

Northern Arizona Intergovernmental Public Transportation Authority

NAIPTA



Federal Transit Administration (FTA)

Triennial DBE Goal-Setting Methodology

For

FFY2018 – FFY2020

(October 1, 2017 – September 30, 2020)

Submitted in accordance with:

Title 49 Cod of Federal Regulations Part 26

(49 CFR Part 26)

NAIPTA
Triennial DBE Goal-Setting Methodology
FFY2018 – FFY2020

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Introduction

NAIPTA prepared this document, which details the methodology for establishing its Disadvantaged Business Enterprise (DBE) overall goal for the Federal Transit Administration (FTA) assisted contract. The goal and methodology establishes NAIPTA's estimated overall goal for FTA-assisted contracts that NAIPTA anticipates awarding in Federal Fiscal Years (FFYs) 2018, 2019, and 2020. The purpose of the DBE goal setting process is to ensure that nondiscrimination in the award of U.S. Department of Transportation (DOT) assisted contracts, to create a level playing field on which DBEs can compete fairly for those contracts, and to ensure the DBE program is narrowly tailored in accordance with applicable law.

Background

NAIPTA is a recipient of U.S. DOT Federal Transit Administration (FTA) funding in excess of \$250,000. As a condition of receiving this financial assistance, NAIPTA has assured that it will comply with FTA's DBE requirements. Therefore, in accordance with 49 CFR Part 26.45(a)(2), NAIPTA is required to develop and submit a Triennial Overall DBE goal for its FTA-assisted projects.

NAIPTA used several data sources for identifying contracting opportunities and available firms to perform services or provide goods.

- We started with our 10-year financial and capital plan to identify total contracting opportunities, calculate federal contract values, and identify types of services or goods needed to evaluate available sources. NAIPTA's financial and capital plan includes total contracting opportunities of \$9,486,656 in federal funding. Our projects are based on existing and/or future planned applications and awards. We broke the opportunities into project types which we then tied to various North American Industry Classification System (NAICS) codes.
- NAIPTA utilized the NAICS codes through United States Census Bureau to identify available firms for our area that may be interested in competing for these opportunities. NAIPTA is in the City of Flagstaff within Coconino County, roughly 120 miles north of the large metropolitan area of Phoenix/Mesa. As a small urban area, availability of vendors from our local region (our MPO or City boundaries) can sometimes be challenging. Accordingly, and reflective of Arizona Unified Transportation Registration and Certification System (AZ UTRACS), NAIPTA does include the entire state of Arizona when evaluating availability of firms by NAICS codes. We believe that this defined area most closely represents the vendor pool that participate in contracting opportunities. This conclusion is reflected in the interest of firms in prior contracting opportunities.
- NAIPTA utilized the AZ UTRACS to identify vendors that have been certified as either Disadvantaged Business Enterprise (DBE) or Small Business Concern (SBC). AZ UTRACS is a centralized database of firms that have indicated that they are ready, willing, and able to perform work. We do refine available DBEs to those that are willing to work in Coconino County.

FTA Assisted Contracting Program for FFY2018-FFY2020

Table 1 below represents NAIPTA's FTA-assisted contracting program, which consists of projects considered in preparing this goal methodology. These projects, inclusive of any federal funds passed through other agencies, are anticipated to be awarded during the triennial period.

	Project Name/Description				Estimated Project Cost
CONSTRUCTION SERVICES	Passenger Shelters and Stops	\$ 514,656	\$ 101,633	\$ 101,633	\$ 717,921
	Building Remodel	\$ 2,047,000			\$ 2,047,000
	Bus Rapid Transit Route(s)		\$ 5,000,000		\$ 5,000,000
PROFESSIONAL SERVICES	Data, Technology Services	\$ 150,000			\$ 150,000
	Feasibility (Preliminary Design, Environmental)	\$ 3,127,399			\$ 3,127,399
	Final Design/Construction Management				\$ -
	Service Plans and Costing Services	\$ 600,000			\$ 600,000
	Transit Service Contract	\$ 72,000	\$ 72,000	\$ 72,000	\$ 216,000
Table 1	Total				\$ 11,858,320

Table 2 represents the breakdown of sub-contractible elements for each anticipated FTA-assisted contract. The elements are identified by the North American Industry Classification System (NAICS) code associated with the discipline of work. Also provided in this table is the estimated federal dollars per NAICS code.

