

## Overall Goal Calculation

**Amount of Goal:** The MPO's overall goal for the following time period 2014-2016 is 4.4% of FTA-funded contracting opportunities.

The process generally used by the MPO to establish its overall DBE goal is described below.

**Methodology use to Calculate Overall Goal:** The MPO has a strong commitment to minority inclusion in all contracts. However, it is difficult to use standard formulas to arrive at a basis for MPO DBEs for the reasons cited below.

1. Past experience on Federal Transit Administration (FTA) grant awards has not provided adequate historical precedence for calculations.
2. MPOs in the Tampa Bay area do not have FTA DBE Programs and therefore cannot provide a historical basis for calculations.
3. The MPO's own needs are for transportation planning consultants only. Unlike transit organizations, the MPO does not build or purchase, lease or maintain equipment, terminals or garages. In addition, the MPO does not directly contract for staff to perform operations/ maintenance.
4. The MPO uses only a small number of transportation planning consulting firms each year for all contracts, including non-FTA assisted contracts.
5. The MPO's consulting needs are highly specialized. As a result, the pool of qualified consulting firms is limited. The transportation planning consulting firms that indicated they would conduct business in Pinellas County are not registered with the FDOT to conduct "major" (those over \$250,000) types of consultant work.
6. With the inclusion of the JARC/New Freedom projects, the MPO found that since the non-profit and local governmental subgrantees are not DBEs, it is difficult to include their operational and administrative expenditures toward the MPO's overall goal.

For the above reasons it is extremely difficult to obtain a clear idea of the number of qualified ready, willing and able DBEs from FDOT or transit agency lists, or to obtain an accurate idea of available firms from the US Census. (Census data does not breakdown firms by subspecialties.)

In light of the above considerations, the MPO applies the assumptions listed below in defining the criteria for MPO DBEs.

- The MPO defines the term "Local Market Area" to include DBEs registered with the State of Florida.
- The MPO defines appropriate specialties to include the North American Industry Classification System Codes (NAICS) described in Section 26.31 Directory, DBE Program.

The two steps described in the following sections explain how the MPO developed the DBE goal of 4.4%.

## Step 1: Establish Base Figure

The MPO has determined its non-adjusted base figure to be approximately 8.8% (58/659) as shown in the calculation below.

$$\frac{58 \text{ ready, willing and able DBEs}}{659 \text{ all firms from Local Market Area}} = 8.8 \%$$

659 is the number of firms drawn from FDOT's bidders list comprised of the following:

- 355 Engineering Services;
- 105 Public Relations Agencies;
- 17 Marketing Research and Public Opinion Polling;
- 151 All Other Professional, Scientific, and Technical Services
- 21 Special Needs Transportation;
- 4 Bus and Other Motor Vehicle Transit Systems;
- 5 Other Transit and Ground Passenger Transportation; and
- 1 Cellular and Other Wireless Telecommunications.

Of those firms, 58 DBEs have indicated they will conduct business in Pinellas County. It should be noted that as a result of decreasing property tax revenues, major statewide governmental budget reductions have occurred since 2008. This has greatly impacted DBE contracting opportunities and many firms have not recertified or have opted out of the DBE program.

The MPO does not consider the weighting process to be necessary.

## Step 2: Adjustment of Base Figure

The MPO examined DBE activity over the fiscal years (FY) 2010-2012 and future contracting opportunities and determined that an adjustment to the base figure should be made. The highest DBE participation level during the three fiscal years was in FY 2011, 17.5%, and 5.8% was the average for the three years. The historical median was 0%. The resulting goal is 4.4%, 8.8% (non-adjusted base figure) + 0% (historical median)/2.

The MPO then examined future contracting opportunities. Included in the grant programs for which this DBE goal applies are the Job Access Reverse Commute (JARC) and New Freedom programs. The DBE participation within these two grant programs has been minimal to date. JARC and New Freedom programs have been eliminated under Map 21. Therefore, the MPO will not be administering these programs after the existing contracts expire in late 2015. With the removal of the JARC and New Freedom programs, the amount of funds going to the MPO from FTA will decrease. As a result, DBE participation as a percentage of the total FTA funding associated with the remaining grant programs will increase.

