

US EPA ARCHIVE DOCUMENT

Questions and Answers on MBE/WBE Reporting
Under U.S.EPA Financial Assistance/Grants

Q. What are the responsibilities of the EPA grant recipient, its sub-recipient, loan recipient, and prime contractor(s) for completion of the MBE/WBE reporting form?

A. The EPA grant recipient completes and submits the MBE/WBE report to EPA. The prime contractors, sub-recipients and loan recipients provide data to the EPA grantee for procurement expenditures under the EPA assistance agreement for each reporting period.

Q. Where do I obtain the current MBE/WBE reporting form with Instructions?

A. The most current, approved version of EPA form 5700-52A with Instructions can be viewed and downloaded from the following EPA website (www.epa.gov/osbp).

Q. How frequently and by what specific date should I submit the MBE/WBE report?

A. The required reporting frequency is listed in the MBE/WBE (or DBE) "terms and conditions" included in the individual EPA financial assistance agreement/grant (or, in the case of certain states, EPA's annual letter containing grant terms and conditions). Submission dates are listed in paragraph #2 of the Instructions accompanying EPA Form 5700-52A.

Note: If your organization's grant from EPA was awarded on or after May 27, 2008, EPA's Disadvantaged Business Enterprise (DBE) Rule provisions will apply. In such a case, grantees who previously reported quarterly will now report twice per year, specifically by the 30th of April and the 30th of October. All other EPA grantees will continue to report annually. In all cases, the reporting frequency cited in the DBE Terms and Conditions of your grant prevails.

Q. How long should I submit the MBE/WBE report?

A. The MBE/WBE reports are required from project start to completion. This is the project period listed in the assistance agreement. Reporting begins at the start of the project period, not from the point when the first procurement is made.

Q. Do I need to submit a report if there were no procurement-related expenditures during the reporting period?

A. Yes.

Q. Do I only report procurement-related expenditures funded with the EPA share?

A. No. You should report all expenditures up to the "Total Project Amount" listed in the financial assistance award.

Note: Although recipients of EPA's State Revolving Fund (SRF) Program dollars are only required to report MBE and WBE utilization up to the EPA capitalization grant amount, they have the option to report any MBE and WBE utilization beyond the cap grant amount. Contact EPA's Regional DBE Coordinator for guidance.

Q. Should I report expenditures made to businesses who are not MBE or WBE?

- A. Yes. These expenditures are included in the “Total Procurement Amount.”
- Q. Why does EPA also require data to be entered on non-MBE/WBE procurement, as well as MBE and WBE expenditures, when it is a “MBE/WBE Utilization” form?**
- A. The information is required because the purpose of the MBE/WBE reporting form is two-fold: 1) It provides data on total expenditures made in the four procurement categories of supplies, equipment, services, and construction on the project; and 2) It allows EPA to monitor the utilization of MBE and WBE under its grants.
- Q. May I submit one MBE/WBE report for all of my EPA grants?**
- A. No. EPA requires one MBE/WBE report for each individual grant per reporting period.
- Note: State Revolving Fund (SRF) program recipients should report data for multiple SRF years on the same MBE/WBE report for a reporting period. However, separate reports are required for the Clean Water SRF and Drinking Water SRF programs.*
- Q. At the completion of the project or ending of a Federal Fiscal Year, do I need to submit a “final” MBE/WBE report?**
- A. No. There is no such report for MBE/WBE reporting purposes. At the end of the fiscal year, the “last” report for that reporting period should be submitted. A MBE/WBE summarization report is not required. However, the box on the reporting form stating that this is the last report for the project (project completed) should be checked.
- Q. If the project has expired, should I wait until the next reporting period to submit the last MBE/WBE report?**
- A. No. Submit the last report as soon as possible but no later than 90 days after the project has expired. Financial assistance awards/grants cannot be closed without the submission of the required reports.
- Q. How do I know that the business that I bought goods or services from is a bona-fide MBE or WBE?**
- A. There are several sources you could use to verify their business classification. The Central Contractor Registration (www.ccr.gov), a Federal database, shows the certification status of registered companies. Additionally, you could check with your local Small Business Administration office, the Minority Business Enterprise Centers, or private certifying agencies. Refer to 40 CFR (Code Federal Regulations), Part 33 for the definitions of MBE and WBE. (Note: For EPA grants awarded on after May 27, 2008, see the terms defined in Section 33.103 of EPA DBE Rule. The rule can be accessed at www.epa.osbp).
- Q. Can I claim or count expenditures towards both MBE and WBE on the reporting form for a business that has both MBE and WBE certifications/business status?**
- A. For a vendor/contractor who is both a MBE and WBE, the dollar amount can be reported either under one category or both categories, provided that the total procurement value is not exceeded. For more information, consult the Instructions accompanying the form.