NAICS Code	Pass. Shelters & Stops	Bld'g Remodel	BRT Route(s)	Data/Technology	BRT Prelim Eng/Enviro	Srvs Planning	Transit Svc	Total per NAICS Code	Ext Federal \$
236220		\$ 1,842,300	\$ 4,500,000					\$ 6,342,300	\$ 5,073,840
238110	\$ 215,376							\$ 215,376	\$ 172,301
332312	\$ 502,544							\$ 502,544	\$ 402,035
485113							\$ 216,000	\$ 216,000	\$ 172,800
541611				\$ 150,000		\$ 600,000		\$ 750,000	\$ 600,000
541330		\$ 204,700	\$ 500,000		\$ 2,389,179			\$ 3,093,879	\$ 2,475,103
541620					\$ 738,220			\$ 738,220	\$ 590,576
	\$ 717,921	\$ 2,047,000	\$ 5,000,000	\$ 150,000	\$ 3,127,399	\$ 600,000	\$ 216,000	\$ 11,858,320	\$ 9,486,656

Table 2

Goal Methodology

Step 1: Determining a Base Figure (Relative Availability of DBEs) - Section 26.45(c)

The base figure for the relative availability of DBE's was calculated as follows:

$$\text{Ready, willing, and able DBEs} / \text{All firms ready, willing and able} = \text{Base figure}$$

To establish a base figure of the relative availability of DBEs to all comparable firms (DBEs and OBEs) availability to participate on NAIPTA's FTA-assisted contracting opportunity NAIPTA utilized the AZ UTRACS DBE certification list. This base figure expresses the availability of DBEs as a percentage of all firms for each NAICS code for which there will be contracting and subcontracting opportunities. Please note that NAIPTA considered only those DBE's that are available to perform work in Coconino County as that is the primary location for NAIPTA's contracting opportunities.

As reflect in Table 3, the relative availability of DBEs to all firms per NAICS code is factored against the anticipated total federal dollars by NAICS code, thereby providing a weighted participation per NAICS code. As indicated below, the base figure is derived by dividing the total anticipated DBE participation dollars by the total FTA-assisted contracting dollars.

$$\text{Base Goal} = \frac{\text{Total DBE Dollars}}{\text{Total FTA-Assisted Contracting Dollars}} = \frac{\$ 1,111,009}{\$ 11,858,320} = 9\%$$

NAICS Code		Total Estimated Federal \$	Total DBE Firms	Total Firms	DBE Availability	DBE \$
236220	Industrial & Commercial Construction	\$ 5,073,840	44	689	6%	\$ 405,272.97
238110	Poured Concrete - Foundation	\$ 172,301	18	365	5%	\$ 10,618.04
332312	Fabricated structural Metal	\$ 402,035	4	53	8%	\$ 37,942.10
485113	Bus and Other Transit Systems	\$ 172,800	1	7	14%	\$ 30,866.40
541611	Administrative Mgmt & Gen Mgmt Consulting	\$ 600,000	109	1548	7%	\$ 52,800.00
541330	Engineering Srvcs	\$ 2,475,103	127	1245	10%	\$ 315,575.69
541620	Environmental Consulting Srvcs	\$ 590,576	58	166	35%	\$ 257,933.96
		\$ 9,486,656	361	4,073		\$ 1,111,009

Table 3

Available firms were determined using 2015 US Census data for the State of Arizona, for those firms with NAICS codes that most closely match our projects. Available DBE firms were determined from AZ UTRACS certification list, for those firms willing to work in Coconino County.

NAIPTA used weighted factoring to ensure the overall goal was adjusted based on contracting opportunities. The data used to determine the weighting was:

1. Weighted rate of contracting opportunities by NAICS codes (contract value by code/total contracting opportunities)
2. DBE/SBC availability by NAICS codes (identified DBE by NAICS/total vendors by NAICS)
3. Calculation of DBE goal by NAICS (weighted rate * DBE goal by NAICS)

Step 2: Determining if an Adjustment is Needed – Section 26.45(d)

After calculating a base figure of the relative availability of DBEs, evidence was examined to determine what adjustment, if any, would be required to ensure a narrowly-tailored goal.

