

DEPARTMENT OF TRANSPORTATION
CIVIL RIGHTS
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August 1, 2007

Mr. Gene Fong
Division Administrator
Federal Highway Administration
California Division
650 Capitol Mall, Suite 4-100
Sacramento, CA 95814

Dear Mr. Fong:

Enclosed is the California Department of Transportation's (Department) Disadvantaged Business Enterprise (DBE) Overall Annual Goal and Methodology for Federal Fiscal Year (FFY) 2008.

The Department requests your review and approval pursuant to 49 Code of Federal Regulation (CFR) §26.45, to establish the overall DBE goal for its federally assisted highway projects. As a result of a 2005 Ninth Circuit Court of Appeals decision, the Department commissioned a Disparity Study (Study) to determine whether discrimination exists in the conduct of the State's transportation program. The Study was accepted in July 2007. The Study results were used in formulating the goal and methodology contained in this submittal. The Department has established a proposed overall DBE goal of 13.5 percent for FFY 2008. The overall goal is expected to be achieved, in equal proportions, through race-neutral and race-conscious measures. Additionally, as required by 49 CFR §26.15, the Department requests a waiver to implement a race-conscious goal of limited application to four identified groups: African American, Asian Pacific American, Caucasian women, and Native American businesses.

Finally, the Department has initiated the 45-day public participation period and will submit any amendments to the goal and methodology based on the input obtained through public comment by October 1, 2007.

If you have any questions, please contact Olivia Fonseca, Deputy Director, Civil Rights, at (916) 324-0990.

Sincerely,

A handwritten signature in black ink that reads "Will Kempton".

WILL KEMPTON
Director

Enclosure