

RESOLUTION 2016-168

RESOLUTION APPROVING DISADVANTAGED BUSINESS ENTERPRISE POLICY STATEMENT IN ACCORDANCE WITH REGULATIONS OF THE U.S. DEPARTMENT OF TRANSPORTATION, 49 CODE OF FEDERAL REGULATIONS PART 26, FOR CONTRACT OPPORTUNITIES PAID FOR IN PART OR IN WHOLE WITH FEDERAL FINANCIAL ASSISTANCE, AS APPLICABLE

WHEREAS, the San Diego Unified Port District (District) is a public corporation created by the legislature in 1962 pursuant to Harbors and Navigation Code Appendix 1, (Port Act); and

WHEREAS, the Board of Port Commissioners (BPC) adopted BPC Policy No. 110 to establish a policy governing the processing and administration of public projects, consulting and service agreements, the purchasing of supplies, materials, and equipment, and grants; and

WHEREAS, the District, as part of being fiscally responsible, pursues grant opportunities as a potential source of funds, which then becomes part of our balanced budget; and

WHEREAS, grants can be conditioned upon certain assurances which must be met in order for funds to be awarded and/or distributed; and

WHEREAS, some of those grant assurances are related to equal opportunity and nondiscrimination in the award and administration of contracts; and

WHEREAS, it may include outreach efforts to ensure nondiscrimination and inclusion of small businesses owned and controlled by socially and economically disadvantaged individuals, or other criteria or characteristics such as disabled veterans; and

WHEREAS, the Department of Transportation (DOT) is committed to serving communities in transportation markets and distributes substantial funding each year to assist with financing construction projects of state and local governments; and

WHEREAS, in providing financial assistance, the DOT takes steps to ensure nondiscrimination in DOT-assisted contracts; and

WHEREAS, the Disadvantaged Business Enterprise (DBE) program is a tool used by the DOT to remedy any ongoing discrimination and the continuing effects of past discrimination in federally-assisted contracting nationwide; and

WHEREAS, the DBE program seeks to level the playing field for all contractors competing for DOT-assisted contracts by providing small businesses owned and controlled by socially and economically disadvantaged individuals a fair opportunity to compete for federally funded contracts; and

WHEREAS, individuals rebuttably presumed to be socially and economically disadvantaged include minorities, women, and any groups designated by the Small Business Administration.

NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners of the San Diego Unified Port District, does hereby approve the Disadvantaged Business Enterprise (DBE) Policy statement in accordance with regulations of the U.S. Department of Transportation (DOT), 49 Code of Federal Regulations (CFR) Part 26, for contract opportunities paid for in part or in whole with federal financial assistance, as applicable.

APPROVED AS TO FORM AND LEGALITY:

GENERAL COUNSEL



By: Assistant/Deputy

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PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District; this 8th day of November, 2016, by the following vote:

AYES: Bonelli, Castellanos, Malcolm, Merrifield, Nelson, and Valderrama.

NAYS: None.

EXCUSED: Moore.

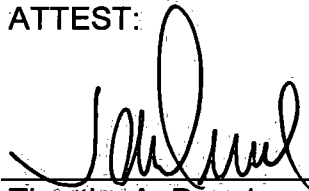
ABSENT: None.

ABSTAIN: None.



Marshall Merrifield, Chairman
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)