



Disadvantaged Business Enterprise (DBE) Federal Fiscal Year 2023-2025 Goal Setting

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Overview of VIA

- Provides public transit in Bexar County
- Over 500 buses serving 96 local routes
- \$274,900,000 operating budget
- VIA procurement opportunities available at the VIA Procurement Portal: <https://www.via.diversitycompliance.com>



DBE Program Basics

- Governing US DOT Regulation
 - 49 CFR Part 26 and Participation by DBEs in Department of Transportation (DOT) Financial Assistance Programs
- VIA Responsibilities
 - Establish Overall Goals (every three years)
 - Determine Contract Goals
 - Monitoring and Enforcement
 - Reporting



Establishing Overall Goals

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

DBE Goal Setting

- Current DBE Goal is 18.73%
- Past Participation

Fiscal Year	DBE Achievement
FY2017	23.05%
FY2018	31.29%
FY 2019	6.32%
FY 2020	2.91%
FY 2021	29.49%

DBE Goal Setting

- VIA is currently developing its Federal Fiscal Years 2023-2025 DBE goals
- Goal-setting is a two-step process
 - Establish a base figure based on the relative availability of DBEs to participate in VIA's FTA-funded capital projects.
 - Make any necessary adjustments to the base figure based on local market conditions.

Calculating the Base Figure

- This 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.

Base Figure

Federal Fiscal Year 2023 – 2025

Four Categories of Anticipated FTA-Funded Projects

Planning & Development	Fleet & Facilities	Technology & Innovation	Transportation
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- Transit Oriented Development E/W Corridor
- Mobility Hubs Programs (Planning Only)
- Bus Stop Improvements (Suburban Cities)
- Randolph Park & Ride (Construction Only)
- Randolph Park & Ride (Proj Mgmt, Design, Const Admin)
- Route Restoration Planning Grant Project
- General Development/Comprehensive Planning
(technical studies/plan - includes contracted professional services and internal labor)
- STBG - Advanced Rapid Transit Study
- Maintenance Shop Spot Cooling
- Wastewater Treatment Upgrade
- Bus Yard Emergency Alert System
- Gas Monitoring & Detection System
- Backup Generators (7 Total)
- Shop Tools & Equipment
- Engines & Transmissions
- Non-Revenue Support Vehicles
- Renovation of Main Service Station
- Farebox Replacement
- Fleet Vehicle Router Upgrade
- AVL Hardware
- Paratransit Transportation Service

Base Figure

- The majority of work is awarded to firms in Bexar County



Base Figure

- Based on projected opportunities and past/current DBE participation, VIA estimates the % of DBEs compared to all firms that can participate in its FTA-funded contracts.



Relevant NAICS Codes

- 236220** Commercial and Institutional Building Construction
- 237110** Water and Sewer Line and Related Structures Construction
- 237310** Highway, Street, and Bridge Construction
- 237990** Other heavy and civil engineering construction
- 238110** Poured Concrete Foundation and Structure Contractors
- 238120** Structural steel and precast concrete contractors
- 238210** Electrical Contractors and Other Wiring Installation Contractors
- 238910** Site Preparation Contractors
- 238990** Fencing Contractors
- 327320** Ready-Mix Concrete Manufacturing
- 333310** Water treatment equipment manufacturing
- 423120** Motor Vehicle Supplies and New Parts Merchant Wholesalers
- 423610** Alarm apparatus, electric, merchant wholesalers
- 423690** Other Electronic Parts and Equipment Merchant Wholesalers
- 423710** Hardware Merchant Wholesalers
- 423730** Cooling equipment and supplies merchant wholesalers
- 423830** Industrial Machinery and Equipment Merchant Wholesalers
- 423850** Fare boxes, public transit vehicle, merchant wholesalers
- 423860** Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers
- 441110** New Car Dealers
- 441330** Automotive Parts and Accessories Retailers
- 485991** Special Needs Transportation
- 541310** Architectural Services
- 541320** Land use planning services
- 541330** Engineering Services
- 541511** Custom Computer Programming Services
- 541690** Other Scientific and Technical Consulting Services
- 561730** Landscape Services

Base Figure

For each NAICS codes, determine the relative weight of that type of work, determine the number of 'DBE' and 'All' firms and determine the weighted relative availability. Below is a portion of that analysis:

Project	Number of Available DBEs	Number of All Firms	Relative Availability
Planning & Development	147	1853	7.93%
Fleet & Facilities	5	426	1.17%
Technology & Innovation	9	298	3.02%
Transportation	1	7	14.29%

After the Weighted Availability for each NAICS code is determined, add all figures in the Weighted Availability column to derive the base goal.