Past Performance: Historically, NAIPTA has only had minor participation in contracting opportunities with a contract that spanned FY2015 and FY2016 that had DBE participation. This participation is higher than our base figure.

Since future contracting opportunities are similar to opportunities in FY2015 and FY2016, as demonstrated in Table 4, we have determined that we should use past participation determining the feasibility of an adjustment to the base figure. We concluded that past participation with similar contracting opportunities supports that identified goal in Step 1.

Federal Fiscal Year	Established Goal	Total Contract Paid	Total DBE Paid	DBE Achievement
2012	3.67	\$ 2,188,297.00		0%
2013	3.82	\$ 358,027.00		0%
2014	1	\$ 5,640,287.00	\$ 29,198.00	1%
2015	1	\$ 4,450,371.00	\$ 860,852.00	19%
2016	1	\$ 2,304,257.00		0%

Table 4

Information related to employment, self-employment, education, training, and unions: NAIPTA has not completed an independent Disparity Study however the 2015 ADOT Disparity Study identified that barriers do exist for certain minority groups and women related to entry and advancement and business ownership in Arizona construction and engineering industries. Per ADOT 2015 DBE Disparity Study, these barriers may affect availability of certain DBEs in obtaining and performing in contracting opportunities. The analysis indicates an upward Step 2 adjustment of 3.71 percentage points might be applicable to FTA-funded contracts, however the Disparity Study could not quantify the impacts of these factors in the availability of DBEs.

Other: Also from ADOT's Disparity Study, success of MBEs/WBEs relative to majority-owned businesses in Arizona reveals MBEs/WBEs are less successful and are faced with greater barriers. There is qualitative information that suggests discrimination based on race, ethnicity, and gender does affect MBEs/WBEs in contracting opportunities in Arizona. Again, the Disparity Study could not quantify the impact of these barriers.

NAIPTA is aware that there are both minority (MBE) and women (WBE) owned businesses that have not participated in the DBE certification process. We address this lack of certification in our outreach program and defer to ADOT as the lead agency for AZ UTRACS. The 2015 ADOT Disparity Study identified that of the 33.74% of MBE and WBEs, 25% are not currently certified as DBE's and are unlikely to achieve the immediate certification required to change DBE availability.

As the identified goal in Step 1 is an increase over existing goal of 1% and due to future contracting opportunities, that are similar to opportunities in prior years, as demonstrated in Table 4, we have determined that we should not use ADOT Disparity Study to make an adjustment to the base figure.

In summary, NAIPTA did consider whether a Step 2 adjustment was necessary in determining the overall DBE goal. NAIPTA did not make a Step 2 adjustment as a result of the additional analysis.

- The past performance from the most recent completed years shows NAIPTA has recently had similar contracting opportunities and therefore believes future opportunities offer potential to increase achievement and support the identified goal from Step 1.
- The ADOT Disparity Study offers that additional goal adjustment may be appropriate for identified barriers in Arizona however NAIPTA has determined that prior goal achievement does not warrant any additional adjustment.

NAIPTA will consider potential adjustments if it can demonstrate ability to meet the overall goal of 9%.

DBE Goal for FFY 2018-2020

For Federal Fiscal Years (FFYs) 2018-2020, the NAIPTA Triennial DBE proposed goal of 9% for FTA-assisted contracts without any Step Two adjustments. This overall goal is expected to be achieved through wholly race-neutral methods. NAIPTA submits this goal and methodology to the FTA for review and approval pursuant to 49 Code of Federal Regulations (CFR) section 26.45, for federally assisted transit contracts.

NAIPTA relied on the 49 CFR section 26 regulations as issued and amended, to ascertain this goal.

Race/Gender-Neutral and Race/Gender-Conscious Division of Goal

NAIPTA will meet the maximum feasible portion of its overall goal by using race/gender-neutral means of facilitating DBE participation. We estimate that, in meeting our overall goal of 9%, we will obtain 9% from race-neutral participation and 0% through race-conscious measures.

