



Illinois Department of Transportation

Office of Business & Workforce Diversity
2300 South Dirksen Parkway / Springfield, Illinois 62764

Frequently Asked Questions and Answers

What is the DBE program?

The Disadvantaged Business Enterprise (DBE) program is a federally mandated program intended to ensure nondiscriminatory contracting opportunities for small business concerns owned and controlled by socially and economically disadvantaged individuals in the United States Department of Transportation's (USDOT) highway, mass transit and airport financial assistance programs.

The statutory provision governing the DBE program in the highway and mass transit financial assistance programs is 1101(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law 109-59, August 10, 2005. The statutory provision governing the DBE program as it relates to the airport financial assistance programs is 49 U.S.C. 47113.

The DBE program administered by the Illinois Department of Transportation (IDOT) provides minorities, women and other eligible small businesses an opportunity to participate in highway, mass transit and airport contracts that are federal and state funded. The presumptive groups that are eligible for the DBE program are:

- Black Americans
- Hispanic Americans
- Native Americans
- Asian-Pacific Americans
- Subcontinent Asian Americans
- Women
- Any additional groups whose members are designated as socially and economically disadvantaged by the Small Business Administration (SBA), at such time as the SBA designation becomes effective.

Individuals who are not part of a presumptive group can be considered for DBE certification on a case by case basis. However, those individuals have the burden of proving that they are socially and economically disadvantaged per the guidance found in Appendix E of 49 CFR Part 26.

Should I apply for IDOT DBE certification?

DBE goals are put on federally funded projects, and prime contractors must utilize DBE firms to meet those goals. If your firm is interested in state government work, performs heavy highway/airport-related or construction services, professional engineering consulting, trucking, and or manufacturing/fabricating and construction or related material supply services, and meets the following eligibility criteria, then you should apply for IDOT DBE certification. You do not have to be DBE-certified to perform work on IDOT contracts; however, opportunities may increase if you are certified.

Am I eligible?

A firm (including its affiliates) must meet the requirements of 49 CFR part 26, Subpart D, concerning group membership or individual disadvantage, business size, ownership and control.

A firm must be at least 51 percent owned by socially and economically disadvantaged individuals who possess the power to direct or cause the direction of the management and policies of the firm and to make day-to-day, as well as long-term, decisions on matters of management, policy and operations.

Individual/business size requirements:

To meet the size requirements of the DBE program, a firm, including its affiliates, must have average annual gross receipts, over the firm's previous three fiscal years, that do not exceed the following size standards:

- For general construction firms; e.g., highway, street and bridge construction, the size standard is \$28.48 million;
- For specialty trades; e.g., electrical, plumbing and site preparation, the size standard is \$16.5 million;
- For landscaping services, the size standard is \$8 million;
- For professional, scientific and technical services; e.g., engineering, drafting, geophysical surveying and mapping, surveying and mapping (except geophysical), and environmental consulting, the size standards are as follows:
 - Engineering Services - \$16.5 million
 - Drafting Services - \$8 million
 - Geophysical Surveying and Mapping Services - \$16.5 million
 - Surveying and Mapping (except Geophysical) Services – \$16.5 million
 - Environmental Consulting Services - \$16.5 million

You will need to obtain your North American Industry Classification System (NAICS) code number to determine your work category(ies). Go to www.census.gov/eos/www/naics.

Also go to the U.S. Small Business Administration's web site at www.sba.gov/contractingopportunities/officials/size/index.html to determine your size standard. These standards represent the largest size that a business (including its subsidiaries and affiliates) may be to remain classified as a small business for SBA and federal contracting programs. All federal agencies must use SBA's size standards for government contracts identified as small business and for other programs and regulations, unless authorized by federal statute to another measure.

Does USDOT's DBE program have a size cap?

Yes; as of March 1, 2022, the DBE program size cap is **\$28,480,000**.
See 49 CFR Part 26.65 below:

§ 26.65 - What rules govern business size determinations?

- (a) To be an eligible DBE, a firm (including its affiliates) must be an existing small business, as defined by Small Business Administration (SBA) standards. As a recipient (IDOT), you must apply current SBA business size standard(s) found in 13 CFR part 121 appropriate to the type(s) of work the firm seeks to perform in DOT-assisted contracts.
- (b) Even if it meets the requirements of paragraph (a) of this section, a firm is not an eligible DBE in any Federal fiscal year if the firm (including its affiliates) has had average annual gross receipts, as defined by SBA regulations (see 13 CFR 121.402), over the firm's previous three fiscal years, in excess of \$28.48 million.

SAFETEA-LU Section 1101(b)(1)(a) instructs the Secretary of Transportation to adjust the DBE program size cap amount annually for inflation.

Do I have to perform certain kinds of work if I am interested in IDOT DBE certification?

No, while IDOT's contracts involve only heavy highway/airport and related construction, you can apply for DBE certification with IDOT and bid on any contracts the IL UCP offers for goal credit.

IL UCP members and services: The **City of Chicago** (roadway and airport construction, airport concession-related services and professional consulting services), **Chicago Transit Authority (CTA)** (bus, rail, door-to-door paratransit service), **Metra** (rail) or **Pace** (bus), their contact information is provided below:

- **Contact information for each of these UCP partners can be found at:** <http://www.idot.illinois.gov/doing-business/procurements/disadvantaged-business-enterprise/dbe-certification/index> under Getting Started.

What if I do not perform work in the categories listed with above agencies?

If you perform in nonconstruction-related services, you should contact the Illinois Department of **Central Management Services' (CMS)** Business Enterprise Program.

The Business Enterprise Program is designed to encourage state agencies and universities to purchase needed goods and services from businesses owned and controlled by members of minority groups, females and/or persons with disabilities. Through this program, only certified small businesses are eligible to bid on certain procurements. Visit the CMS web site at www.state.il.us/cms for more information.

