

DISADVANTAGED BUSINESS ENTERPRISE PROGRAM

*Fiscal Year 2020-2022 Goal
Update*

*Open House Meeting
August 13, 2019*



**FY2020-2022 DBE
GOAL UPDATE**

Introduction

Introduction

DBE Program Overview/Goal Update

Procurement & Contracting Process

DBE Certification Process

Question & Answer

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

FY2020-2022 DBE GOAL UPDATE

U.S. DOT Definition

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

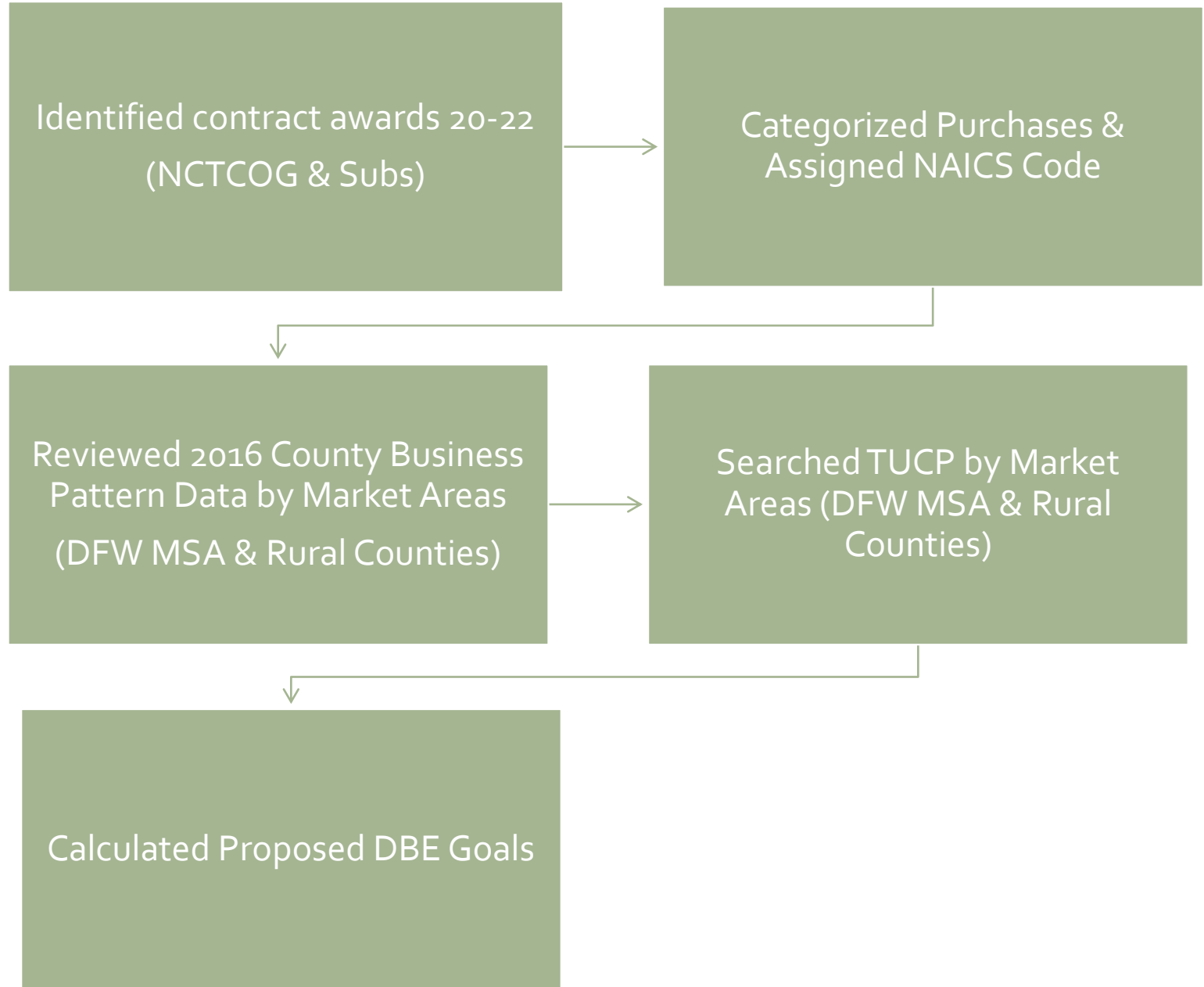
FY2020-2022 DBE GOAL UPDATE

Current DBE Goal (2017-2019)

Procurement Type	DBE Goal
Urban Planning/ Engineering Services	31.92%
Advertising/Public Relations	21.62%
Software Development/Computer Services	8.17%
Equipment	5.88%
TOTAL	
Total Weighted Summary	25.0%