The following is a summary of the basis of our determination to use race/gender-neutral goal for DBE participation:

Evidence of discrimination: The ADOT Disparity Study identifies that while there is some indication that discrimination is a factor in the marketplace conditions in Arizona (entry and advancement, business ownership, access to capital, bonding, and insurance, and success of business), overall there was no disparity in utilization of MBEs and WBEs. Utilization was higher than expected with 45.8% utilization of the anticipated 33.8% available.

Past Experience: NAIPTA has had minimal, and in some years no, participation of DBE firms in the last several completed fiscal years.

DBE Participation without DBE contract goals: NAIPTA has always had a race/gender-neutral environment.

Effectiveness of race/gender-neutral measures that are currently in place: NAIPTA currently participates in and supports the efforts of AZ UTRACS in its current and future broad range of neutral programs and initiatives to encourage participation of small business, including DBEs, in transportation contracts. At this time, NAIPTA is not able to quantify how these initiatives can increase participation of DBEs in FTA-funded contracts.

NAIPTA is aware that there are both minority (MBE) and women (WBE) owned businesses that have not participated in the DBE certification process. We address this lack of certification in our outreach program and defer to ADOT as the lead agency for AZ UTRACS. The 2015 ADOT Disparity Study identified that of the 33.74% of MBE and WBEs, 25% are not currently certified as DBE's and are unlikely to achieve the immediate certification required to change DBE availability. Accordingly, NAIPTA has not modified the number of available DBEs for fulfilling contracts.

Race/Gender-Neutral Methods

NAIPTA will continue its current procedures for ensuring the participation of DBEs and other small business enterprises (SBE) in all of its contracting activities. These processes consist of, but are not limited to:

- Generating email notifications of all upcoming contracting opportunities disseminated to all DBEs/SBEs in NAIPTA's directory as well as small business support groups;
- Arranging solicitations, presentation times, quantities, and delivery schedules to facilitate participation of DBE firms;
- Generating project-specific email notifications providing pre-solicitation meeting information, bid/proposal submittal deadlines, general scope overview, SEPTA contracting and DBE office personnel contact information;
- Ensuring participants at pre-solicitation meetings are informed of NAIPTA's DBE Program and its requirements;
- Ensuring circulation of the AZ UTRACS DBE Directory to all potential contractors by listing the AZ UTRACS website in solicitation documents, and providing a link on NAIPTA's website;
- Encouraging bidders on large contracts to identify and create provisions within subcontracts appropriate for small business participation;
- Providing one-on-one technical assistance to existing DBEs and other small business enterprises, and facilitating introductions to NAIPTA's contracting, planning and operations personnel;
- Unbundling of large contracts to make accessible and available to smaller businesses;
- Providing continuous evaluation of contract requirement to minimize and remove unnecessary and unjustified requirements;
- Simplify and/or reduce bonding requirements whenever possible and/or provide assistance in overcoming limitations such as bonding and financing;
- Ensuring standard form contracts include prompt payment clauses for subcontractors; and
- Promoting outreach events hosted by AZ UTRACS to broadcast contracting opportunities as well as encouraging networking among majority contractors and small businesses.

Additionally, NAIPTA is committed to:

- Assisting with and referring to support services (i.e. AZ UTRACS and Coconino County Small Business Development Center) to develop and improve immediate long-term business management, record keeping, and financial and accounting capabilities for DBEs and other small businesses;
- Assisting with and offering referrals to help DBEs, and other small businesses, improve long-term development, increase opportunities to participate in a variety of kinds of work, handle increasingly significant projects, and achieve eventual self-sufficiency;
- Referring DBEs and other small businesses to programs for new, start-up firms, particularly in areas where DBE or small business participation has been particularly low; and
- Assisting DBEs, and other small businesses, with development of capability to utilize emerging technology and conduct business through electronic media.

Goal Advertisement and Public Participation

In accordance with the goal-setting and public participation requirements, NAIPTA conducted the following activities to facilitate public participation in the overall DBE goal-setting process:

Hosted a virtual open house for vendors: NAIPTA conducted an online meeting on Thursday, August 31, 2017 from 2p to 3p. Firms were invited to participate via the web or phone to receive an overview of NAIPTA's proposed goal-setting methodology and the tentatively calculated overall goal of 9%.

