AGENDA
Disadvantaged Business Enterprise Program Meeting
Transportation Department

Thursday, May 16, 2019
10 a.m. - 12 p.m.
Transportation Council Room
North Central Texas Council of Governments
616 Six Flags Drive
Arlington, Texas 76011

1. Welcome and Introduction                           Shannon Stevenson, NCTCOG
2. Historical NCTCOG Approach/ FTA Comments          Ken Kirkpatrick, NCTCOG
3. DBE Program Overview                              Emily Beckham, NCTCOG
4. Subrecipient Data Needs/ Schedule                 Emily Beckham, NCTCOG
5. Questions and Answers                             All
DISADVANTAGED BUSINESS ENTERPRISE PROGRAM

Fiscal Year 2020-2022 Goal Update

Subrecipient Meeting
May 16, 2019
FY2020-2022 DBE GOAL UPDATE

Introduction

- Historical NCTCOG Approach
- FTA Comments
- DBE Program Overview
- Subrecipient Data Needs
- Schedule
- Questions & Answers
**FY2020-2022 DBE GOAL UPDATE**

**Historical Approach**

**DBE Program Narrative (Handout)**
- All Funding Sources (FTA, FHWA, FAA, Other)

**DBE Goal Update/Calculation Methodology (Handout)**
- Market Area = DFW Region
- Projected Procurements = NCTCOG Only
- DBE Availability Analysis

**DBE Goal**
- 2014-2016: 25%
- 2017-2019: 25%

**Reporting**
- Semi-Annual DBE Reports (Prime/DBE Awards)
  - NCTCOG and Subrecipients

**Result:** DBE Shortfall
NCTCOG Must Segregate DBE Goal by Funding Source

NCTCOG Must Include Subrecipient Activities
   Projected Procurements (by Subrecipient)
   DBE Availability Analysis (by Subrecipient)

NCTCOG Needs to Develop DBE Program and Goal to Accommodate Subrecipients
   Subrecipients Have Different Market Areas
   DBE Availability Analysis is Dependent on Market Areas
FY2020-2022 DBE GOAL UPDATE

Service Area Map
Path Forward on Addressing FTA Comments

**Designated Recipients/Direct Recipients**
- Must have DBE Program if DBE Threshold is Met (Procurements exceed $250K/year)
- Report DBE Activities Directly to FTA

**NCTCOG Subrecipients (Not Designated/Direct Recipients)**
- Develop DBE Program/Goal or
- Adopt NCTCOG’s DBE Program/Applicable Goal
- Applicable DBE Goal: Specific to Subrecipient’s Market Area
- Continue to Report DBE Activities to NCTCOG
FY2020-2022 DBE GOAL UPDATE

DBE Program Purpose

- Ensure Non-discrimination
- Create a Level Playing Field/Fair Competition
- Narrowly Tailor Program to Meet Federal Law
- Ensure DBE Firms Meet Required Eligibility Standards
- Help Remove Barriers to DBE Participation
- Assist in Development of Firms to Compete Outside
Who is required to have a DBE Program:

- FTA recipients receiving planning, capital and/or operating assistance who will award prime contracts, the cumulative value exceeding $250,000 in FTA funds in a federal fiscal year (Section 26.21)
  - Excludes transit vehicle purchases (Section 26.49)
- All FHWA primary recipients
- FAA recipients receiving grants for airport planning/development who will award prime contracts, the cumulative value exceeding $250,000 in FAA funds in a federal fiscal year

Requirement: 49 Code of Federal Regulations Part 26

FY2020-2022 DBE GOAL UPDATE

DBE Program Guidance and Thresholds
Disadvantaged Business Enterprises (DBE):  
At Least 51 Percent Ownership by Socially and Economically Disadvantaged Individuals  
Management and Daily Operations Controlled by Socially and Economically Disadvantaged Individuals (Owners)  
Small Business Concern (Less than $22.51 Million Gross Receipts)

Socially and Economically Disadvantaged:  
Must be US Citizen or Lawful Permanent Resident  
Women  
African Americans  
Hispanic Americans  
Native Americans  
Asian Americans  
Asian-Indian Americans  
Others as determined by Small Business Administration
FY2020-2022 DBE GOAL UPDATE

Program History

1. FTA Approved Current DBE Program (January 2015)
2. FTA Approved DBE Goal for FY2014-2016 (August 2014)
3. FTA Reviewed and Provided Comments on FY2017-2019 DBE Goal (April 2019)
4. DBE Goals must be reviewed and updated for 2020-2022 (due to FTA by August 1st)
FY2020-2022 DBE GOAL UPDATE

