



# LGBT Businesses and the DBE Program

August 2016 JPB Board of Directors

August 4, 2016

Agenda Item 14



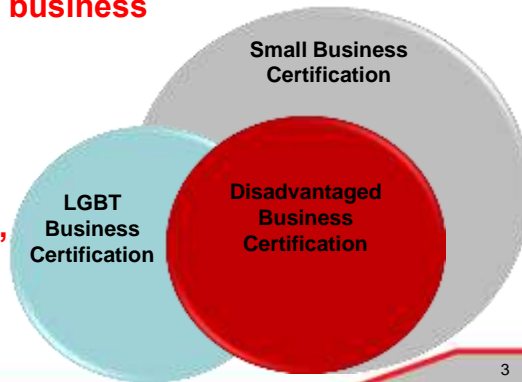
## Board Question

- How can the JPB incorporate Lesbian, Gay , Bi-sexual, or Transgender –owned Business Enterprises (LGBTBEs) into the existing Disadvantaged Business Enterprise (DBE) Program?



## LGBTBEs in existing programs

- **LGBTBEs that gross less than \$23 million annually likely qualify for:**
  - The JPB's small business preference
  - The JPB's DBE program, if owners are minority, female, or white-male facing social disadvantages



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## Issue: DBE Program Exclusivity

- **LGBTBE Goals cannot be incorporated into the JPB's DBE Program.**
  - "Your overall goals must provide for participation by all certified DBEs and must not be subdivided into group-specific goals." [49 CFR 26.45 (h)]
- **LGBTBE Goals cannot be used for USDOT funded contracts.**

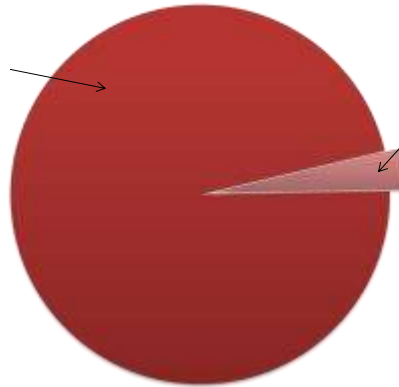
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## Issue: Few Non-Federal Contracts

JPB Board-Awarded Contracts  
April 2015 - April 2016

**\$43,728,816**  
**6 Federal**  
**Contracts**



**\$1,560,181**  
**4 Non-**  
**Federal**  
**Contracts**

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## Example: VTA

- **VTA's Business Diversity Program includes a goal for LGBT, Disabled Veteran, Minority, and Woman - Owned Businesses.**
  - **Not implemented on federally funded contracts.**
  - **Sets aspirational goals, monitors progress, and educates contractors.**
  - **Does not grant preferential treatment to any group.**

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## Staff Recommendation

- Encourage LGBTBEs to participate in our existing SBE and DBE programs.
- Promote statewide LGBTBE Certification through the California Public Utilities Commission.
- As LGBTBE Certification becomes prevalent, monitor JPB utilization of LGBTBEs.

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**Additional questions?**

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