- Invitation to the meeting was published on NAIPTA's purchasing website and broadcast via email to NAIPTA's registered vendors as well as AZ UTRACS DBE certified vendors.
- Notice for the meeting was also advertised via NAIPTA's social media accounts, Twitter and Facebook.
- Notice was sent to 535 vendors and 3 participated in the meeting. Comments included:
 - How can vendors sign up for notification of contract opportunities/solicitations?
 - Does NAIPTA compare DBE goal with other agencies (cities or counties) in Arizona?
 - Does NAIPTA make list of vendors interested in opportunities available so that vendors can build teams?
 - Does NAIPTA have other DBE events like this one?

Advertised the DBE Goal: NAIPTA issued a public notice regarding the Proposed Triennial DBE Goal and Goal-Setting Methodology on the NAIPTA webpage. The public notice advised of the 30-day public comment period with directives on how/where to submit comments and/or questions regarding NAIPTA's proposed overall goal and methodology. The comment period ended on September 27, 2017 at 5:00 pm local time.

Public Meeting for Adoption of Goal: NAIPTA did hold a public meeting on August 16, 2017 at 10 am, during which the DBE Goal was adopted. The meeting agenda, including date, time, locations, and agenda items was posted in accordance with Arizona Open Meeting laws.

- There were no members of the public in attendance and no comments were received by the Clerk of the Board or the DBE Liaison.

EXHIBITS

to

FFY2018-FFY2020 TRIENNIAL GOAL
AND GOAL SETTING METHODOLOGY

Exhibit A: Public Notice

PUBLIC NOTICE


DBE GOAL ANNOUNCEMENT

This notice is to inform interested parties that a Disadvantaged Business Enterprise (DBE) Participation Goal of 9% has been set for Federal Fiscal Years 2018, 2019, and 2020 for projects funded in part by Federal funds, with 9% expected to be achieved via race/gender-neutral attainment. The proposed Disadvantaged Business Enterprise (DBE) goal and methodology has been developed by NAIPTA in accordance with the requirements set forth in 49 CFR Part 26. These projects involve: continued construction of passenger bus stops, including fabrication of shelter furniture and amenities; completion of a remodel of NAIPTA's administrative offices; final design and construction of an addition to NAIPTA's existing bus storage facility; various service planning and engineering documents for services in and around the Flagstaff area; data services for Mountain Line transit services in Flagstaff, AZ; continued feasibility study including environmental review and preliminary engineering of the proposed Bus Rapid Transit (BRT) route in Flagstaff, AZ; engineering and environmental services for a proposed Downtown Connection center; and construction of the proposed Downtown Connection Facility; and any other project funded using federal funding under Section 5307, Section 5339, Surface Transportation Program (STP), Section 5310, and Section 5311. If you wish to review or comment on the proposed goal and its rationale, both may be inspected during normal business hours at the address below for 30 business days (excludes Saturday, Sunday and holidays) from the date of this notice. Comments are due no later than 5:00 pm local time on Wednesday, September 27, 2017.

via email to NAIPTA DBE Liaison: hdalmolin@naipta.az.gov

Or by mail to: NAIPTA, Attn: DBE Liaison, 3773 N Kaspar Dr, Flagstaff, AZ 86004

Exhibit B: Public Posting



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- › Transit Advisory Committee (TAC)
- › Coordinated Mobility Council (CMC)
- › Mountain Line Citizen Review Commission (CRC)
- › Reports & Plans

Purchasing

NAIPTA frequently has contracting opportunities for businesses. Solicitations for contracts that are currently planned, open or recently closed are listed below. Interested in registering your organization in our vendor database? Fill out and submit the Vendor Registration form below the solicitation listings. Please contact Administrative Director Manager Heather Dalmonin at purchasing@naipta.az.gov or 928-679-8908 with questions or comments.

