Disadvantaged Business Enterprise (DBE) Consultation Workshop

Please join NCTCOG for a DBE goal-setting methodology & consultation workshop. This workshop will expand on the estimated contract awards for 2020, 2021, and 2022 as well as the projected DBE goals.

July 2, 2019
2:00 - 3:30 pm

NCTCOG · Transportation Council Room
616 Six Flags Drive · Arlington, TX 76011
AGENDA

Disadvantaged Business Enterprise (DBE) Consultation Workshop
Tuesday, July 2, 2019, 2:00 PM – 3:30 PM
North Central Texas Council of Governments
616 Six Flags Drive, Arlington, TX 76011
Transportation Council Room

1. Introduction - Ken Kirkpatrick, NCTCOG
2. DBE Program Overview - Ken Kirkpatrick, NCTCOG
3. DBE Goal Update/Availability Analysis - Emily Beckham, NCTCOG
4. Schedule - Emily Beckham, NCTCOG
5. Participation in Contracting Process - Emily Beckham, NCTCOG
6. Dialogue on Process - All
DISADVANTAGED BUSINESS ENTERPRISE PROGRAM

_Fiscal Year 2020-2022 Goal Update_

_Consultation Meeting_
_July 2, 2019_
Introduction

DBE Program Overview

DBE Goal Update/Availability Analysis

Schedule

Participation in Contracting Process

Dialogue on Process
FY2020-2022 DBE GOAL UPDATE

DBE Program Guidance and Thresholds

Requirement: **49 Code of Federal Regulations Part 26**

Who is required to have a DBE Program:
- Certain Recipients of Federal Funds (FTA, FHWA, FAA)

What are the Requirements:
- Updated DBE Goal Every Three Years (new goal due August 1, 2019)
- Current Goal of 25% Active through September 30, 2019, covered FY2017-2019
- Publication of DBE goal as part of RFP
- Certification of DBE Eligibility
FY2020-2022 DBE GOAL UPDATE

DBE Program Overview

- 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
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

DBE
Certifications
Accepted

Texas Uniform Certification Program
- North Central Texas Regional Certification Agency
- City of Austin
- City of Houston
- City of Corpus Christi
- TxDOT
- South Central Texas Certification Agency

US DOT

Interstate Certification Program

Certification Based on Same Definition of Ownership and Control as US DOT
FY2020-2022 DBE GOAL UPDATE

Process to Update DBE Goal

- Initiate Public Input/Stakeholder Involvement
- Project Potential Contract Awards (FY 20-22)

DBE Goal Development

- Publish Goal for Public Comment/Review
- Committee Review/Consideration
- Implement New DBE Goal – October 1, 2019
FY2020-2022 DBE GOAL UPDATE

Development of DBE Goal

2 Step Process:

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

Step 2: Consideration of Other DBE Data
## FY2020-2022 DBE Goal Update

### Current DBE Goal (2017-2019)

<table>
<thead>
<tr>
<th>Procurement Type</th>
<th>DBE Goal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban Planning/Engineering Services</td>
<td>31.92%</td>
</tr>
<tr>
<td>Advertising/Public Relations</td>
<td>21.62%</td>
</tr>
<tr>
<td>Software Development/Computer Services</td>
<td>8.17%</td>
</tr>
<tr>
<td>Equipment</td>
<td>5.88%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>25.0%</strong></td>
</tr>
<tr>
<td>Total Weighted Summary</td>
<td></td>
</tr>
</tbody>
</table>
FY2020-2022 DBE GOAL UPDATE

Preliminary DBE Availability Analysis Continued

- Identified contract awards 20-22 (NCTCOG & Subs)
- Categorized Purchases & Assigned NAICS Code
- Reviewed 2016 County Business Pattern Data by Market Areas (DFW MSA & Rural Counties)
- Searched TUCP by Market Areas (DFW MSA & Rural Counties)
- Calculated Proposed DBE Goals
## FY2020-2022 DBE GOAL UPDATE