How do I apply for IDOT DBE certification?

You must complete and submit an Illinois Certification Program “Uniform Certification Application,” plus all required/requested information. The application is available on IDOT’s web site (<http://www.idot.illinois.gov/doing-business/procurements/disadvantaged-business-enterprise/dbe-certification/index>) or by contacting IDOT’s Bureau of Small Business Enterprises at 217/782-5490.

Is there a cost to become certified?

No.

If I need help filling out the application and other paperwork, who can I contact?

IDOT has supportive services consultants who can assist you. Supportive services assistance is free to firms who are seeking IDOT DBE certification or are already certified by IDOT. Visit IDOT’s web site at <http://www.idot.illinois.gov/doing-business/procurements/disadvantaged-business-enterprise/dbe-supportive-services/index> for a listing of IDOT’s supportive services consultants.

How long does it take to become certified?

The certification process takes approximately 90 days after receipt of the completed application including all supporting documentation. The effort you make to submit a complete application with all requested documentation will help decrease processing time.

Who can I call if I have questions regarding the processing of my application?

Your application is assigned to a certification analyst following its receipt in the Bureau of Small Business Enterprises, and he/she can answer your questions. Call **(217) 782-5490** to find out who your analyst is.

How long does the certification period last?

A firm’s certification is for the life of the firm unless a decision is rendered to remove the firm’s eligibility. However, you are required to annually submit a No Change Affidavit (and supporting documentation) by the anniversary date of your certification.

Once I am certified, is my firm name listed in a directory?

Yes, IDOT participates in the Illinois Unified Certification Program (IL UCP) with the City of Chicago, CTA, Metra and Pace, and the IL UCP maintains an Illinois Unified Certification Directory (Directory).

Once certified, your firm’s name, address, contact information, work categories and work location preferences will appear in the Directory. This Directory is used by

IDOT's prime contractors, as well as other agencies and individuals, to provide a reference source of DBE firms to assist bidders/proposers in meeting DBE contract goals. It is the responsibility of the DBE to ensure the information in the UCP remains accurate. Changes to contact information must be sent to the certifying agency on firm letterhead with any changes that occur.

The Directory is available on IDOT's web site <https://webapps.dot.illinois.gov/UCP/ExternalSearch>

Who can I call regarding IDOT's DBE program?

The Bureau of Small Business Enterprises' phone numbers are:

- Certification Section – (217) 782-5490
- Contract Compliance Section – (217) 785-4611

I have seen programs with the designations of DBE, MBE, FBE, WBE, PBE – how are they different from one another?

DBE, MBE, FBE, WBE and PBE are acronyms for various state/county/local agency programs that provide contractual opportunities for disadvantaged, minority, female and woman-owned business enterprises. The acronyms are explained below:

- **DBE** – Disadvantaged Business Enterprises (includes minority and woman-owned businesses)
- **MBE** – Minority Business Enterprises
- **FBE** – Female Business Enterprises
- **WBE** – Woman-owned Business Enterprises
- **PBE** – Persons with Disabilities Business Enterprises

In Illinois, the following programs are offered by the listed agencies:

DBE Program

The Illinois Department of Transportation, City of Chicago, CTA, Metra and Pace have a federally funded statewide program for DBEs. These agencies have established the Illinois Unified Certification Program (IL UCP), which is based on the concept of reciprocity among the agencies. "One stop shopping" is provided to DBE program applicants, such that an applicant need only apply once for statewide DBE certification that will be honored by all participating agencies in the IL UCP. Although the Cook County Highway Department does not have its own DBE program, it utilizes IL UCP-certified DBEs on its highway projects.

MBE/WBE Program

The City of Chicago has a locally funded program for MBEs and WBEs that covers the City of Chicago and the six-collar county area.

MBE/FBE/PBE Program

The Illinois Department of Central Management Services has a state-funded statewide Business Enterprise Program for MBEs, FBEs and PBEs.

Definitions

DBE Certification

All contractors, whether prime or subcontractor, desiring to participate as a DBE must be certified as a DBE. A firm seeking certification has to meet requirements concerning group membership or individual disadvantage, business size, ownership and control.

Call IDOT's Bureau of Small Business Enterprises (217-782-5490) for more information.

Prime Contractor Prequalification

All highway construction prime contractors desiring to provide services to IDOT must be prequalified. Prequalification is a rating process which requires all prospective bidders to obtain a Certificate of Eligibility prior to being considered for issuance of bidding proposal forms and plans for any contract awarded by IDOT, as well as contracts awarded by local agencies requiring approval of award by IDOT.

Call IDOT's Bureau of Construction (217-782-3413) for more information.

Consultant Prequalification

All architectural-engineering consultants desiring to provide services to IDOT, whether as a prime or subconsultant, must be prequalified.

Call IDOT's Bureau of Design & Environment (217-785-2940) for more information.

Subcontractor Registration

IDOT is required to maintain a list of all contractors and subcontractors performing work on IDOT projects.

Subcontractors interested in participating on IDOT contracts are required to register. Only registered subcontractors included in the list can be approved for IDOT projects.

Prequalified prime contractors are automatically included in the list and are not required to register. Material suppliers and trucking companies are not included in the definition of subcontractor and are not required to register.

Subcontractors can register electronically by submitting the Subcontractor Registration Form. This form is located on IDOT's website under "Doing Business," "Contractor Services." The registration form requires minimal information and can be completed in minutes. Confirmation, along with a registration number, will be received by e-mail in 1-2 days. Registration is valid for one year and will then require renewal.

Call IDOT's Bureau of Construction (217-782-3413) for more information.