) for review and approval. Divisions should review and evaluate the State DOT's SOW submission to ensure it meets the intent of the DBE/SS program. After review, the Division must submit the SOW and all supporting documents to the corresponding [State folder](#) located on the HCR DBE/SS SharePoint site by, **June 18, 2021**.

The SOW package must include:

- An intent to approve letter;
- A detailed budget; and
- A copy of the entire SOW

Examples of all of these supporting documents are on the [HCR DBE/SS SharePoint Site](#).

Should a State DOT decide not to participate in the DBE/SS program for FY2021, the State DOT's Chief Executive Officer, or designee, must submit a written statement on agency letterhead of the State DOT's intention to decline the FY2021 DBE/SS allocation. Please submit the letter of decline to HCR's [SharePoint](#) by **June 18, 2021**.

PROGRAM FUNDING

HCR anticipates the FY2021 allocations will approximate the program annual allocation of \$10M (see [Table 1](#) attached).

BUSINESS DEVELOPMENT PROGRAMS

HCR requires that every State DOT accepting DBE/SS funds include a Business Development Program (BDP). The purpose of a BDP is to evaluate and provide a structured process for DBEs to receive firm-specific training and technical assistance to increase opportunities for successful participation as primes or subcontractors on highway-related contracts. Regulation 49 CFR Part 26, Appendix C sets forth the parameters of a BDP. For additional information on BDPs, please refer to a [report](#) developed from a Peer Exchange among FHWA, FTA, recipients, and stakeholders.

STATEMENT OF WORK SUBMISSION PROCESS

HCR requires each State DOT to design an effective and feasible metric-based DBE/SS program for the purpose for increasing the capacity and to improve the overall business practices of DBEs. FHWA expects State DOTs to develop their own SOWs. State DOTs must not use the services of a consultant or future service provider to create the SOW. The SOW must outline the State DOT's proposed budget, approximated, based on the attached funding levels. It is important to know that HCR will accept amendments to the budget and SOW after HCR publishes the FY2021 final allocation amounts. The Catalog of Federal Domestic Assistance (CFDA) number for this program is 20.205.

State DOTs must describe how the program will deliver business development services for identified DBEs and the process of how staff selects DBEs for the program. The SOW should contain goals and objectives tailored to the development of each identified DBE participant. State DOTs must submit only one SOW per Federal fiscal year, although each SOW may include multiple concepts within a single submission. For example, the SOW may include an element of a concluding program and an additional Business Development element. The SOW should not exceed ten pages in total, excluding attachments and/or exhibits.

State DOTs should announce all DBE/SS solicitations on their public website and must solicit proposals from qualified sources in such a way as to ensure the competitive nature of the procurement (23 CFR § 230.204 (e)).

ALLOCATION AND PERFORMANCE PROCESS

Based on the availability of funds, the Division Administrator's recommendation as well as concurrence by the USDOT Secretary and FHWA Administrator, HCR's Associate Administrator will allocate the funds. Then, the State DOT will need to request obligation of the

funds in the Fiscal Management Information System (FMIS). From there, the Division will provide authorization to proceed via FMIS (23 CFR § 630.106). When the State DOT awards the contract and once approved in FMIS by the Division, the performance period for the DBE/SS contract begins. *DBE/SS contracts may contain an option to renew for up to two years conditioned upon documented satisfactory performance and availability of funding.* Finally, the State DOT must obligate the funds during FY 2021 and spend all the allocated funds by the end of FY 2022, unless given written permission to extend by the Division. The Divisions must notify HCR of all extension approvals. State DOTs must de-obligate all unexpended balances within 90-day of the end of the FY 2022 unless given written approval to extend the date by the Division.

To ensure success of the DBE/SS program, all Divisions must maintain a sufficient level of program oversight to measure progress, achievement of stated metrics, and to address identified concerns promptly. State DOTs must also ensure appropriate DBE/SS program oversight, regularly track progress, and demonstrate achievement of program goals/objectives. State DOTs must submit timely and accurate reports to their respective Division. Divisions must submit a short narrative report to HCR at the end of the performance period.

If you have any questions, please feel free to contact Janelle Hinton at (202) 366-1604 or Janelle.Hinton@dot.gov.

Table I: Approximate FY2021 DBE/SS Estimated Allocation

State	Program Code	FY2021 Estimated Allocation
Alabama	Z480	\$190,403
Alaska	Z480	\$125,838
Arizona	Z480	\$183,622
Arkansas	Z480	\$129,936
California	Z480	\$921,122
Colorado	Z480	\$135,733
Connecticut	Z480	\$126,051
Delaware	Z480	\$42,453
District of Columbia	Z480	\$40,044
Florida	Z480	\$475,495
Georgia	Z480	\$324,048
Hawaii	Z480	\$42,447
Idaho	Z480	\$71,782
Illinois	Z480	\$356,809
Indiana	Z480	\$239,133
Iowa	Z480	\$123,339
Kansas	Z480	\$94,839
Kentucky	Z480	\$166,749
Louisiana	Z480	\$176,141
Maine	Z480	\$46,327
Maryland	Z480	\$150,814
Massachusetts	Z480	\$152,423
Michigan	Z480	\$264,235
Minnesota	Z480	\$163,650
Mississippi	Z480	\$121,378
Missouri	Z480	\$237,585
Montana	Z480	\$102,970
Nebraska	Z480	\$72,540
Nevada	Z480	\$91,130
New Hampshire	Z480	\$41,466
New Jersey	Z480	\$250,579
New Mexico	Z480	\$92,161
New York	Z480	\$421,259
North Carolina	Z480	\$261,745
North Dakota	Z480	\$62,307
Ohio	Z480	\$336,399

Oklahoma	Z480	\$159,165
Oregon	Z480	\$125,440
Pennsylvania	Z480	\$411,770
Rhode Island	Z480	\$54,886
South Carolina	Z480	\$168,053
South Dakota	Z480	\$70,775
Tennessee	Z480	\$212,074
Texas	Z480	\$978,983
Utah	Z480	\$87,145
Vermont	Z480	\$50,935
Virginia	Z480	\$255,387
Washington	Z480	\$170,133
West Virginia	Z480	\$109,676
Wisconsin	Z480	\$188,834
Wyoming	Z480	\$64,293
Puerto Rico	Z480	\$35,000
Virgin Islands	Z480	\$22,500
<i>Total Allocation</i>		\$10,000,000