

FLORIDA DEPARTMENT OF TRANSPORTATION

METHODOLOGY FOR DETERMINING DBE GOAL (49 CFR 26.45) FEDERAL TRANSIT ADMINISTRATION FEDERAL FISCAL YEARS 2021-2023

OVERALL GOAL

The overall goal for the Florida Department of Transportation's (FDOT) Disadvantaged Business Enterprise (DBE) program for FTA assisted contracts is established on a tri-annual basis with adjustments each year to reflect changed circumstances if needed. The overall goal for federal fiscal years 2021-2023 has been set at **30.07%** utilizing the methodologies described in 49 CFR Part 26.

METHODOLOGY

In setting the goal for FDOT, it is required that the goal setting process begin with a base figure for the relative availability of DBEs. The overall goal must be based on demonstrable evidence of the availability of ready, willing, and able DBEs relative to all businesses ready, willing, and able to participate on FTA assisted contracts.

FDOT has reviewed the alternatives listed in 49 CFR Part 26 and selected the DBE Directory and Census Bureau 2017 County Business Patterns data as the best approach for FTA goal development.

Step One

In the analysis of the relative availability of DBEs for the Central Florida Commuter Rail Transit Project (SunRail), FDOT used the Census Bureau 2017 County Business Patterns for the Orlando-Kissimmee Metropolitan Statistical Area that includes Lake, Orange, Osceola and Seminole counties.

In the analysis of relative availability of DBEs for 5311 and 5310 operating funds, FDOT used the Census Bureau 2017 County Business Patterns for the entire state of Florida. The percentage of dollars associated with these two projects are calculated separately and then combined to form one FTA DBE goal.

Table 1 Breakdown of Amounts Available

	Dollars Available	% of Dollars
Section 5311	\$7,756,832	19.46%
Section 5310	\$13,391,863	33.59%
SunRail	\$18,720,335	46.95%
Total	\$39,869,030	

SUNRAIL:

SunRail accounts for 46.95% (Table 1) of the total dollars used to calculate the FTA DBE goal. The estimated cost of this project was reviewed by detailed categories. The various types of work were identified as close as possible to their associated NAICS codes as published by the Small Business Administration. The number of total businesses for each NAICS code was identified by using the data from the 2017 County Business Patterns. The number of DBEs for each NAICS code in Lake, Orange, Osceola and Seminole counties were identified by using the Florida DBE Directory. Table 2 provides the percentage of dollars that DBEs would be expected to receive by NAICS code:

Table 2: SunRail Percent of Dollars by NAICS Code

<u>Work Type</u>	<u>% of Dollars</u>	<u>Amount</u>	<u>NAICS Code</u>	<u>Total Vendors</u>	<u>DBEs</u>	<u>% of DBEs</u>	<u>Weighted % to DBEs</u>
Guideway and Track	0.00%	\$0	237990	29	6	20.69%	0.00%
Stations, Stops, Terminals	0.00%	\$0	236220	491	274	55.80%	0.00%
Support Facilities							
Building Construction	1.05%	\$195,870	236220	491	274	55.80%	0.58%
Electrical, Plumbing	0.00%	\$0	238210/220	1,645	140	8.51%	0.00%
Other Specialty Trades	2.37%	\$443,282	238990	686	276	40.23%	0.95%
Sitework							
Electrical	0.00%	\$0	238210	1645	106	6.44%	0.00%
Excavation & Grading	0.00%	\$0	238910	686	246	35.86%	0.00%
Utility Construction	0.00%	\$0	237110	129	127	98.45%	0.00%
Remediation Services	0.00%	\$0	562910	81	44	54.32%	0.00%
Highway Construction	0.79%	\$148,811	237310	288	210	72.92%	0.58%
Other Specialty Trades	89.50%	\$16,755,391	238990	686	275	40.09%	35.88%
Landscaping	0.00%	\$0	561730	2637	125	4.74%	0.00%
Systems							
Signals, Crossings	6.29%	\$1,176,981	238210	1645	106	6.44%	0.41%
Fare Collection System	0.00%	\$0	334514	27	2	7.41%	0.00%
Computer Systems	0.00%	\$0	541512	1321	114	8.63%	0.00%
Professional Services	0.00%	\$0	541330	1197	339	28.32%	0.00%
Total	100.00%	\$18,720,335					38.40%
*Does not include contingency amounts, financing charges, right of way purchases or vehicles.							

