Disadvantaged Business Enterprise Program
Open House

Fiscal Years
2017-2019
DBE Participation Goal Update

July 13, 2016

North Central Texas Council of Governments
FY2017 - 2019 DBE Goal Update

Agenda

• Welcome and Introduction

• Disadvantaged Business Enterprise Program Overview

• Overview of Procurement Process

• North Central Texas Regional Certification Agency: Certification Overview

• Questions and Answers
FY2017 - 2019 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 DBE Program
FY2017- 2019 DBE Goal Update

Definitions

Disadvantaged Business Enterprises (DBE)

• At Least 51% Ownership by Socially and Economically Disadvantaged Individuals
• Management and Daily Operations Must be Controlled by Socially and Economically Disadvantaged Individuals (Owners)
• Small Business Concerns

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
FY2017 - 2019 DBE Goal Update

Federal Requirements

• DBE Program Required Under Federal Regulations (49 CFR Part 26) for Certain Recipients of Federal Funds

• Development of DBE Participation Goals (Every Three Years)

• DBE Program and Goals Must be Submitted to Federal Reviewing Agencies by August 1, 2016 (FHWA, FTA, FAA)
FY2017-2019 DBE Goal Update
NCTCOG Policy and Current DBE Goal

NCTCOG Policy:
• Award Fair Share of Contracts to Disadvantaged Business Enterprises

NCTCOG Transportation Department:
• 25% DBE Participation Goal for FY2014-2016
• Publication of DBE Goal as Part of RFP
• Demonstration & Documentation of Good Faith Efforts
• Certification of DBE Eligibility
• Necessary to Update Program and Goal for Next Three Years
FY2017-2019 DBE Goal Update

DBE Certifications Accepted

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

2. US DOT Agencies

3. Certification Based on Same Definition of Ownership and Control as US DOT
FY2017-2019 DBE Goal Update

Development of DBE Goal

• Determine Relative Availability of Ready, Willing and Able DBE Firms by Function (Base with Adjustments)

• Goal to Reflect Expected DBE Participation Absent Effects of Discrimination

• Cannot Rely on National Goal (10%), Previous Goal or Past Participation Without Reference to Availability
## FY2017-2019 DBE Goal Update

### DBE Availability Analysis

<table>
<thead>
<tr>
<th>Service Category</th>
<th>Potential Awards (in $1,000s)</th>
<th>Total DBE Firms*</th>
<th>Total Firms*</th>
<th>Non-Weighted Summary</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>18.78%</strong></td>
</tr>
<tr>
<td><strong>Total Weighted Summary</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>25.67%</strong></td>
</tr>
</tbody>
</table>

*Market Area is Dallas-Fort Worth Metropolitan Area*
## FY2017-2019 DBE Goal Update

**Historical Performance**

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Total Contract Amount</th>
<th>DBE Goal</th>
<th>DBE Contract Percent</th>
<th>DBE Expenditure Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006-2010</td>
<td>$17,028,000</td>
<td>13%</td>
<td>22.00%</td>
<td>24.10%</td>
</tr>
<tr>
<td>2011-2013</td>
<td>$7,122,596</td>
<td>25%</td>
<td>27.40%</td>
<td>24.50%</td>
</tr>
<tr>
<td>2014-2016*</td>
<td>$14,485,947</td>
<td>25%</td>
<td>29.81%</td>
<td>31.69%</td>
</tr>
</tbody>
</table>

*through May 1, 2016
FY2017-2019 DBE Goal Update

**Historical Performance:**
*Summary of Race Conscious & Race Neutral Participation*

Race Conscious Participation: Achieved through DBE contract goals

Race Neutral Participation: Achieved without DBE contract goals

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Total Contract Expenditures</th>
<th>Total DBE Expenditures</th>
<th>Race Conscious Expenditures</th>
<th>Race Neutral Expenditures</th>
<th>Ratio of Race Conscious v. Race Neutral</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014-2016</td>
<td>$8,061,597</td>
<td>$2,555,293</td>
<td>$1,443,164</td>
<td>$1,112,130</td>
<td>56% : 44%</td>
</tr>
</tbody>
</table>
# FY2017-2019 DBE Goal Update

