

FORWARD PINELLAS

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310 Court Street
Clearwater, FL 33756



October 1, 2019

Ms. Doretha Foster
Federal Transit Administration
Region IV Civil Rights Officer
230 Peachtree Street, NW, Suite 800
Atlanta, GA 30303

Subject: Forward Pinellas 2020-2022 Disadvantaged Business Enterprise (DBE) goal, ID: 1038

Dear Ms. Foster:

Attached is the Forward Pinellas, in its role as the Pinellas County Metropolitan Planning Organization, Fiscal Years 2020-2022 DBE goal reporting requirement. As requested, enclosed are the following:

1. A signed Policy Statement;
2. The Step 1 and Step 2 formula demonstrating how our goal was obtained;
3. A copy of the public notice, which was advertised on the Forward Pinellas website, forwardpinellas.org.

The mailing address for goal acceptance is shown below:

Attn: Rebecca Stysly
Forward Pinellas
310 Court Street, 2nd Floor
Clearwater, FL 33756

The Forward Pinellas DBE goal for FYs 2020-2022 is 4.1%; Race Conscious 2.5%, Race Neutral 1.6%. The four digit recipient ID number is 1038.

Please contact Rebecca Stysly with any questions or comments. Her phone number is 727.464.5655 and e-mail: rstysly@forwardpinellas.org. Forward Pinellas appreciates your continued support and assistance concerning our DBE program.

Sincerely,

Whit Blanton, FAICP
Executive Director

**FORWARD PINELLAS, IN ITS ROLE AS THE PINELLAS COUNTY
METROPOLITAN PLANNING ORGANIZATION, DISADVANTAGED
BUSINESS ENTERPRISE PROGRAM**

Definitions of Terms

The terms used in this program have the meanings defined in 49 CFR 26.5.

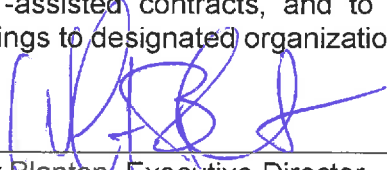
Objectives/Policy Statement (26.1, 26.3)

The Forward Pinellas FTA recipient ID number 1038 has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the US Department of Transportation (DOT), 49 CFR Part 26. Forward Pinellas anticipates that it will receive Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, Forward Pinellas has signed an assurance that it will comply with 49 CFR Part 26.

The policy of Forward Pinellas regarding DBEs, as defined in Part 26, includes the following:

1. To ensure equal opportunity to receive and participate in DOT-assisted contracts.
2. To ensure nondiscrimination in the award and administration of DOT assisted contracts;
3. To create a level playing field on which DBEs can compete fairly for DOT assisted contracts;
4. To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
5. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
6. To help remove barriers to the participation of DBEs in DOT assisted contracts; and
7. To assist the development of firms that can compete successfully in the market place outside the DBE Program.

Once the policy statement is signed, Forward Pinellas will disseminate this policy statement to its Board and staff members within the organization, individuals on the mailing list and it will be placed on the Forward Pinellas website. Forward Pinellas will also distribute this statement to all DBE and non-DBE businesses that perform work for DOT-assisted contracts, and to all DBE and non-DBE firms via advertisement and mailings to designated organizations.



Whit Blanton, Executive Director



Date

Overall Goal Calculation

Amount of Goal: Forward Pinellas, in its role as the Pinellas County Metropolitan Planning Organization (MPO), has an overall goal for fiscal years 2010-2022 of 4.1% of Federal Transit Administration (FTA)-funded contracting opportunities.

The process generally used by Forward Pinellas to establish its overall Disadvantaged Business Enterprise (DBE) Program goal is described below.

Methodology used to calculate overall goal: Forward Pinellas has a strong commitment to minority inclusion in all contracts. However, it is difficult to use standard formulas to arrive at a basis for Forward Pinellas' DBEs for the reasons cited below.

1. Past experience on FTA grant awards has not provided adequate historical precedence for calculations.
2. Metropolitan planning organizations (MPOs) in the Tampa Bay area do not have direct FTA DBE Programs and therefore cannot provide a historical basis for calculations. The Tampa Bay MPOs are subrecipients to the Florida Department of Transportation (FDOT) for FTA and FHWA- funded grants and use the FDOT goal for those grants.
3. Forward Pinellas' own needs are for transportation and land use planning consultants only. Unlike transit organizations, Forward Pinellas does not build or purchase, lease or maintain equipment, terminals or garages. In addition, Forward Pinellas does not directly contract for staff to perform operations/ maintenance. Forward Pinellas's transportation activities are primarily funded by FTA and FHWA through FDOT and so are subject to FDOT's goal.
4. Forward Pinellas uses only a small number of planning consulting firms each year for all contracts, including non-FTA assisted contracts.
5. Forward Pinellas currently has two FTA-funded projects, both with local government subrecipients. Both are required to incorporate DBE usage in their projects.
6. With the inclusion of the FTA grant projects, Forward Pinellas found that since the local governmental subrecipients are not DBEs, it is difficult to include their operational and administrative expenditures toward Forward Pinellas' overall goal.