### Project Potential Contract Awards

<table>
<thead>
<tr>
<th>Procurement Type</th>
<th>Potential Awards (in $1,000s)</th>
<th>Potential Awards (in $1,000s)</th>
<th>Potential Awards (in $1,000s)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FTA</td>
<td>FHWA</td>
<td>TOTAL</td>
</tr>
<tr>
<td>Building Construction</td>
<td>$275</td>
<td>$0</td>
<td>$275</td>
</tr>
<tr>
<td>Marketing, Advertising, and Public Relations</td>
<td>$268</td>
<td>$1,805</td>
<td>$2,073</td>
</tr>
<tr>
<td>Office Supplies &amp; Equipment (Rental &amp; Purchase)</td>
<td>$587</td>
<td>$430</td>
<td>$1,017</td>
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<tr>
<td>Operational Administrative, Communications, Support Services</td>
<td>$2,476</td>
<td>$0</td>
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<tr>
<td>Planning/Engineering</td>
<td>$6,830</td>
<td>$10,044</td>
<td>$16,874</td>
</tr>
<tr>
<td>Software and Ancillary Information Technology Professional Services</td>
<td>$383</td>
<td>$434</td>
<td>$817</td>
</tr>
<tr>
<td>Transportation Equipment</td>
<td>$0</td>
<td>$3,586</td>
<td>$3,586</td>
</tr>
<tr>
<td>Vehicle Maintenance and Operations Support</td>
<td>$4,998</td>
<td>$0</td>
<td>$4,998</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$15,817</strong></td>
<td><strong>$16,299</strong></td>
<td><strong>$32,116</strong></td>
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</tbody>
</table>
FY2020-2022 DBE GOAL UPDATE

Service Area Map
<table>
<thead>
<tr>
<th>Procurement Type</th>
<th>Potential Awards (in $1,000s)</th>
<th>DBE Firms</th>
<th>Total Firms</th>
<th>DBE Goal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Construction</td>
<td>$275</td>
<td>235</td>
<td>791</td>
<td>29.7%</td>
</tr>
<tr>
<td>Marketing, Advertising, and Public Relations</td>
<td>$2,073</td>
<td>261</td>
<td>1734</td>
<td>15.1%</td>
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<tr>
<td>Office Supplies &amp; Equipment (Rental &amp; Purchase)</td>
<td>$1,017</td>
<td>29</td>
<td>997</td>
<td>2.9%</td>
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<tr>
<td>Operational Administrative, Communications, Support Services</td>
<td>$2,476</td>
<td>406</td>
<td>8205</td>
<td>4.9%</td>
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<tr>
<td>Planning/Engineering</td>
<td>$16,874</td>
<td>524</td>
<td>1673</td>
<td>31.3%</td>
</tr>
<tr>
<td>Software and Ancillary Information Technology Professional Services</td>
<td>$817</td>
<td>219</td>
<td>2635</td>
<td>8.3%</td>
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<tr>
<td>Transportation Equipment</td>
<td>$3,586</td>
<td>8</td>
<td>104</td>
<td>7.7%</td>
</tr>
<tr>
<td>Vehicle Maintenance and Operations Support</td>
<td>$4,998</td>
<td>30</td>
<td>2569</td>
<td>1.2%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$32,116</td>
<td>1,712</td>
<td>18,708</td>
<td>9.2%</td>
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<td><strong>19.4%</strong></td>
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<td></td>
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<td>-----------</td>
<td>-------------</td>
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</tr>
<tr>
<td>Marketing, Advertising, and Public Relations</td>
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<td>246</td>
<td>1580</td>
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<tr>
<td>Office Supplies &amp; Equipment (Rental &amp; Purchase)</td>
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<td>29</td>
<td>997</td>
<td>2.9%</td>
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<tr>
<td>Planning/Engineering</td>
<td>$10,044</td>
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<tr>
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<td></td>
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</tr>
<tr>
<td>Professional Services</td>
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<td></td>
<td></td>
<td></td>
</tr>
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<td>$3,586</td>
<td>8</td>
<td>104</td>
<td>7.7%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$16,299</td>
<td>1,018</td>
<td>6885</td>
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<tr>
<td>Total Weighted Summary</td>
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<td>21.3%</td>
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</table>
Guiding Principle: Open, Fair and Competitive Process