- Q. If we are required to use a centralized procurement system to buy certain items and services, do we need to retrieve data on such purchases and report them to EPA on the MBE/WBE report? If we cannot obtain such data from centralized procurement, shouldn't that be taken into account when establishing MBE/WBE goals?**
- A. For assistance in setting MBE and WBE goals, and/or reporting MBE/WBE accomplishment under centralized procurement, please refer to EPA's DBE Program Manual.
- Q. How do I handle over-due MBE/WBE reports from a previous reporting period? Should I include that overdue data on the MBE/WBE report for the current reporting period, submit the individual over-due report(s) separately, or combine the over-due reporting data on the last MBE/WBE report that we submit?**
- A. It is EPA's policy that its grant recipients submit a MBE/WBE report for each reporting period. If an EPA grantee believes that special circumstances exist to warrant an exception, the grantee should contact the Regional DBE Coordinator.
- Q. What do I do if I find out later that the data submitted on a previous MBE/WBE report was incomplete or incorrect?**
- A. The grantee should submit a "Revised" MBE/WBE report with the corrected data. The word "Yes" should be circled in Block 1C of the revised MBE/WBE report, and the Federal Fiscal Year (for which the report is being corrected) entered in this same block. The reason for the revised report should be summarized in the block next to Block 1C.
- Q. How do I know if I have entered the correct Federal Fiscal Year (FFY) in Block 1A?**
- A. The Federal Fiscal Year runs from October 1 through September 30. For example, procurement in November 2007 and July 2008 would fall under FFY 2008.
- Q. Whose name should be entered as "DBE Coordinator" in Block 2B of the report, and where do I find that Coordinator's e-mail address, phone and FAX numbers?**
- A. The DBE Coordinator for the EPA Office from which your financial assistance agreement originated should be named/identified. For a list of DBE Coordinators, go to the following website (www.epa.gov/osbp) and click on "Regional Contacts."
- Q. Where can I find the Financial Assistance Program Title or Code of Financial Domestic Assistance (CFDA) number to complete Block 4B?**
- A. The Program (Project) Title and the CFDA number can be found in the grantee's financial assistance agreement.
- Q. How does EPA define "contractor", "sub-award", and "loan recipient" as used on the MBE/WBE reporting form?**
- A. Refer to the 40 CFR Part 33 definitions in the DBE Rule. The rule can be accessed at www.epa.gov/osbp.
- Q. What is EPA asking for in Block 6 of the MBE/WBE reporting form when it refers to "steps being taken to meet the MBE/WBE requirements"?**

A. When there is no MBE/WBE utilization being reported, EPA requires that the grant recipient briefly explain in Block 6 what steps it is currently taking to ensure that MBE, WBE, and other DBE are being notified about and afforded opportunities to compete on EPA-funded projects. For example, the grant recipient may state in Block 6 that there are no MBE or WBE available locally but it will search on a broader geographic basis, as appropriate, to identify MBE and WBE who can provide the needed products or services.

Q. Will our EPA grant be jeopardized if no MBE and WBE expenditures are reported?

A. The goals established for MBE and WBE are targets, not quotas. EPA recognizes that there are circumstances in which a MBE or WBE might be awarded little or no procurement dollars during a given reporting period. What is important, however, is that the grant recipients, sub-recipients, and loan recipients (and the prime contractors of these three entities) conduct and document outreach to MBE, WBE, and other Disadvantaged Business Enterprises (DBE).

Q. Where can I find MBE, WBE, and other Disadvantaged Business Enterprises (DBE) to alert them to procurement opportunities under our EPA assistance agreement?

A. The Central Contract Registration database (www.ccr.gov), MBDA's "Opportunity" database (www.mbda.gov), and EPA's Small Business Database (www.epa.gov/osbp) are three federal sources for finding MBE, WBE, and other DBE. Tribal, local, and state offices (e.g., state department of transportation or governor's office of small business) may also maintain listings of these businesses. EPA's Regional DBE Coordinators may be contacted for additional sources.

Q. To which EPA office should the grantee submit the completed MBE/WBE report?

A. All recipients must submit their fully executed EPA Form 5700-52A to the appropriate EPA office and personnel as identified in their grant agreement.

Q. May the MBE/WBE be reported by FAX or e-mail, or must it be mailed to EPA?

A. Until EPA has the capacity to accept on-line reports, the EPA grant recipient must submit their completed, signed original MBE/WBE report to EPA by mail. (Note: A fax copy is only a placeholder. An e-mail is an acknowledgment that it is being mailed).

Q. What should I do if I am still unsure about how to complete the MBE/WBE report?

A. Contact your Regional DBE Coordinator by clicking on "Regional Contacts" on the following web address: www.epa.gov/osbp .