



REGIONAL TRANSPORTATION COMMISSION

Metropolitan Planning • Public Transportation & Operations • Engineering & Construction

Metropolitan Planning Organization of Washoe County, Nevada

Disadvantaged Business Enterprise (DBE)

Federal Fiscal Year 2023-2025

Goal Setting

Stakeholders Meeting

September 7, 2022



OVERVIEW

- Introductions
 - Christian Schonlau, Director of Finance
 - Jennifer Meyers, DBE Liaison Officer
 - Procurement Analysts:
 - Chris Benham & Denise Thompson
- DBE Program Basics
- RTC Goal Setting Methodology
- How to Provide Comments
- How to Do Business
- Questions



DBE PROGRAM BASICS

- Definition of Disadvantaged Business Enterprise
 - DBEs are for-profit small business concerns where socially and economically disadvantaged individuals own at least a 51% interest and also control management and daily business operations
- Requirements for DBE Participation
 - To participate a small business owned and controlled by socially and economically disadvantaged individuals must receive DBE certification from NDOT through the Nevada Unified Certification Program (UCP)





DBE PROGRAM BASICS

- Governing US DOT Regulation
 - 49 CFR Part 26 and Participation by DBEs in Department of Transportation (DOT) Financial Assistance Programs
- RTC Responsibilities
 - Establish Overall Goals (every three years)
 - Determine Contract Goals
 - Confirm DBE Certification
 - Performed as part of the Nevada DOT UCP (www.ndot.com)
 - Monitoring and Compliance
 - Reporting



ESTABLISHING OVERALL GOALS

- 49 CFR 26.45 of CFR requires RTC to set an overall DBE goal for FTA-funded transit projects in Washoe County.
- 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 in the RTC's FTA-funded contract opportunities.
- Goal must reflect determination of the level of DBE participation RTC would expect absent the effects of discrimination.

$$\text{Project Goal} = \frac{\sum \left(\frac{\text{Certified firms}}{\text{All firms}} \times \text{Amount} \right)_{\text{Work Scope}}}{\sum \left(\text{Amount} \right)_{\text{Work Scope}}}$$



CALCULATING THE BASE FIGURE

- The overall goal focuses on the participation of DBEs in FTA-funded contracts that will be *awarded* over the next three years.
- Potential projects are **forecast** three years into the future.
- This provides a “best estimate” of potential contracting activity and opportunities.



RTC's ANTICIPATED PROJECTS

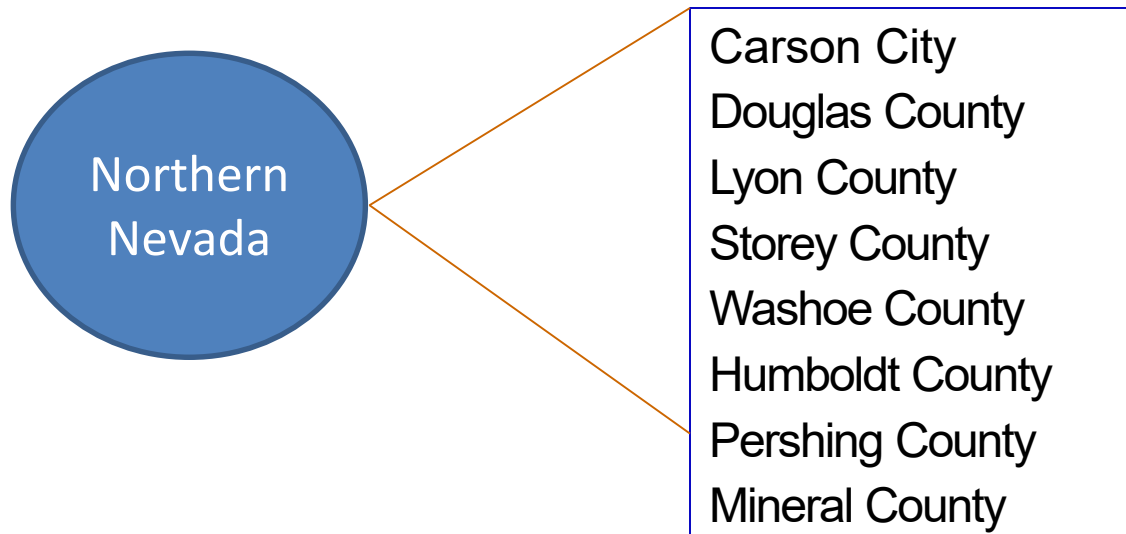
ANTICIPATED FTA-FUNDED PROJECTS FOR FEDERAL FISCAL YEARS 2023 – 2025:

