



NEW SMALL BUSINESS ENTERPRISE (SBE) & MINORITY/WOMEN BUSINESS ENTERPRISE (M/WBE) POLICY

October 1, 2012

FREQUENTLY ASKED QUESTIONS (FAQ)

What is an Availability & Disparity (A&D) Study?

An A&D Study evaluates the procurement and contracting practices of a government entity, particularly the use of minority and women business enterprises in their current program to promote equal opportunity for bidding, diversification of its vendor base and equitable distribution of purchases.

How is “Availability” defined?

Availability is defined as the number of businesses in the jurisdiction’s market area that are willing and able to provide goods or services. A business’ interest in doing business with the government entity is implied by the term “willing” and its ability or capacity to provide a service or good, is implied by the term “able”.

Why is an A&D Study required for DFW to have an M/WBE Program?

An A&D Study is required to satisfy the legal requirements for a race and gender conscious contracting program also referred to as a Minority/Women Business Enterprise (M/WBE) Program. In 1989, *Richmond v. J.A. Croson Co.* resulted in the doctrine of “narrowly tailored remedies” and required A&D Studies as a basis for establishing M/WBE participation goals.

What was the relevant market area used for the A&D Study?

Dallas and Tarrant Counties

What were the key findings of the DFW A&D Study?

- Construction: disparity identified for all ethnic groups; no gender disparity identified
- Architectural & Engineering: disparity identified for some ethnic and gender groups; insufficient data available to determine level of disparity for other groups
- Professional & Non-Professional Services: no ethnic or gender disparity identified

How can I obtain a copy of the DFW A&D Study?

PDF documents are available online at www.dfwairport.com/bdd/publications

What are the key changes to the existing M/WBE Program going forward?

- Construction: DFW will continue the MBE Program only and offer an SBE Program
- Architectural & Engineering: DFW will continue with the current M/WBE Program
- Professional & Non-Professional Services: DFW will offer an SBE Program only
- Use of a Relevant Market Area: DFW will only count the participation of M/WBE and SBE firms whose place of business is located in the North Texas Commission twelve-county area including Dallas, Tarrant, Collin, Delta, Denton, Ellis, Hunt, Johnson, Kaufman, Parker, Rockwall and Wise counties.

When will these changes go into effect?

October 1, 2012

What happens if we are currently under contract with DFW and have an M/WBE commitment on our contract?

Existing contracts with M/WBE commitments will continue as is under the former M/WBE Program guidelines. New solicitations issued on or after October 1, 2012 will be subject to the new M/WBE and SBE Program guidelines.

Are the findings and program recommendations applicable to the federally-funded Programs?

No, the A&D Study findings and the program recommendations do not apply to the Disadvantaged Business Enterprise (DBE) and the Airport Concession Disadvantaged Business Enterprise (ACDBE) Programs.

If I am currently a certified MBE, DBE or WBE, do I need to obtain the SBE certification in order to do business with DFW?

Certification is not a requirement to do business with DFW; however, a D/M/WBE or SBE firm must be certified in order for expenditures to be credited towards the Program goal(s).

What are the certification requirements for a Small Business Enterprise (SBE)?

- Business size based on the Small Business Administration (SBA) size standards.
- Annual business revenues averaged over three years

Is there a Personal Net Worth (PNW) requirement for the SBE Certification?

No

Who should I contact to obtain the SBE Certification?

Contact the Certification entity you are currently certified with or one of the following:

- North Central Texas Regional Certification Agency (NCTRCA), www.nctrca.org
- Women's Business Council Southwest (WBCS), www.wbcswsouthwest.org
- Dallas/Fort Worth Minority Supplier Development Council (DFWMSDC), www.dfwmsdc.org