[Public Notice FFY2018 FFY2020 DBE Goal](#)
[NAIPTA Overall DBE Goal FFY2015-2017](#)

Number	Title	Due Date / Time	Solicitation Type

[Vendor Registration Form](#)



The screenshot shows a web browser displaying a public notice from the NAIPA (North American Interstate Public Agency) website. The page title is "Public Notice" and the main heading is "DBE GOAL ASSIGNMENT". The text of the notice reads:

This notice is to inform interested parties that a Disadvantaged Business Enterprise (DBE) Participation Goal of 10% has been set for Federal Fiscal Years 2018, 2019, and 2020 for projects funded in part by Federal funds, with 2% specifically to be utilized via non-competitive procurement. The proposed Disadvantaged Business Enterprise (DBE) goal and methodology has been developed by NAIPTA in accordance with the requirements set forth in 49 CFR Part 26. These projects include: continued construction of passenger bus stops, including fabrication of shelter furniture and amenities, completion of a remodel of NAIPTA's administrative offices, final design and construction of an addition to NAIPTA's existing bus storage facility; vehicle-pooling planning and engineering documents for service to and around the Flagstaff area; data services for Mountain Line transit services in Flagstaff, AZ; continued feasibility study including environmental review and preliminary engineering of the proposed Bus Rapid Transit (BRT) line in Flagstaff, AZ; engineering and environmental services for a proposed Intermodal Connection center; and construction of the proposed Downtown Connection facility and any other project funded using federal funding under Section 5305, Section 5308, Surface Transportation Program (STP) Section 5310, and Section 5311. If you wish to review or comment on this proposed goal and its rationale, both may be inspected during normal business hours at the address below for all business

Exhibit C: Weighting Base Figure Worksheet

Step 1 - Determine the weight of each type of work by NAICS Code:

* Enter all the FTA-assisted projects below. Project amounts should be assigned relevant NAICS Code(s).

	NAICS Code	Project	Amount of DOT funds on project:	% of total DOT funds (weight)
1)	236220	Commercial and Institutional building construction	\$5,073,840.00	0.5348
2)	238110	Poured concrete foundation and structure contractors	\$172,301.00	0.0182
3)	332312	Fabricated structural metal manufacturing	\$402,035.00	0.0424
4)	485113	Bus and other motor vehicle transit systems	\$172,800.00	0.0182
5)	541611	Administrative management and general mgmt consulting	\$600,000.00	0.0632
6)	541330	Engineerings Srvc	\$2,475,103.00	0.2609
7)	541620	Environmental Consulting Srvc	\$590,576.00	0.0623
8)				0.0000
9)				0.0000
10)				0.0000
Total FTA-Assisted Contract Funds			\$9,486,655.00	1

Step 2 - Determine the relative availability of DBE's by NAICS Code:

* Use DBE Directory, census data and/or a bidders list to enter the number of available DBE firms and the number of available firms.

	NAICS Code	Project	Number of DBEs available to perform this work	Number of all firms available (including DBEs)	Relative Availability
1)	236220	Commercial and Institutional building construction	44	689	0.0639
2)	238110	Poured concrete foundation and structure contractors	18	365	0.0493
3)	332312	Fabricated structural metal manufacturing	4	53	0.0755
4)	485113	Bus and other motor	1	7	0.1429
5)	541611	Administrative management and general mgmt consulting	109	1548	0.0704
6)	541330	Engineerings Srvc	127	1245	0.1020
7)	541620	Environmental Consulting Srvc	58	166	0.3494
8)	0				
9)	0				
10)	0				
Combined Totals			361	4073	0.0886 <i>Overall availability of DBEs</i>

Step 3 - (Weight) x (Availability) = Weighted Base Figure

	NAICS Code	Project	Weight	x	Availability	Weighted Base Figure
1)	236220	Commercial and Institut	0.53484	x	0.06386	0.0342
2)	238110	Poured concrete foundation and structure contractors	0.01816	x	0.04932	0.0009
3)	332312	Fabricated structural metal manufacturing	0.04238	x	0.07547	0.0032
4)	485113	Bus and other motor vel	0.01822	x	0.14286	0.0026
5)	541611	Administrative manager	0.06325	x	0.07041	0.0045
6)	541330	Engineerings Srvc	0.26090	x	0.10201	0.0266
7)	541620	Environmental Consulti	0.06225	x	0.34940	0.0218
8)	0		0.00000	x	0.00000	
9)	0		0.00000	x	0.00000	
10)	0		0.00000	x	0.00000	
Total						0.0937
Expressed as a % (*100)						9.37%
Rounded, Weighted Base Figure:						9%