FY2020-2022 DBE GOAL UPDATE

Preliminary DBE Availability Analysis Continued



FY2020-2022 DBE GOAL UPDATE

Project Potential Contract Awards

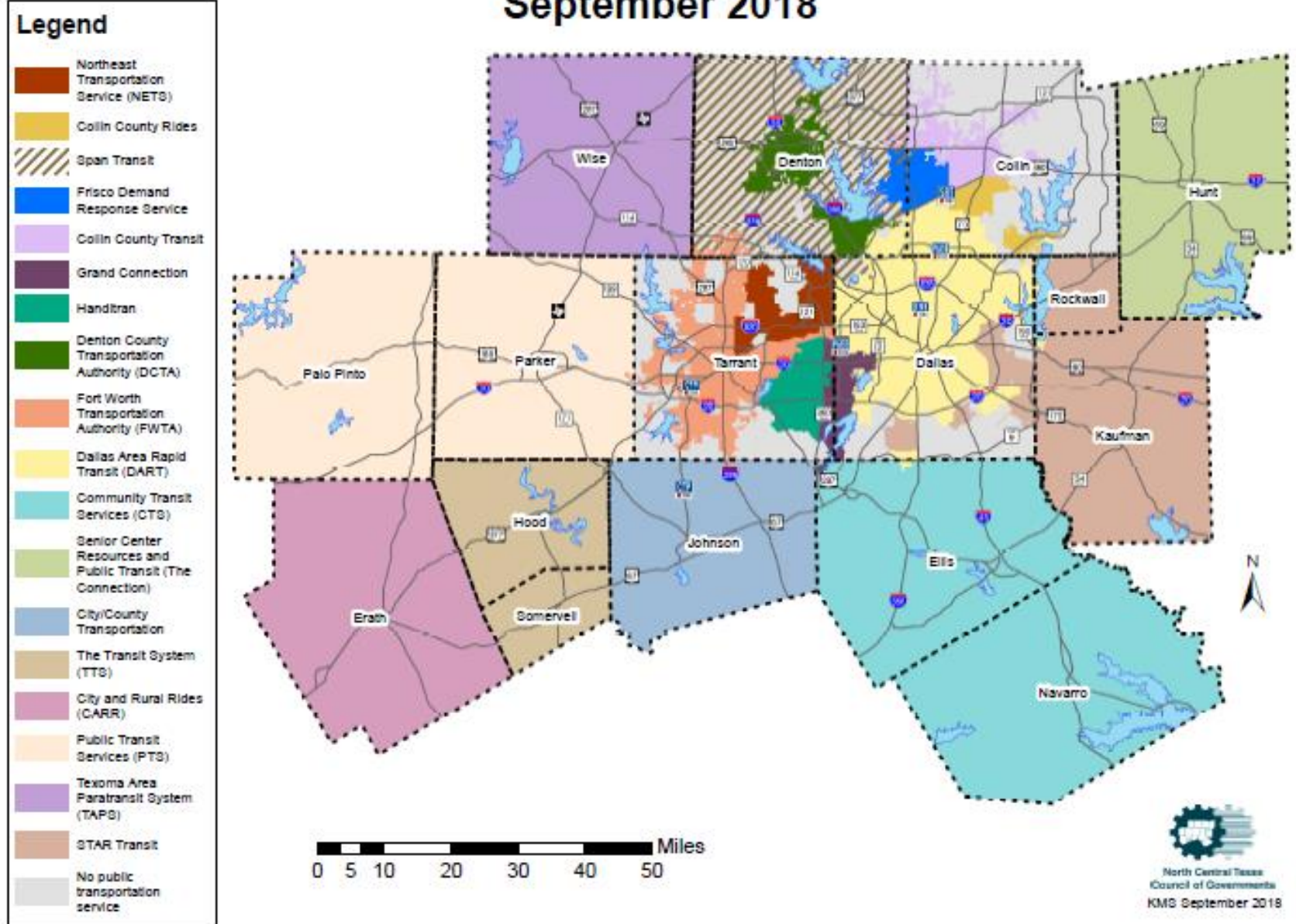
NCTCOG and Subrecipients

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

FY2020-2022 DBE GOAL UPDATE

Service Area Map

Public Transportation Provider Service Areas September 2018



FY2020-2022 DBE GOAL UPDATE

Preliminary *DBE* Availability Analysis

NCTCOG and Subrecipients

Procurement Type	Potential Awards (in \$1,000s)	DBE Firms	Total Firms	DBE Goal
Building Construction	\$275	235	791	29.7%
Marketing, Advertising, and Public Relations	\$2,073	261	1734	15.1%
Office Supplies & Equipment (Rental & Purchase)	\$1,017	29	997	2.9%
Operational Administrative, Communications, Support Services	\$2,476	406	8205	4.9%
Planning/Engineering	\$16,874	524	1673	31.3%
Software and Ancillary Information Technology Professional Services	\$817	219	2635	8.3%
Transportation Equipment	\$3,586	8	104	7.7%
Vehicle Maintenance and Operations Support	\$4,998	30	2569	1.2%
TOTAL	\$32,116	1,712	18,708	9.2%
Total Weighted Summary				19.4%