Development of DBE Goal

2 Step Process:

Step 1:
Determine Relative Availability of Ready, Willing & Able DBE Firms

- Determined by Market Area
  - Dallas-Fort Worth MSA (NCTCOG)
  - Individual Market Areas for Transit Subrecipients (County)
- Includes weighting by Contract Opportunities for FY2020-2022
  - NCTCOG & Transit Agencies
  - Divided by Funding Source

Step 2:
Consideration of Other DBE Data

- Historical DBE expenditures (NCTCOG Program)
- Completed disparity studies
- DBE goals from other, similar agencies in the Dallas-Fort Worth market area
<table>
<thead>
<tr>
<th>Procurement Type</th>
<th>Potential Awards (in $1,000s)</th>
<th>Total Firms*</th>
<th>Total DBE Firms*</th>
<th>DBE Goal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban Planning/Engineering Services</td>
<td>$8,470</td>
<td>536</td>
<td>1,679</td>
<td>31.92%</td>
</tr>
<tr>
<td>Advertising/Public Relations</td>
<td>$2,382</td>
<td>221</td>
<td>1,022</td>
<td>21.62%</td>
</tr>
<tr>
<td>Software Development/Computer Services</td>
<td>$817</td>
<td>182</td>
<td>2,229</td>
<td>8.17%</td>
</tr>
<tr>
<td>Equipment</td>
<td>$1,467</td>
<td>6</td>
<td>102</td>
<td>5.88%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$13,136</strong></td>
<td><strong>945</strong></td>
<td><strong>5,032</strong></td>
<td><strong>25.67%</strong></td>
</tr>
</tbody>
</table>

**FY2020-2022 DBE GOAL UPDATE**

**Availability Analysis**
### FY2020-2022 DBE GOAL UPDATE

**Transit Subrecipient Data Needs**

<table>
<thead>
<tr>
<th>Type of Procurement</th>
<th>Types of Items/Services to be Procured</th>
<th>Fiscal Year</th>
<th>Cost (Estimated)</th>
</tr>
</thead>
</table>

- Declare Market Area (County Level)

Anticipated Procurements for Fiscal Years 2020, 2021, and 2022

Procurement Types Should Include:
- Micro Purchases
- Small Purchases (Invitations to/for Bid, Request for Quotes)
- Competitive Proposals (Request for Proposals)
- Sole Source

Excludes: Interlocal Cooperative Agreements and other government-to-government transactions.
<table>
<thead>
<tr>
<th>TASK</th>
<th>DATE</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meeting with Transit Subrecipients</td>
<td>May 16</td>
<td>✓</td>
</tr>
<tr>
<td>Forecast NCTCOG Procurements for 2020-2022</td>
<td>May 17- 24</td>
<td></td>
</tr>
<tr>
<td>⭐ Due: Subrecipient Upcoming Procurements</td>
<td>May 24</td>
<td></td>
</tr>
<tr>
<td>Compile Procurement Data into DBE Goal for 2020-2022</td>
<td>May 24- June 5</td>
<td></td>
</tr>
<tr>
<td>Public Meetings/Notice to Public of Proposed Goal (start 45-Day Public Comment Period)</td>
<td>Week of June 10</td>
<td></td>
</tr>
<tr>
<td>STTC Meeting: Information Item</td>
<td>June 28</td>
<td></td>
</tr>
<tr>
<td>RTC Meeting: Information Item</td>
<td>July 11</td>
<td></td>
</tr>
<tr>
<td>End of 45-day Public Comment Period</td>
<td>July 29</td>
<td></td>
</tr>
<tr>
<td>Submit draft Electronically to FTA</td>
<td>August 1</td>
<td></td>
</tr>
<tr>
<td>RTC: Action Item</td>
<td>Sept. 12</td>
<td></td>
</tr>
<tr>
<td>Executive Board: Action Item</td>
<td>Sept. 26</td>
<td></td>
</tr>
<tr>
<td>Submit Final Electronically to FTA</td>
<td>Sept. 27</td>
<td></td>
</tr>
<tr>
<td>DBE Program Update and Goal Effective</td>
<td>October 1</td>
<td></td>
</tr>
</tbody>
</table>

FY2020-2022 DBE GOAL UPDATE

Schedule
FY2020-2022 DBE GOAL UPDATE

Questions?

Ken Kirkpatrick
Counsel for Transportation
Phone: 817-695-9278
Email: kkirkpatrick@nctcog.org

Emily Beckham
Grants and Contracts Manager
Phone: 817-608-2308
Email: ebeckham@nctcog.org