RFP Issuance & Advertisement
- All procurement documents posted on www.nctcog.org/rfp
- Consultants registered in our database received notifications of procurements matching their expertise
- Advertisements issued in the Texas Register and newspapers:
  - Dallas Morning News, Fort-Worth Star Telegram
  - Dallas Examiner or Dallas Weekly, Al Dia or La Estrella, Tre Magazine
- Posted on Facebook or Twitter

Opportunities for Questions
- Pre-proposal Conference: determined project-by-project
- Written questions & answers
Proposal Submittal
- Formatting, number of printed or electronic copy requirements detailed in RFP
- Proposals typically include:
  - Project Understanding
  - Scope of Services & Schedule
  - Consultant Qualifications
  - Compliance Requirements
  - Proposers are requested to include comments/edits on the sample contract as part of their proposal response.

Consultant Selection Committee & Interviews
- Comprised of NCTCOG & Non-NCTCOG members
- Interview dates, if needed, are published at the time RFP is published

Selection Criteria
- Published in RFP
- Typical Criteria:
  - Planning Services
  - Engineering Services (qualifications based selection)
  - Other- Equipment, Vehicles, etc.
Contract Award
  • Selection Committee makes recommendation to NCTCOG Executive Board
  • Executive Board approval is required,
  • Selection process is complete, Contract Execution can proceed

Contract Development
  • Often occurs simultaneous to NCTCOG Executive Board approval
  • Scope
  • Budget (prime & subs)
  • Additional compliance documents:
    • Disadvantaged Business Enterprise Participation
    • Debarment Certification (prime & subs)
    • Lobbying Certification (prime & subs)
    • Affirmative Action (if applicable)
  • Requirement: Form 1295 (prime)
FY2020-2022 DBE GOAL UPDATE

Resources to Monitor Anticipated Procurements

Committee Agendas

- Surface Transportation Technical Committee
- Regional Transportation Council
- Executive Board
- Available online at: https://www.nctcog.org/trans/about/committees

Department Work Activities

- Development of Unified Planning Work Program (every 2 years)
- Modifications to the Work Program (approximately every quarter)
- Available online at: https://www.nctcog.org/trans/study/unified-planning-work-program
<table>
<thead>
<tr>
<th>TASK</th>
<th>DATE</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Meeting to Kickoff DBE Goal Update Process</td>
<td>June 10</td>
<td>✓</td>
</tr>
<tr>
<td>STTC Meeting: Information Item</td>
<td>June 28</td>
<td>✓</td>
</tr>
<tr>
<td>Consultation Meeting with Stakeholders</td>
<td>July 2</td>
<td>✓</td>
</tr>
<tr>
<td>Notice to Public of Proposed Goal (start 45-Day Public Comment Period)</td>
<td>July 10</td>
<td></td>
</tr>
<tr>
<td>RTC Meeting: Information Item</td>
<td>July 11</td>
<td></td>
</tr>
<tr>
<td>Submit draft Electronically to FTA</td>
<td>August 1</td>
<td></td>
</tr>
<tr>
<td>STTC: Action Item</td>
<td>August 23</td>
<td></td>
</tr>
<tr>
<td>End of 45-day Public Comment Period</td>
<td>August 30</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>
Any comments regarding NCTCOG’s proposed 3-year DBE goal?

Are there potential barriers to NCTCOG’s contracting process?

Are there additional avenues for advertising upcoming Request for Proposals to better reach your constituents?
FY2020-2022 DBE GOAL UPDATE

Questions?

Ken Kirkpatrick
Counsel for Transportation
DBE Liaison Officer
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Email: kkirkpatrick@nctcog.org

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

DBE?