

Modoc Transportation Agency DBE Program / Complaint Process

It is the policy of the Modoc Transportation Agency (MTA) to ensure that DBEs as defined in 49, CFR Part 26, have an equal opportunity to receive and participate in DOT–assisted contracts. It is also our policy:

- To ensure nondiscrimination in the award and administration of DOT – assisted contracts;
- To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
- To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
- To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
- To help remove barriers to the participation of DBEs in DOT assisted contracts;
- To assist the development of firms that can compete successfully in the marketplace outside the DBE Program.

In order to receive federal funds, MTA has given assurances that it will comply with 49 CFR Part 26 and its policy stated above. The MTA must make work available to DBEs in its contracting and consulting opportunities. Bids and Request for proposal have work items that are consistent with available DBE consultants, contractors, subcontractors, suppliers, manufacturers, and truckers. The MTA has created a DBE program for Caltrans, information on these programs please follow the links shown below.

Caltrans Office of Business & Economic Opportunity (OBEO): Caltrans OBEO

To read 49 CFR Part 26 online, you may visit: Electronic Code of Federal Regulations

The MTA's DBE program is composed of the Combination Race-Neutral/Race-Conscious Implementation Agreement, which describes the program, policies, and administrative requirements.

Bidders on projects that have a DBE goal must show they have met the goal or have made an adequate good faith effort to meet the goal. Guidance as to what constitutes adequate good faith efforts may be found on Caltrans' websites (Division of Rail and Mass Transportation and Local Assistance). In addition, DBE is granted certain contracting rights Per 49 CFR Part 26. For instance, once a prime contractor has been awarded a project with a DBE subcontractor, the DBE subcontractor may be substituted in only limited situations.

If a DBE feels that they may have been discriminated against, they may file a complaint with the Modoc Transportation Agency, Caltrans or with the Federal Government by following the links provided below:

Debbie Pedersen, Executive Director
Modoc Transportation Agency
108 S. Main St.
Alturas, CA 96101
(530) 233-6410
<http://sagestage.com/mta-board/>

Federal Highway Administration
US Department of Transportation
Office of Civil Rights
1200 New Jersey Avenue, SE
8th Floor E81-328
Washington, DC 20590
FHWA.DBComplaints@dot.gov

Department of Transportation
Office of Business & Economic Opportunity (OBEO)
1823 14th Street, MS-79
Sacramento, CA 95811
(916) 324-0449
smallbusinessadvocate@dot.ca.gov
<https://dot.ca.gov/programs/civil-rights>