For VIA, this equals 5.99%

Adjusting For Past Participation

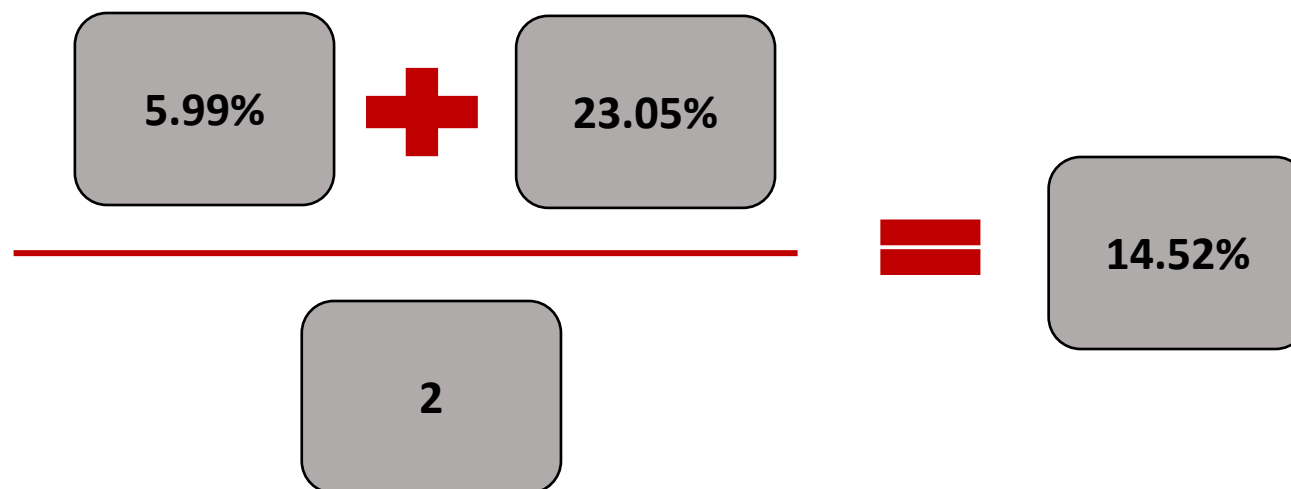
- Past participation of DBEs was determined to be the Relevant adjustment to consider.
- For past five years, that participation was:

Fiscal Year	DBE Achievement
FY2017	23.05%
FY2018	31.29%
FY 2019	6.32%
FY 2020	2.91%
FY 2021	29.49%

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

Adjusting The Base Figure

Calculate the Overall Goal by *averaging* the results of Step 1 (5.99%) with Step 2 (23.05%)



Projecting Race-Neutral/Race Conscious Split

- Once the overall goal is established, VIA must project what part of the goal it anticipates achieving race-neutrally (i.e. no DBE goals set on agreements/contracts) and what portion it anticipates achieving race-consciously (i.e. setting a goal).
- The regulation requires that agencies meet the maximum DBE participation feasible through race-neutral means.
 - Race-neutral examples:
 - A DBE wins a prime contract
 - There is no DBE goal on a contract and a prime uses a DBE
 - A prime exceeds the DBE goal through commitments at project award
- Based on past participation and the ability to resume in-person outreach, VIA anticipates attaining 5.4% race neutrally and 9.12% race-consciously for its FFY 2023-2025 goal.

Adjusting The Base Figure

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. Considerations include:

- Past DBE participation
- Evidence from disparity studies
- Any available evidence from related fields that affect the opportunities for DBEs to form, grow and compete, such as:
 - Statistical disparities in the ability of DBEs to get the financing, bonding and insurance required to participate
 - Data on employment, self-employment, education, training and union apprenticeship programs, to the extent that it is relevant

Public Participation

- VIA is required to communicate with the public in two ways
 - Consultative process with stakeholders
 - July 15, 2022
 - July 21, 2022
 - Publishing of goal on its website
- Please meet with us after this session or send us your comments on the goal setting to odfc@viainfo.net
- Send comments by July 27, 2022

Partnering Opportunities

- VIA welcomes the opportunity to showcase our opportunities with local partners
- If you are hosting an outreach or business-capacity building event, contact us to participate
- As we begin to conduct more in-person outreach events, we will contact stakeholders for their participation.

QUESTIONS