

EPA Office of Small Business Programs
Disadvantaged Business Enterprise (DBE) Program

Computer-Based Learning Series



FAIR SHARE GOALS/OBJECTIVES

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What are Fair Share Goals/ Objectives?



A fair share objective is a goal based on the capacity and availability of qualified, certified MBEs and WBEs in the relevant geographic market for the grant recipient in the procurement categories of construction, equipment, services, and supplies, compared to the number of all qualified entities in the same market for the same procurement categories.

- A fair share objective is not a quota.
- A recipient cannot be penalized for not meeting its fair share objectives.
- Once negotiated, fair share objectives remain in place for three years.



Determining Fair Share Goals/Objectives



A recipient must determine its fair share objectives based on demonstrable evidence of the number of certified MBEs and WBEs that are ready, willing, and able to perform in the relevant geographic market for each of the four procurement categories (equipment, construction, services, and supplies).

There are many methods that can be used to formulate a fair share objective. For more information on methods, please refer to the DBE Rule at 40 CFR Part 33, Subpart D.

Negotiating Fair Share Goals/Objectives



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A recipient must submit its proposed MBE and WBE fair share objectives and supporting documentation to its designated Regional MBE/WBE Coordinator within 120 days after its acceptance of its financial assistance award.

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Negotiating Fair Share Goals/Objectives



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EPA must respond in writing to the recipient's submission within 30 days of receipt, either agreeing with the submission or providing initial comments for further negotiation. Failure to respond within this time frame may be considered as agreement by EPA with the fair share objectives submitted by the recipient.

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Negotiating Fair Share Goals/Objectives



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MBE and WBE fair share objectives must be agreed upon by the recipient and EPA before funds may be expended for procurement under the recipient's financial assistance agreement.

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Negotiating Fair Share Goals/Objectives



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Fair share objectives will remain in effect for three fiscal years unless there are significant changes to the data supporting the fair share objectives.

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Adopting Fair Share Goals/ Objectives



- Recipients may use the approved fair share objective of another recipient with the same or similar relevant geographic buying market.
- Recipients who normally accept the negotiated fair share objective of the state in which they are located, can continue to do so. This will be done by affirming the acceptance of the fair share objective in the grant terms and conditions. However, they may also elect to negotiate their own fair share objectives.



Exemptions



The following are exemptions from the fair share objective requirements:

- Grant and loan recipients receiving a total of \$250K or less in EPA financial assistance in a given fiscal year.
- Performance Partnership Eligible grants



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Knowledge Check



Recipients receiving a total of \$250K or more in EPA financial assistance are required to negotiate fair share objectives with the Agency.

TRUE

FALSE

Recipients of Performance Partnership eligible grants are required to negotiate fair share objectives.

TRUE

FALSE

Recipients may adopt another recipient's fair share objectives with the same or similar relevant geographic buying market, purchasing the same or similar items.

TRUE

FALSE

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Finish

Congratulations!!



You have completed the Fair Share Goals/Objectives computer-based learning module.

For more information on the EPA DBE Program, please visit the OSBP [website](#).