

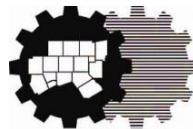
Disadvantaged Business Enterprise Program Open House

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

	Potential Awards (in \$1,000s)	Total DBE Firms*	Total Firms*	Non-Weighted Summary
Urban Planning/ Engineering Services	\$ 8,470	536	1,679	31.92%
Advertising/Public Relations	\$ 2,382	221	1,022	21.62%
Software Development/ Computer Services	\$ 817	182	2,229	8.17%
Equipment	\$ 1,467	6	102	5.88%
TOTAL	\$13,136	945	5,032	18.78%
Total Weighted Summary				25.67%

*Market Area is Dallas-Fort Worth Metropolitan Area

FY2017-2019 DBE Goal Update

Historical Performance

Fiscal Year	Total Contract Amount	DBE Goal	DBE Contract Percent	DBE Expenditure Percent
2006-2010	\$17,028,000	13%	22.00%	24.10%
2011-2013	\$7,122,596	25%	27.40%	24.50%
2014-2016*	\$14,485,947	25%	29.81%	31.69%

*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

Fiscal Year	Total Contract Expenditures	Total DBE Expenditures	Race Conscious Expenditures	Race Neutral Expenditures	Ratio of Race Conscious v. Race Neutral
2014-2016	\$8,061,597	\$2,555,293	\$1,443,164	\$1,112,130	56% : 44%

FY2017-2019 DBE Goal Update

Proposed Goal

2017-2019 Projected Contracting Opportunities	\$13,136,000
Proposed Overall DBE Goal	25%
Race Conscious	14%
Race Neutral	11%

Goal Development Methodology and Supporting Materials

Available at:

<http://www.nctcog.org/trans/programs/DBEProgram.asp>

FY2017-2019 DBE Goal Update

Schedule

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

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

Planning Services Selection Criteria

Project Understanding (25%)

Scope of Services (25%)

Project Manager/Staff Qualifications (20%)

Project Cost (15%)

Firm Qualifications/Consultant References (10%)

Project Schedule (5%)

Engineering Services Selection Criteria

Project Understanding (30%)

Scope of Services (25%)

Project Manager/Staff Qualifications (20%)

Knowledge of the Dallas-Fort Worth Area (10%)

Firm Qualifications/Consultant References (10%)

Project Schedule (5%)

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: 58pp; 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

Count of Employee Identifier	Female									Total
	American Indian or Alaska Native		Asian	Black or African American	Hispanic or Latino	Native Hawaiian/Other Pacific Islander	Two or More Races	Unknown	White	
	(Not Hispanic or Latino)	(Not Hispanic or Latino)	(Not Hispanic or Latino)		(Not Hispanic/Latino)	(Not Hispanic or Latino)		(Not Hispanic or Latino)		
Administrative Support Workers		2	60	154	130	5	33	45	737	1166
Craft Workers		1								1
Executive/Senior Level Officials and Managers					1				10	11
First/Mid Level Officials and Managers		4	75	38	44	1	12	32	818	1024
Laborers and Helpers Operatives									1	1
Professionals		9	361	133	220	7	83	116	2408	3337
Technicians		4	33	35	32		18	19	348	489
Grand Total		20	529	360	427	13	146	212	4322	6029
Percent		0.11%	2.83%	1.93%	2.28%	0.07%	0.78%	1.13%	23.12%	32.26%

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

FY2017-2019 DBE Goal Update

Guidance & Tips on Standard Forms

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.

FY2017-2019 DBE Goal Update

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

FY2017-2019 DBE Goal Update

Guidance & Tips on Standard Forms

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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