



Disadvantaged Business Enterprise Program Policy

The District's DBE Program is intended to ensure nondiscrimination on the basis of race, color, sex, or national origin in the award and administration of federally funded contracts.

Statement of Policy:

It is the policy of the San Francisco Bay Area Rapid Transit District ("BART" or the "District") to ensure nondiscrimination on the basis of race, color, sex, or national origin in the award and administration of federally funded contracts. It is the intention of the District to create a level playing field on which a Disadvantaged Business Enterprise ("DBE") or Small Business Entity ("SBE") can compete fairly for federally funded agreements, contracts and subcontracts, including but not limited to construction, procurement and proposal contracts, professional and technical services agreements and purchase orders.

As a recipient of federal funds, the District is committed to carrying out all requirements of 49 Code of Federal Regulations Part 26, establishing and maintaining the District's DBE Program (the "DBE Program" or "Program"). The District's DBE Program will assure that all federally funded contracts and procurements are administered without discrimination on the basis of race, color, sex or national origin, and that DBEs and SBEs have an equal opportunity to compete for and participate in the performance of all federally funded agreements, contracts and subcontracts awarded by the District. The District will implement its DBE Program in good faith and shall not permit the use of race or gender conscious quotas or set-asides in its administration.

This DBE Program is intended to implement the federal requirements pertaining to the DBE Program, including, but not limited to, 49 CFR Part 26 as amended. In the event of any inconsistencies between the terms of the District's DBE Program and the terms of 49 CFR Part 26 as amended, the latter will prevail.

Implementation:

The District's General Manager is responsible for adherence to this DBE Program and has overall responsibility for directing development and implementation of this Program. The General Manager has designated the Deputy General Manager as the DBE Liaison Officer (the "Liaison Officer"). The Liaison Officer will be responsible for development, implementation and monitoring of the DBE Program. It is the expectation of the Board of Directors and the General Manager that the provisions of this DBE Program will be adhered to both in the spirit and letter by all District personnel. This Policy will be circulated to District employees and made available to the public.

Any questions regarding this policy should be directed to:

Michael D. Jones
DBE Liaison Officer
Office of Civil Rights
2150 Webster Street, 4th Floor
Oakland, CA 94612
(510) 464-7515 or mjones8@bart.gov

A handwritten signature in blue ink that reads "Robert M. Powers".

Robert M. Powers
General Manager

02/21/2024

Date