## Proposed Goal

<table>
<thead>
<tr>
<th>2017-2019 Projected Contracting Opportunities</th>
<th>$13,136,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Overall DBE Goal</td>
<td>25%</td>
</tr>
<tr>
<td>Race Conscious</td>
<td>14%</td>
</tr>
<tr>
<td>Race Neutral</td>
<td>11%</td>
</tr>
</tbody>
</table>

Goal Development Methodology and Supporting Materials Available at:  
FY2017-2019 DBE Goal Update

Schedule

<table>
<thead>
<tr>
<th>TASK</th>
<th>DATE</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>STTC Meeting: Information Item</td>
<td>May 27</td>
<td>☑</td>
</tr>
<tr>
<td>Notice to Public: Proposed DBE Goal</td>
<td>June 1</td>
<td>☑</td>
</tr>
<tr>
<td>Public Meetings: Proposed DBE Goal</td>
<td>June 13-15</td>
<td>☑</td>
</tr>
<tr>
<td>RTC Meeting: Information Item</td>
<td>June 16</td>
<td>☑</td>
</tr>
<tr>
<td>Consultant/DBE Workshop</td>
<td>July 13</td>
<td>☑</td>
</tr>
<tr>
<td>End of 45-Day Public Comment Period</td>
<td>July 21</td>
<td></td>
</tr>
<tr>
<td>STTC Meeting: Action Item</td>
<td>July 22</td>
<td></td>
</tr>
<tr>
<td>Submit Electronically to FTA Draft DBE Goal for FY17-19</td>
<td>August 1</td>
<td></td>
</tr>
<tr>
<td>RTC Meeting: Action Item</td>
<td>August 11</td>
<td></td>
</tr>
<tr>
<td>Executive Board: Action Item</td>
<td>August 25</td>
<td></td>
</tr>
<tr>
<td>Submit Electronically to FTA Approved DBE Goal for FY17-19</td>
<td>August 26</td>
<td></td>
</tr>
<tr>
<td>DBE Goal for FY17-19 Effective</td>
<td>October 1</td>
<td></td>
</tr>
</tbody>
</table>
FY2017-2019 DBE Goal Update

Overview of the Procurement Process

Guiding Principle:
Open, Fair and Competitive Process

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

Opportunities for Questions
- Pre-proposal Conference: determined project-by-project
- Written questions & answers
FY2017-2019 DBE Goal Update

Overview of the Procurement Process

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
  - New! 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.
# FY2017-2019 DBE Goal Update

## Overview of the Procurement Process

<table>
<thead>
<tr>
<th>Planning Services Selection Criteria</th>
<th>Engineering Services Selection Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Understanding (25%)</td>
<td>Project Understanding (30%)</td>
</tr>
<tr>
<td>Scope of Services (25%)</td>
<td>Scope of Services (25%)</td>
</tr>
<tr>
<td>Project Manager/Staff Qualifications (20%)</td>
<td>Project Manager/Staff Qualifications (20%)</td>
</tr>
<tr>
<td>Project Cost (15%)</td>
<td>Knowledge of the Dallas-Fort Worth Area (10%)</td>
</tr>
<tr>
<td>Firm Qualifications/Consultant References (10%)</td>
<td>Firm Qualifications/Consultant References (10%)</td>
</tr>
<tr>
<td>Project Schedule (5%)</td>
<td>Project Schedule (5%)</td>
</tr>
</tbody>
</table>

Selection Criteria for other procurement types:
- Determined project-by-project
- Detailed in RFP
FY2017-2019 DBE Goal Update

Overview of the Procurement Process

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)
- New! Requirement: Form 1295 (prime)