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

- Forward Pinellas defines the term "Local Market Area" to include DBEs registered with the State of Florida that are located and able to conduct business in Pinellas, Hillsborough, or Pasco Counties.
- Forward Pinellas 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 Forward Pinellas developed the DBE goal of 4.1%.

Step 1: Establish Base Figure

Forward Pinellas has determined its non-adjusted base figure to be approximately 4.1% as shown in the calculation below.

$$\frac{340 \text{ ready, willing and able DBE firms}}{826 \text{ all firms (DBE and non-DBE)}} = 4.1 \%$$

Forward Pinellas found 826 firms (DBE and non-DBE) located within the Local Market Area for the specialties listed below (U.S. Census Database, 2016), and found 340 DBE firms located in and able to conduct business within the Local Market Area (Florida Unified Certification Program DBE Directory). The totals consist of the following specialties:

- 316 DBE & 696 (all firms) – Engineering services (NAICS 54133)
- 1 DBE & 7 (all firms) – Geophysical surveying (NAICS 54136)
- 23 DBE & 123 (all firms) – Environmental consulting services (NAICS 54162)

Forward Pinellas does not find the weighting process to be necessary.

Step 2: Adjustment of Base Figure

Forward Pinellas examined DBE activity over the fiscal years (FY) 2014-2016 and future contracting opportunities and determined that an adjustment to the base figure should not be made. The highest DBE participation level during the three fiscal years was in FY 2014 at 57%, and 9.5% was the average for the three years. However, the historical median was 0%. If an adjustment would be made, the resulting goal would be 2%, which is 3.9% (non-adjusted base figure) + 0% (historical median)/2.

Forward Pinellas examined future contracting opportunities. From 2014-2016, Forward Pinellas administered the following grant programs for subgrantees: Transit Capital Investment Program (Section 5309), Urbanized Area Formula Program (Section 5307), Public Transportation Innovation (Section 5312), Job Access Reverse Commute (JARC) (Section 5316) and New Freedom (Section 5317) programs. However, Forward Pinellas has not had any new grant applications for funds as a FTA direct recipient and currently only has two open grants: Central Avenue BRT Corridor Enhancement (Section 5309) and Bay Pier Egmont Key (Section 5320). The DBE participation within these grant programs has been minimal to date. The amount of FTA funding being passed-through Forward Pinellas to subgrantees has decreased over the past three years.

Based upon this examination of current and future contracting opportunities, Forward Pinellas believes that 4.1% goal is achievable. Thus, an adjustment to the base figure is not necessary.

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 2018, the overall goal was 3.9%, with 2.5% race conscious and 1.4% race neutral. However, DBE participation during FY 2018 was 0%, so in order to determine a race neutral/race conscious split, Forward Pinellas will utilize the FY 2016 figures. Assuming this represents a reasonable expectation for the future, Forward Pinellas predicts that, of the 4.1% overall DBE goal for the 2020-2022 fiscal years, approximately 1.4% will be acquired from race-neutral participation and the remainder through race-conscious measures.

Forward Pinellas 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.

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

Consultation Process / Outreach Conducted

Before establishing the overall goal each year, Forward Pinellas, in its role as the Metropolitan Planning Organization (MPO), consults with minority, women’s, and general consultant groups, as well as small business resource organizations to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and Forward Pinellas’s efforts to establish a level playing field for the participation of DBEs.

Forward Pinellas set up consultations with the following organizations to obtain information and feedback:

- Pinellas County Urban League, 333 31st Street North, St. Petersburg, FL 33713, Phone: 727-327-2081
- Women's Resource Center of Tampa, 1017 Kingsway Road, Brandon, FL 33510, Phone: 813-309-3357
- Tampa Bay Builders Association, 512 E. Kennedy Blvd, Tampa, FL 33602, Phone: 813-571-82223

It would benefit Forward Pinellas to continue ongoing public outreach and continue to meet with various organizations that work with disadvantaged businesses.

After assessing the information from our consultations, Forward Pinellas established the goal. The goal was advertised on the website, forwardpinellas.org, and displayed in the Forward Pinellas office and committee meeting rooms.

**PUBLIC NOTICE CONCERNING
FORWARD PINELLAS, IN ITS ROLE AS PINELLAS COUNTY
METROPOLITAN PLANNING ORGANIZATION,
DISADVANTAGED BUSINESS ENTERPRISE PROGRAM**

In accordance with requirements of the U.S. Department of Transportation as set forth in 49 C.F.R. Part 26, as amended, Forward Pinellas, in its role as the Pinellas County Metropolitan Planning Organization, hereby notifies the public that it is recommending a Disadvantaged Business Enterprise (DBE) goal, whereby 4.1% of all applicable professional services and procurement contracts during Fiscal Years 2020-2022, beginning October 1, 2019 and ending September 30, 2022 involve DBE firms. The DBE Program is a Federal Program designed for business owners deemed socially and economically disadvantaged. More information is also available on-line at forwardpinellas.org.