- Terminal Way Remodel
- Villanova Upgrades (Replacement)
- Bus Shelters/Amenities/ADA Improvements
- Computer Hardware & Software
- RIDE - Non-Revenue Minivans (8)
- RIDE - Bus Monitors Display (purchase and install)
- FM - Replace Non-Revenue Truck
- Sutro Generator & Facility Upgrades
- Sutro CNG Cascades (storage tank)
- Sutro Gate Controller
- 4th Street Station Expansion
- All Facilities Upgrades
- Transit Center Upgrades
- 6th Street Facilities Upgrades
- Hydrogen Fuel Cell Project
- Peppermill BRT Station
- Meadowood Redesign Project
- RTC Park and Ride Program



RTC's BASE FIGURE

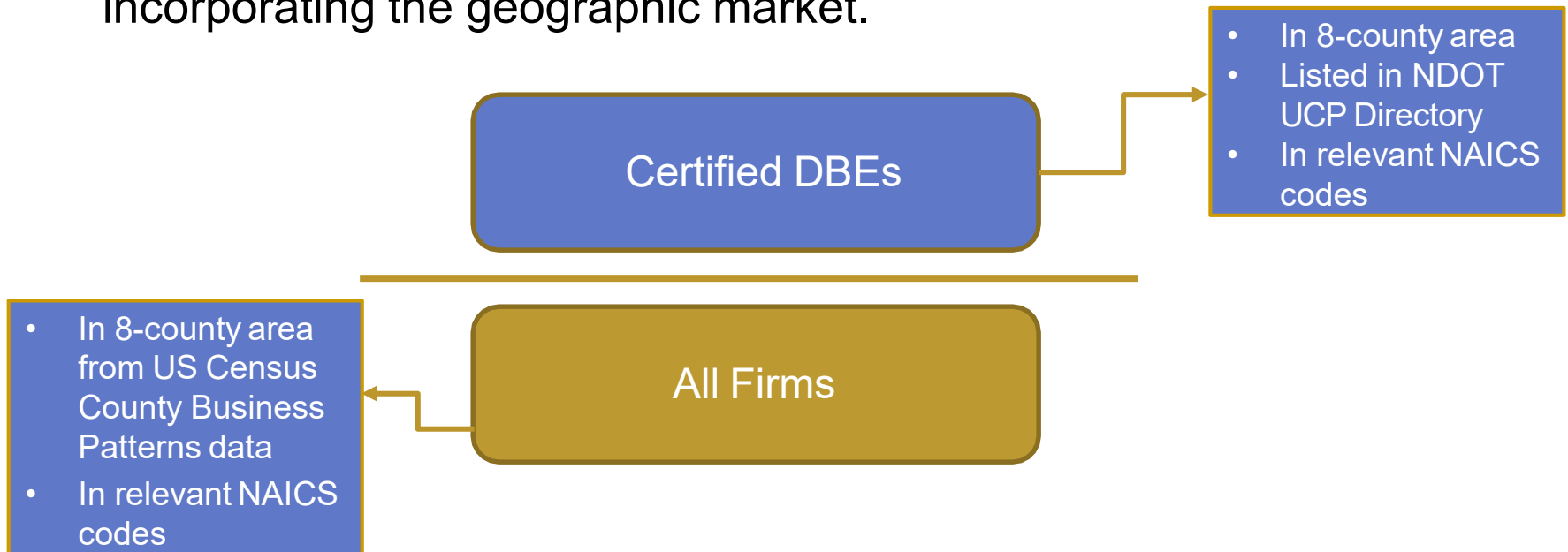
- Relevant Geographic market for contractors includes:





RTC's BASE FIGURE

- Based on projected opportunities and past/current DBE participation, RTC estimates the % of DBEs compared to all firms that can participate in RTC's FTA-funded contracts.
- **Availability** must be determined for each **Work Scope** (i.e. *Trade Classification*), using industry codes (NAICS) and incorporating the geographic market.