FY2017-2019 DBE Goal Update

Resources to Monitor Anticipated Transportation Procurements

Committee Agendas

• Surface Transportation Technical Committee
• Regional Transportation Council
• Executive Board
  • Available online at: http://www.nctcog.org/edo/board.asp

Department Work Activities

• Unified Planning Work Program
  • Development of new Work Program every 2 years
  • Modifications to the Work Program (approximately every quarter)
  • Available online at: http://www.nctcog.org/trans/admin/upwp/
FY2017-2019 DBE Goal Update

Resources to Monitor Anticipated Transportation Procurements

Regional Transportation Council (RTC)

Description
Roster
Bylaws and Operating Procedures

Dallas-Fort Worth Metropolitan Planning Organization (1974 - 2014) 40th Anniversary

Upcoming RTC Business Meetings
(notices, agendas, and meeting materials will be available approximately one week before the meeting)

The next RTC Business meeting is scheduled for:
1:00 pm, Thursday, July 14, 2016
Transportation Council Room
NCTCOG, 616 Six Flags Drive, Arlington, 76011
- Notice
- Agenda

In addition, the following workshop is scheduled:
Driverless Vehicles and Automotive Technology Workshop
11:30 am, Thursday, July 14, 2016
Transportation Council Room
FY2017-2019 DBE Goal Update

Resources to Monitor Anticipated Transportation Procurements

Executive Board

- Link found on the www.nctcog.org homepage

What is NCTCOG?

The North Central Texas Council of Governments (NCTCOG) is a voluntary association of, by and for local governments, established to assist local governments in planning for common needs, cooperating for mutual benefit, and coordinating for sound regional development. [more]

Inside NCTCOG

- NCTCOG Executive Board
- Comprehensive Economic Development Strategy
- Strategic Plan 2015-2020
- Committees
- Careers at NCTCOG
- Shopping Cart
- Public Information Requests

News & Events

- General Assembly
- It’s Your Region
- Presentations
- Newsletters
- Meeting Calendar

Hot Spots

- North Texas SHARE Cooperative Purchase Program
- Creation of a Regional Emergency Communications District
- Regional Data Center
- Regional Directory
- Weather

NCTCOG Executive Board

NCTCOG’s Executive Board, composed of 17 locally elected officials, and one ex-officio non-voting member of the legislature, is the policy-making body for all activities undertaken by the Council of Governments, including program activities and decisions, regional plans, and fiscal and budgetary policies. The Board is supported by technical, study, and policy development committees and a professional staff headed by Mike Eastland, Executive Director.

The Executive Board meets on the fourth Thursday of each month January through October and on the third Thursday of the month in November and December. The meetings are in the Transportation Council Room at NCTCOG offices, unless otherwise noted. Agendas for upcoming meetings are posted 72 hours prior to each meeting.

Executive Board Meetings
2016-17 Meeting Dates

June 23, 2016
Agenda
(PDF: 56pp; 1008KB)

Next Regular Meeting
July 28, 2016

Minutes, Resolutions and Video from Previous Meetings
FY2017-2019 DBE Goal Update

Guidance & Tips on Standard Forms

Affirmative Action

• Applicable for firms with more than 50 employees
• Required for Prime proposer
• Should include:
  • Policy Statement & Utilization analysis of workforce
  • Summary of the number AND percent of employees classified as minorities, including both women and ethnic minorities
  • Indication of employees by professional v. non-professional -OR- administrative v. clerical positions