FY2020-2022 DBE GOAL UPDATE

Preliminary *DBE Availability Analysis*

NCTCOG and Subrecipients FTA

Procurement Type	Potential Awards (in \$1,000s)	DBE Firms	Total Firms	DBE Goal
Building Construction	\$275	235	791	29.7%
Marketing, Advertising, and Public Relations	\$268	261	1734	15.1%
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Vehicle Maintenance and Operations Support	\$4,998	30	2569	1.2%
TOTAL	\$15,796	1,712	18,708	9.2%
Total Weighted Summary				15.8%

FY2020-2022 DBE GOAL UPDATE

Preliminary DBE Availability Analysis

*NCTCOG and Subrecipients
FHWA*

Procurement Type	Potential Awards (in \$1,000s)	DBE Firms	Total Firms	DBE Goal
Marketing, Advertising, and Public Relations	\$1,805	246	1580	15.6%
Office Supplies & Equipment (Rental & Purchase)	\$430	29	997	2.9%
Planning/Engineering	\$10,044	524	1673	31.3%
Software and Ancillary Information Technology Professional Services	\$434	219	2635	8.3%
Transportation Equipment	\$3,586	8	104	7.7%
TOTAL	\$16,299	1,018	6885	14.8%
Total Weighted Summary				21.3%

FY2020-2022 DBE GOAL UPDATE

Proposed Goal

*NCTCOG and Subrecipients
(FTA, FHWA Funds)*

CONTRACTING ENTITY	FTA	FHWA^	TOTAL
NCTCOG	30.4%	27.3%	28.4%
SUBRECIPIENTS	3.2%	7.7%	5.0%
TOTAL WEIGHTED GOAL*	15.8%	21.3%	19.4%

Race Conscious 10.67%, Race Neutral 8.73%

^FHWA funds also include other federal and local sources.

*Weighted by Contract Service Type, Contract Award Amount, and Market Area

FY2020-2022 DBE GOAL UPDATE

Overview of the Procurement Process

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

FY2020-2022 DBE GOAL UPDATE

Overview of the Procurement Process Continued

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

FY2020-2022 DBE GOAL UPDATE

Overview of the Procurement Process Continued

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.

FY2020-2022 DBE GOAL UPDATE

Overview of the Procurement Process Continued

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>

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	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 or Latino)	(Not Hispanic/Latino)	(Not Hispanic or 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	
First/Mid Level Officials and Managers	4	75	38	44	1	12	32	818	1024	
Laborers and Helpers										
Operatives									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
 - 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*

Disadvantaged Business Enterprise Forms

- DBE Program Compliance
 - Good Faith Efforts documentation
- Affidavit of DBE Participation
 - Details DBE contractors, scope/work activities, & percent of work

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/filinginfo/1295/>

FY2020-2022 DBE GOAL UPDATE

Upcoming Procurement Opportunities

- DFW Core Express HSR
 - 2020 Transit Travel Survey
 - Sketch Planning Tool
 - Harry Hines Corridor Analysis & Development of a Master Plan
 - Transit Planning & Implementation Studies for Collin, Dallas, Tarrant and Rockwall Counties
 - Conduct a Regional Veloweb Feasibility & Alignment Study in South Dallas
 - Preparation of a Design Development Schematic & Environmental Summary for the Bomber Spur Regional Veloweb Trail
 - Planning Assistance for Implementation of Automated Vehicles
 - McKinney Avenue M-Line Extension from Uptown
- Equipment Purchases:**
- Commercial Vehicle Enforcement
 - Vehicle Tracking/Locating
 - Vehicle Donation

FY2020-2022 DBE GOAL UPDATE

DBE Certification Process

North Central Texas Regional Certification Agency:

- Aids through education and counseling to applicants throughout the certification process
- Follows a standard set of qualification requirements to certify firms

To Apply Online: <https://nctrca.mwdbe.com/?TN=nctrca>

Website: <http://www.nctrca.org/>

FY2020-2022 DBE GOAL UPDATE

Schedule

TASK	DATE	STATUS
Public Meeting to Kickoff DBE Goal Update Process	June 10	✓
STTC Meeting: Information Item	June 28	✓
Consultation Meeting with Stakeholders	July 2	✓
Notice to Public of Proposed Goal (start 45-Day Public Comment Period)	July 10	✓
RTC Meeting: Information Item	July 11	✓
Submit draft Electronically to FTA	August 1	✓
STTC: Action Item	August 23	
End of 45-day Public Comment Period	August 30	
RTC: Action Item	Sept. 12	
Executive Board: Action Item	Sept. 26	
Submit Final Electronically to FTA	Sept. 27	
DBE Program Update and Goal Effective	October 1	

FY2020-2022 DBE GOAL UPDATE

Questions?



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