Given that 46.95% of FDOT's FTA dollars are available for DBEs for the SunRail project and that 38.40% of the businesses are DBEs, FDOT would expect that 18.03% of all dollars awarded would be awarded to DBEs on the SunRail project. This is represented by the following calculation: **38.40% x 46.95% = 18.03%**

5311 OPERATING FUNDS:

5311 operating funds account for 19.46% (Table 1) of the total dollars used to calculate the FTA DBE goal. NAICS code 485113 was identified to be the best fit for this type of work. The number of total businesses for this NAICS code was identified by using the 2017 Statewide County Business Patterns data. The number of DBEs available statewide for this NAICS code was identified by using the Florida DBE Directory. Table 3 provides the percentage of dollars that DBEs would be expected to receive for these NAICS code:

Table 3: Section 5311 Percent of Dollars by NAICS Code

Section 5311					
Work Type	NAICS code	Amount of DOT Funds Available for contracting	Total Vendors	DBEs	% of DBES
Bus and Other Motor Vehicle Transit Systems	485113	\$7,756,832	32	10	31.25%

Given that 19.46% of FDOT's FTA 5311 are available for DBEs and that 31.25% of the businesses are DBEs, FDOT would expect that 6.08% of the total dollars awarded would be awarded to DBEs on 5311 operating contracts. This is represented by the following calculation: **31.25% x 19.46% = 6.08%**.

5310 OPERATING FUNDS:

5310 operating funds account for 33.59% (Table 1) of the total dollars used to calculate the FTA DBE goal. NAICS code 48599 was identified to be the best fit for this type of work. The number of total businesses for this NAICS code was identified by using the 2017 Statewide County Business Patterns data. The number of DBEs available statewide for this NAICS code was identified by using the Florida DBE Directory. Table 4 provides the percentage of dollars that DBEs would be expected to receive for these NAICS code:

Table 4: Section 5310 Percent of Dollars by NAICS Code

Section 5310					
Work Type	NAICS	Amount of DOT Funds Available for contracting	Total Vendors	DBEs	% of DBES
Special Needs Transportation	485991	\$13,391,863	90	16	17.78%

Given that 5.97% of FDOT's FTA 5310 are available for DBEs and that 17.78% of the businesses are DBEs, FDOT would expect that 5.97% of the total dollars awarded would be awarded to DBEs on 5310 operating contracts. This is represented by the following calculation: **17.78% x 33.59% = 5.97%**.

Combining the SunRail project, the 5311 and 5310 operating funds, FDOT would expect that 30.14% of the FTA dollars awarded that have contracting opportunities would be awarded to DBEs. This is represented by the following calculation: **18.09% + 6.08% + 5.97% = 30.14%**.

PUBLIC PARTICIPATION

CONSULTATION PROCESS

On June 24, 2020, the Florida Department of Transportation (FDOT) had the first of four “kick-off” meetings with both DBE and non-DBE contractors & consultants, regarding the 2021-2023 FHWA and FTA DBE goal before it was published. Due to the State’s COVID-19 pandemic guidance, large in person meetings were discouraged. All kick-off meetings were done virtually through Microsoft Teams, while the three noticed public meetings were all done virtually as Go to Meeting Webinars. On June 29, 2020, the Equal Opportunity Office published its first notice to the public regarding the posting of the 2021 Federal Highway & Federal Transit DBE goals and methodology and the ability for the public to view both draft documents and to make comments or ask questions through the dedicated email address, 2021DBEGoal@dot.state.fl.us , directly to the EOO. The notice also detailed how to register and attend the three “open to the public” Webinars. The notice was posted on the FDOT Infonet public announcement site, the Florida Administrative Register, the FDOT Facebook page and the EOO page on the FDOT website.

Three virtual public meeting webinars were noticed. The meetings were: July 20th , 21st, and 22nd. The time for the three meetings was 6:00pm. In addition to announcing these open evening webinars in the four kick-off meetings, they were also noticed by the placement of public notice advertisements in the following minority and majority newspapers: La Gaceta (minority – Tampa); Florida Sentinel Bulletin (minority – Tampa); Miami Herald (majority – Miami, Ft. Lauderdale); Tallahassee Democrat (majority – Tallahassee); El Nuevo Herald (minority – Miami); Tampa Bay Times (majority – Tampa)

FDOT’s two Supportive Service Providers, CEI and the Council, who are contracted by FDOT to assist DBE’s, SBE’s and primes sent emails to their respective database lists. Through the kick-off meetings, virtual public meetings and targeted emails, approximately 2,000 firms were notified about the public meetings. Time for questions and answers was provided after each of the webinar presentations. No comments or questions were received that would necessitate a change to the proposed goal in this document.