

ORDINANCE NO. 009-141

AN ORDINANCE ADOPTING A  
DISADVANTAGE BUSINESS  
ENTERPRISE PROGRAM FOR  
OPERATING FUNDED CONTRACTS  
AND ESTABLISHING FY 2010 DBE  
GOAL

WHEREAS, Under Section 50 added to the Metropolitan Transit Authority Act, 70 ILCS 3605, et seq. ("MTA Act") in January 2008, the Chicago Transit Authority ("Authority") is required by January 2010 to establish and maintain a Disadvantaged Business Enterprises (DBE) program for contracts that are not funded with federal funds ("Operating Funded Contracts") and to establish goals pursuant thereto; and

WHEREAS, The DBE Program for Operating Funded Contracts is also required by Section 50 of the MTA Act to be narrowly tailored; and

WHEREAS, The Authority currently has a DBE program in effect for its Operating Funded Contracts, which will be replaced by the proposed new DBE Program; and

WHEREAS, The Authority also has a DBE program currently in effect for its federally funded contracts, which will not be affected and/or changed by the adoption of a DBE program for its Operating Funded Contracts; and

WHEREAS, The Authority desires to create a level playing field on which DBEs can compete fairly for the Authority's Operating Funds Contracts; and

WHEREAS, After extensive analysis, the Authority has developed a DBE Program for its Operating Funded Contracts that complies with the requirements of Section 50 of the MTA Act; and

WHEREAS, The DBE Program for Operating Funded Contracts will be narrowly tailored in accordance with applicable law to ensure that only firms which fully meet its eligibility standards are permitted to participate as DBEs, that barriers to the participation of DBEs in the Program will be diminished and that DBE firms will be assisted so that such firms can compete successfully in the marketplace outside of the Authority's DBE Program; and

WHEREAS, Staff recommends that an overall program DBE goal of twenty-five percent (25%) and a term of five (5) years for the Program will best achieve the Authority's goals for its DBE Program for Operating Funded Contracts; now, therefore:

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BE IT ORDAINED BY THE CHICAGO TRANSIT BOARD  
OF THE CHICAGO TRANSIT AUTHORITY:

SECTION 1. The Chicago Transit Board hereby adopts the "Chicago Transit Authority Disadvantaged Business Enterprise Program for Operating Funded Contracts" attached hereto as Exhibit A as the DBE Program for Operating Funded Contracts of the Authority.

SECTION 2. That during the Authority's Fiscal Year 2010, the overall goal for DBE participation in the Authority's Operating Funded Contracts is hereby established at twenty-five percent (25%).

SECTION 3. That the duration of the Authority's DBE Program for Operating Funded Contracts will be five (5) years, at which time the program will be reviewed by the Chicago Transit Board to determine if the Program is meeting the Authority's goals for the Program.

SECTION 3. This ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:

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Chairman

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Assistant Secretary

December 9, 2009

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