<table>
<thead>
<tr>
<th>Count of Employee Identifier</th>
<th>Female</th>
<th>American Indian or Alaska Native (Not Hispanic or Latino)</th>
<th>Asian (Not Hispanic or Latino)</th>
<th>Black or African American (Not Hispanic or Latino)</th>
<th>Hispanic or Latino</th>
<th>Native Hawaiian/Other Pacific Islander (Not Hispanic or Latino)</th>
<th>Two or More Races (Not Hispanic or Latino)</th>
<th>Unknown</th>
<th>White (Not Hispanic or Latino)</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative Support Workers</td>
<td>2</td>
<td>60</td>
<td>154</td>
<td>130</td>
<td>5</td>
<td>33</td>
<td>45</td>
<td>737</td>
<td>1166</td>
<td></td>
</tr>
<tr>
<td>Craft Workers</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Executive/Senior Level Officials and Managers</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>First/Mid Level Officials and Managers</td>
<td>4</td>
<td>75</td>
<td>38</td>
<td>44</td>
<td>1</td>
<td>12</td>
<td>32</td>
<td>818</td>
<td>1024</td>
<td></td>
</tr>
<tr>
<td>Laborers and Helpers</td>
<td></td>
<td></td>
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<tr>
<td>Operatives</td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>Professionals</td>
<td>9</td>
<td>361</td>
<td>133</td>
<td>220</td>
<td>7</td>
<td>83</td>
<td>116</td>
<td>2408</td>
<td>3337</td>
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<tr>
<td>Technicians</td>
<td>4</td>
<td>39</td>
<td>35</td>
<td>32</td>
<td>1</td>
<td>18</td>
<td>19</td>
<td>948</td>
<td>489</td>
<td></td>
</tr>
<tr>
<td>Grand Total</td>
<td>20</td>
<td>529</td>
<td>360</td>
<td>427</td>
<td>13</td>
<td>146</td>
<td>212</td>
<td>4322</td>
<td>6028</td>
<td></td>
</tr>
<tr>
<td>Percent</td>
<td>0.11%</td>
<td>2.83%</td>
<td>1.93%</td>
<td>2.28%</td>
<td>0.07%</td>
<td>0.78%</td>
<td>1.13%</td>
<td>23.12%</td>
<td>32.23%</td>
<td></td>
</tr>
</tbody>
</table>
FY2017-2019 DBE Goal Update

Guidance & Tips on Standard Forms

Form 60 (Budget Development)

• Typically one form for Prime and each sub-consultant
• Primary cost elements completed: 3, 4, 7, 8, 9, 13 and 14
• Common questions & revisions:
  • Cost Element 3- Position v. Person
  • Cost Element 4- Audited Overhead Rate
  • Cost Element 7(a) & 7(b)- Travel . . . on over to page 2!
  • Cost Element 8- consultants on Prime’s = individual subs Form 60’s
  • Cost Element 9- known direct cost, no line items for miscellaneous
  • Cost Element 13- Profit, FAR guidelines & NCTCOG guidelines
  • Cost Element 14- Prime’s = Total Contract Amount
Debarment Certification (49 CFR Part 29)
- Excluded from obtaining federal assistance funds if debarred/suspended by Federal Government
- Applies to agreements/contracts exceeding $25,000
- Required for Prime and all sub-consultants
- Notification required if Prime or sub-consultant becomes debarred or suspended

Lobbying Certification (Public Law 101-102, Section 319)
- Federal funds cannot be used to participate in lobbying activities
- Applies to any firm/individual receiving more than $100,000 in federal funds
- Required for Prime and all sub-consultants
- If a firm/individual can complete the certification (H.1), completion of the disclosure is not needed.
- If a firm/individual cannot complete H.1, they must disclose lobbying activities on H.2.
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Guidance & Tips on Standard Forms

Form 1295 (House Bill 1295)

• Required on a project-by-project basis, NCTCOG will provide a contract number
• Consultant submits a Disclosure of Interested Parties
• Disclosure is completed electronically at: https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm
• Request consultant to provide PDF copy of completed disclosure to NCTCOG via email
• NCTCOG will complete acknowledgement electronically
• Execution cannot occur until the Form 1295 has been submitted & acknowledged

FAQ on process available at: https://www.ethics.state.tx.us/whatsnew/FAQ_Form1295.html
Disadvantaged Business Enterprise Forms

- DBE Program Compliance
  - Good Faith Efforts documentation

- Affidavit of DBE Participation
  - Details DBE contractors, scope/work activities, & percent of work
Questions or Comments

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E-mail: aljohnson@nctcog.org