RELEVANT NAICS CODES

Trade Classification	NAICS	Census # of Firms	NDOT Directory # of firms	*DBE % Dir/Census
Water Supply and Irrigation Systems (Irrigation System Monitoring)	221310	10	1	0.00%
Commercial and Institutional Building Construction	236220	208	3	0.00%
Water and Sewer Line and Related Structures Construction	237110	33	1	0.00%
Oil and Gas Pipeline and Related Structures Construction	237120	0	0	0.00%
Utility Line Construction	237130	20	2	0.00%
Highway, Street and Bridge Construction	237310	21	10	47.62%
Poured Concrete Foundation and Structure Contractors	238110	85	4	4.71%
Structural Steel and Precast concrete contractors	238120	16	0	0.00%
Masonry	238140	69	3	0.00%
Roofing Contractors	238160	106	0	0.00%
Electrical Contractors and Other Wiring Installation Contractors	238210	384	3	0.00%
Plumbing, Heating, and Air- Conditioning Contractors	238220	453	0	0.00%
Other Building Equipment Contractors (4SS Replace Revolving Doors)	238290	30	0	0.00%
Painting and Wall Covering	238320	211	1	0.00%
Flooring Contractors	238330	86	1	0.00%
Finish Carpentry Contractors	238350	118	0	0.00%
Site Preparation Contractors	238910	175	14	8.00%
All Other Specialty Trade Contractors	238990	178	7	3.93%
Prefabricated Metal & Bulling Manufacturing (Shelters)	332311	0	0	0.00%
Welders	333992	0	0	0.00%
Commercial, Industrial, and Institutional Electric Lighting Fixture Manufacturing (Bus Stop Solar Lights installation)	335132	0	0	0.00%
Automobile and Light Duty Motor Vehicle Manufacturing	336110	0	0	0.00%
Institutional Furniture Manufacturing (Benches, trash cans, signs)	337127	0	0	0.00%
Sign Manufacturing	339950	26	0	0.00%
Computer and Computer Peripheral Equipment and Software Merchant Wholesalers	423430	19	0	0.00%
Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers	423610	73	0	0.00%
Dump trucking (e.g. gravel, sand, top-soil).	484220	119	10	8.40%
Street Cleaning	488490	5	0	0.00%
Agents for Wireless Telecommunications Services (Service plans)	517122	0	0	0.00%
Consultant - Architectural Services	541310	74	1	0.00%
Landscape Architectural Services	541320	17	0	0.00%
Consultant - Engineering Services	541330	378	7	1.85%
Landscaping Services	561730	583	4	0.69%
Cleaning (e.g. power sweeping, washing) driveways and parking lots	561790	53	0	0.00%
Commercial and Industrial Machinery/Equipment Repair/Maintenance	811310	101	0	0.00%
Combined Totals		3651	72	1.97%

Work Scope
Availability (*Trade Classification*)

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NDOT certified firms in
work scope

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Census # all firms in
work scope

To maintain the highest standards for RTC's program, we did not calculate a goal for any scope having 3 or fewer certified firms.



RTC's BASE FIGURE

STEP ONE:

Federal Fiscal Year 2023 -2025 Anticipated FTA-Funded Projects	Trade \$ (FTA Funds)	DBE Availability	DBE Dollars
Terminal Way Remodel	\$776,000	0.00%	\$0
Villanova Upgrades (Replacement)	\$400,000	0.00%	\$0
Bus Shelters/Amenities/ADA Improvements	\$296,000	0.00%	\$0
Computer Hardware & Software	\$189,174	0.00%	\$0
RIDE - Non-Revenue Minivans (8)	\$256,000	0.00%	\$0
RIDE - Bus Monitors Display (purchase and install)	\$60,000	0.00%	\$0
FM - Replace Non-Revenue Truck	\$40,000	0.00%	\$0
Sutro Generator & Facility Upgrades	\$240,000	0.00%	\$0
Sutro CNG Cascades (storage tank)	\$160,000	0.00%	\$0
Sutro Gate Controller	\$17,600	3.13%	\$551
4th Street Station Expansion	\$5,619,999	1.26%	\$70,826
All Facilities Upgrades	\$232,000	0.00%	\$0
Transit Center Upgrades	\$200,000	1.18%	\$2,360
6th Street Facilities Upgrades	\$104,000	0.00%	\$0
Hydrogen Fuel Cell Project	\$3,312,000	1.25%	\$41,333
Peppermill BRT Station	\$1,316,800	12.35%	\$162,661
Meadowood Redesign Project	\$2,000,000	3.39%	\$67,798
RTC Park and Ride Program	\$390,000	3.42%	\$13,341
Subrecipient - Neighbor Network of Northern Nevada	\$5,600	0.00%	\$0
Total Projects 2023 - 2025	\$15,615,173	2.30%	\$358,869



Base Goal

BASE GOAL

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Sum of DBE \$s (sum of Work Scope/Trade Amounts)

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Total Trade \$s Available over next 3 years



ADJUSTING RTC's BASE FIGURE

STEP TWO:

Once a base figure has been calculated, relevant evidence in the market area is examined to determine what adjustment, if any, is needed to the base figure in order to arrive at the overall goal. RTC considered its:

- Past DBE participation

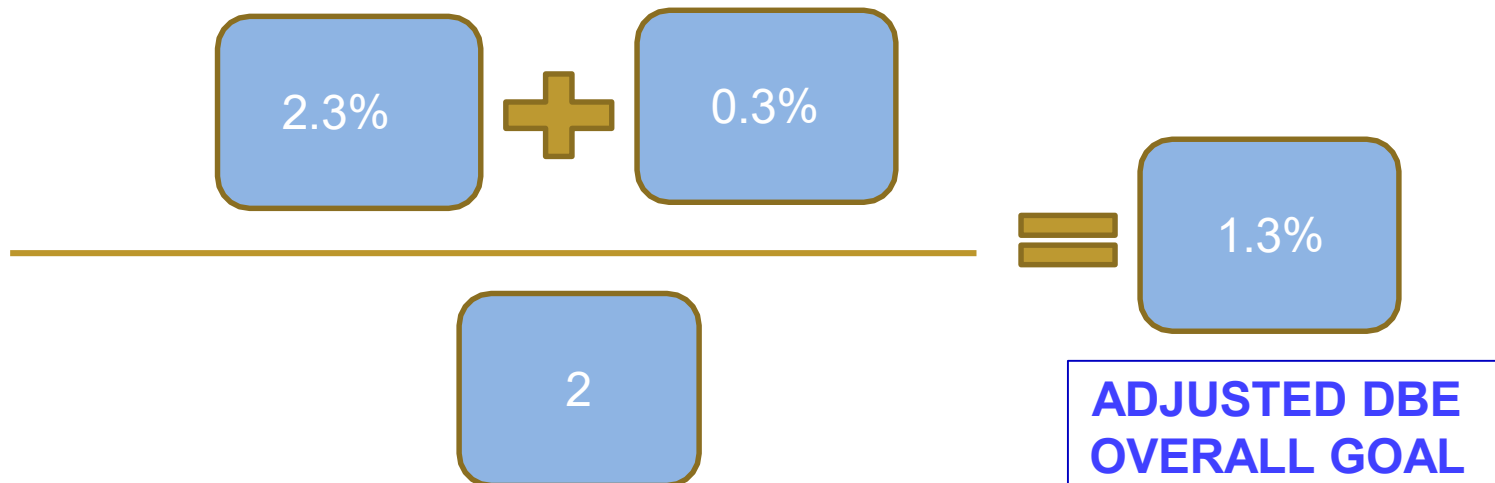
Fiscal Year	DBE Attainment
FY 2019	.2%
FY 2020	.3%
FY 2021	1.0%