In the next several fiscal years, the MPO will continue to administer or pass through FTA funds to be used for consultant work. All consultants have listed potential DBEs that could be utilized. At this time, no additional Congressional Earmarks or grant awards affecting the employment of DBEs by consultants are anticipated.

Based upon this examination of current and future contracting opportunities, the MPO believes that a 4.4% goal is achievable.

## **Breakout of Estimated Race-Neutral and Race-Conscious Participation**

“Race neutral,” under the FTA consultant or professional program, is defined as not assigning race or gender-specific goals on individual projects, but rather considering the participation of all DBE subconsultants utilized by consultants on projects.

Examples of race-neutral means of facilitating DBE participation include the following:

- 1) Arranging solicitations, times for the presentation of bids, quantities, specifications and delivery schedules in ways that facilitate DBE and other small business participation;
- 2) Requiring consultants to subcontract portions of work that they might otherwise perform with their own staff or an outside consulting firm; and
- 3) Providing the name, phone number and email address for additional information concerning a contract.

“Race-conscious” measures, such as the use of individual contract goals, are those measures and programs that focus specifically on assisting DBEs only. During FY 2012, the overall goal was 2.12%, with 2.07% race conscious and .05% race neutral. However, DBE participation during FY 2012 was 0%, so in order to determine a race neutral/race conscious split, the MPO will utilize the FY 2011 figures. DBE participation during FY 2011 was 17.5% and was acquired through race-conscious means. All of the MPO’s general planning consultants have partnered with DBE qualified subconsultants. Of these firm’s subconsultants, one was acquired through race neutral means and one through race conscious measures. Assuming this represents a reasonable expectation for the future, the MPO predicts that, of the 4.4% overall DBE goal for the 2014-2016 fiscal years, approximately .05% will be acquired from race-neutral participation and the remainder through race-conscious measures.

The MPO will adjust the estimated breakout of race-neutral and race-conscious participation reflected in any contract goals as needed to reflect actual DBE participation [see 26.51(f) Contract Goals, DBE Program] and to track and report race-neutral and race conscious participation separately. For reporting purposes, race-neutral DBE participation includes, but is not necessarily limited to, the following:

- 1) DBE participation through a prime contract a DBE obtains through customary competitive procurement procedures;
- 2) DBE participation through a subcontract on a prime contract that does not carry a DBE goal;
- 3) DBE participation on a prime contract exceeding a contract goal; and
- 4) DBE participation through a subcontract from a prime contractor that did not consider a firm’s DBE status in making the award.

The MPO will maintain data separately on DBE achievements in those contracts with and without contract goals, respectively.

**PUBLIC NOTICE CONCERNING THE  
PINELLAS COUNTY MPO  
DISADVANTAGED BUSINESS ENTERPRISE PROGRAM**

In accordance with requirements of the US Department of Transportation as set forth in 49 C.F.R. Part 26, as amended, the Pinellas County Metropolitan Planning Organization (MPO) hereby notifies the public that it is recommending a Disadvantaged Business Enterprise (DBE) goal, whereby 4.4% of all applicable professional services and procurement contracts during Fiscal Years 2014-2016, beginning October 1, 2013 and ending September 30, 2016 involve DBE firms. The DBE Program is a Federal Program designed for business owners deemed socially and economically disadvantaged. Information pertaining to this goal and a description of how it was selected is available for inspection from 8:00 a.m. to 5:00 p.m. (Eastern time) at the Pinellas County MPO, 310 Court Street, 2<sup>nd</sup> Floor, Clearwater, FL 33756, for 30 days (through August 31, 2013) following the date of this notice. It is also available online at [www.pinellascounty.org/mpo](http://www.pinellascounty.org/mpo). Written comments on this goal will be accepted for 45 days (through September 15, 2013) from the date of this notice. The comments may be sent to the MPO or to the Regional Civil Rights Officer, Federal Transit Administration, Region IV, 230 Peachtree Street NE, Suite 800, Atlanta, GA 30303.