



# CONNECTICUT DEPARTMENT OF TRANSPORTATION

## POLICY STATEMENT

POLICY NO. EX.O-30

Date: March 17, 2023

### **SUBJECT: Disadvantaged Business Enterprise Program**

#### Policy

It is the policy of CTDOT to ensure that Disadvantaged Business Enterprises (DBE) as defined in 49 CFR Part 26 have an equal opportunity to receive and participate in USDOT assisted contracts.

CTDOT will not exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract. CTDOT shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract, or in the administration of its DBE Program, or the requirements of 49 CFR Part 26. CTDOT shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of USDOT-assisted contracts.

#### Intent of Policy

It is the intent of the policy to:

- a) Ensure nondiscrimination in the award and administration of USDOT-assisted contracts in CTDOT's highway and transit financial assistance programs.
- b) Create a level playing field on which DBEs can compete fairly for USDOT-assisted contracts.
- c) Ensure that CTDOT's DBE program is narrowly tailored in accordance with applicable law.
- d) Ensure that only firms which meet the certification eligibility standards under 49 CFR Part 26, Subpart D are permitted to participate as DBEs.
- e) Help remove barriers to the participation of DBEs in USDOT-assisted contracts; and
- f) Assist with the development of firms that can compete successfully in the marketplace outside the DBE Program.

In administering the DBE Program, CTDOT will not directly or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing the accomplishment of the objectives of the DBE program with respect to individuals of a particular race, color, sex, or national origin.

No contractor, subrecipient, or subcontractor shall discriminate on the basis of race, color, national origin, or sex in the performance of any USDOT-assisted contract. Contractors shall carry out the applicable requirements of 49 CFR Part 26 in the award and administration of USDOT-assisted contracts. Failure by

the contractor to carry out these requirements will result in a material breach of the contract, which may result in the termination of the contract or such other remedy, as CTDOT deems appropriate.

Ms. Debra Goss, the Director of the Office Equity has been designated as CTDOT's DBE Liaison Officer (DBELO). The DBELO is responsible for implementing all aspects of the DBE Program. The implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by CTDOT in its financial agreements with USDOT and its funding agencies. The DBELO has direct and unfettered access to the Commissioner on any DBE related matters.

This policy statement is disseminated to all CTDOT personnel and is posted on the CTDOT website. CTDOT has also distributed this policy to the DBE and non-DBE business communities that perform work on CTDOT USDOT-assisted contracts.

#### Authority

The Connecticut Department of Transportation (CTDOT) has established a Disadvantaged Business Enterprise (DBE) program in accordance with the Code of Federal Regulations, 49 CFR Part 26. CTDOT receives Federal financial assistance from the United States Department of Transportation (USDOT), and as a condition of receiving USDOT assistance, CTDOT has signed an assurance that it will fully comply with 49 CFR Part 26.

Implementation of this program is a legal obligation, and failure to carry out its terms shall be treated as a violation of the agreement. The USDOT may take enforcement action under 49 CFR Part 31, Program Fraud and Civil Remedies, against any participant in the DBE program whose conduct is subject to such action. The USDOT may refer to the United States Department of Justice for prosecution under 18 United States Code (USC) 1001 or other applicable provisions of law, any person who makes a false or fraudulent statement in connection with participation of a DBE in any USDOT-assisted program or otherwise violates applicable Federal statutes.

(This Policy Statement supersedes Policy Statement No. EX.O.-30 dated November 27, 2019.)



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Garrett T. Eucalitto  
Commissioner