Regulations require using the median (or middle) past participation percentage



ADJUSTING RTC's BASE FIGURE

Calculate the **Overall Goal** by *averaging* the results of Step 1 (2.3%) with Step 2 (0.3%)





PROJECTING RACE-NEUTRAL/RACE CONSCIOUS SPLIT

- Once the overall goal is established, RTC must project what part of the goal we anticipate achieving:
 - Race-neutrally
 - no DBE goals are set on agreements/contracts
 - Race-consciously
 - setting project goals on contracts
- *Per 49 CFR Part 26.51, RTC must meet the maximum feasible portion of our overall goal by using race/gender-neutral means of facilitating DBE participation*

Fiscal Year	DBE Goal	DBE Attainment	Over/Under	Race Neutral	Race Conscious
FY 2021	1.5%	.2%	-1.3%	0.0%	.22%
FY 2020	1.5%	.3%	-1.2%	.04%	.22%
FY 2019	1.5%	1.0%	-0.5%	.04%	.91%



PROJECTING RACE-NEUTRAL/RACE CONSCIOUS SPLIT

- Based on past participation, for our FFY 2023-2025 goal, RTC anticipates attaining:
 - 0.0% race neutrally
 - **1.3%** race-consciously (i.e. contract goals)

GOAL Portion	Allocation%
Race Neutral	0.0%
Race Conscious	1.3%
Overall DBE Goal	1.3%

- *Per 49 CFR 26.51 – RTC must establish contract goals to meet any portion of its overall goal (1.3%) that it does not project being able to meet using race-neutral means.*



MOVING FORWARD & SETTING PROJECT SPECIFIC GOALS

Race Conscious = Portion of the goal that RTC sets on projects.

Goal Setting Worksheet: Work Scope & Availability Calculations

Work Category/Scope	6 Digit NAICS	# Certified Firms	# Total Firms	Work Scope Availability	Work Scope Amount	Certified Work Scope Amount
1 Trucking	484110	12	35	34.3%	\$	\$
2 Aggregate Base	212320	7	34	20.6%	\$	\$
3 Asphalt Paving Supply	212399	2	20	10.0%	\$	\$
4				%	\$	\$

Sum of Certified Work Scope Amounts: \$

Total Project Amount: \$

Project Goal: %

Check here if 3 or fewer certified firms

Enter 0% if 3 or fewer certified firms

Add up all Certified Work Scope Amounts and enter total dollar amount.

Divide Sum of Certified Work Scope Amounts by Total Project Amount

- Work Scopes/Trades for each project, including Prime work scope(s)
- Approximate dollar value of each work scope & its weight relevant to overall cost (% or \$).
- Industry codes for each work scope (e.g. NAICS).
- Geographic market for project work & firms.
- Universe of certified firms, with industry codes, in the geographic market.
- Universe of all firms, with industry codes, in the geographic market.
- In depth understanding of our agency, community, program, past utilization & any other factors that may impact the ability of firms to meet the goal.



CAN RTC BE PENALIZED FOR FAILING TO MEET ITS OVERALL GOAL?

- RTC cannot be penalized or treated by FTA as being in noncompliance because our DBE participation falls short of our overall goal.
- If the awards and commitments shown on our *Uniform Report of Awards or Commitments and Payments* at the end of any fiscal year are less than the overall goal applicable to that fiscal year, RTC must do the following in order to be regarded by FTA as implementing our DBE program in good faith:
 - Analyze the reasons for the difference between the overall goal and our awards and commitments in that fiscal year.
 - Establish specific steps and milestones to correct the problems identified in our analysis and to enable RTC to meet fully our goal for the new fiscal year.



PUBLIC PARTICIPATION

- RTC is required to communicate with the public in two ways
 - Consultative process with stakeholders
 - Today
 - Publishing the goal on our website
- Send us your comments on goal setting to jmeyers@rtcwashoe.com
- Send comments by September 28, 2022



DOING BUSINESS WITH RTC



- See RTC's website to learn more about How to do Business with RTC.

<https://www.rtcwashoe.com/about/procurement/>



QUESTIONS?

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