Carson Area
Metropolitan Planning Organization
CAMPO

Disadvantaged Business Enterprise Program Goal for Federal Transit Administration Section 5307 Funds

Federal Fiscal Years 2014-2016
(October 1, 2013 – September 30, 2016)

Proposed DBE Goal: 0.34%

Recipient: Carson Area Metropolitan Planning Organization

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Goal Period: October 1, 2013 – September 30, 2016

GOAL METHODOLOGY

The CAMPO DBE goal is established and submitted to the Federal Transit Administration (FTA) on a triennial basis, beginning August 1, 2010.

The race neutral goal for Federal Fiscal Year (FFY) 2014-2016 has been set at 0.34%. This goal is expressed as a percentage of all FTA funds (exclusive of FTA funds to be used for the purchase of transit vehicles) that CAMPO will expend in FTA-assisted contracts in the three forthcoming fiscal years. Total FTA funding for projects is anticipated to be approximately:

- $936,148 in FY 2014
- $945,509 in FY 2015
- $954,964 in FY 2016

The relevant geographic market for contractors for CAMPO projects has been defined as Carson City, Douglas County and Washoe County, in the State of Nevada.

The methodology for setting the overall goal is as follows.

49 CFR Part 26, § 26.45(b) states that:

"Your 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 your DOT-assisted contracts (hereafter, the "relative availability of DBEs"). The goal must reflect your determination of the level of DBE participation you would expect absent the effects of discrimination. You cannot simply rely on either the 10 percent national goal, your previous overall goal or past DBE participation rates in your program without reference to the relative availability of DBEs in your market."

Further, § 26.45 provides for a two-step process, consisting of the following:

Step 1 – Determine a base figure for the relative availability of DBEs

CAMPO has elected to use the methodology described in § 26.45(b)(1) to determine the base figure for the relative availability of DBEs. CAMPO will be using the Nevada Unified Certification Program DBE Directory, posted on the Nevada Department of Transportation website, and the Census Bureau's County Business Patterns to determine the number of ready, willing and able DBEs in the CAMPO market.

Due to the structure of transit services under CAMPO, there is little contracting opportunity available for the 3-year program goal period. Carson City uses staff to oversee transit operations; City resources, including buses, facilities and

support services, to provide the service; and a contract operator to operate the transit service. Potential contracting opportunities for FFY 2014-2016 are as follows:

- Operating Service Contract
- Architectural/Engineering Services
- Rehabilitation/Renovation of Pedestrian Access/Walkways

The trade classifications expected to be used for these projects over the three-year period are as follows:

Table 1 - Anticipated Project Expenditures by Trade Classification, FFY 2014-2016			
Project	Dollar Amount	NAICS Code	Industry and Product Description
Operating Service Contract	$1,943,000	4851	Urban transit systems
Architectural/Engineering Services	$150,000	5413	Architectural, engineering and related services
Maintenance Facility Expansion	$800,000	236220	Commercial and institutional building construction
Rehabilitation/Renovation of Pedestrian Access/Walkways	$386,000	237310	Sidewalk, public, construction
Total	$2,479,000		

DBE availability has been determined by utilizing the Census Bureau 2011 County Business Patterns (CBP) at http://www.census.gov/econ/cbp/ and the Nevada Unified Certification Program (UCP) DBE Directory at http://nevadadbe.com/dbe-vendors. Census and Directory information was extracted for the trades listed above. The DBE availability calculations are as follows:

Table 2 - DBE Availability Percentages				
% OF DBE FIRMS VS. ALL FIRMS				
Industry	NAICS Code	Census # of Firms	Directory # of Firms	*DBE %
Urban transit systems	4851	4	0	0.00%
Architectural, engineering and related services	5413	328	0	0.00%
Commercial and institutional building construction	236220	92	4	0.04%
Sidewalk, public, construction	237310	20	6	0.30%

* Percentage obtained by dividing Directory # of Firms by Census # of Firms.

Given the information provided in Table 2, CAMPO proposes 0.34% as the goal for FFY 2014-2016.

Step 2 – Examine data to determine what adjustment, if any, is needed to the Base Figure.

§ 26.45(d) provides many examples of the types of data to examine in order to adjust the base figure. CAMPO has determined that an adjustment is not needed in its geographic market.

RACE-NEUTRAL VS. RACE-CONSCIOUS GOAL

In keeping with the Ninth Circuit Court of Appeals decision in *Western States Paving v. Washington State Department of Transportation*, CAMPO proposes to set all goals as race-neutral for this goal period. Race-neutral DBE participation includes any time a DBE wins a prime contract through customary competitive procurement procedures; is awarded a subcontract on a prime contract that does not carry a DBE goal; or even if there is a DBE goal, wins a subcontract from a prime contractor that did not consider its DBE status in making the award (e.g., a prime contractor that uses a strict low bid system to award subcontracts).

PUBLIC NOTICE

The following public notice was published in the Nevada Appeal, a local newspaper of general circulation, on May 19, 2013; as well as the May 20, 2013 issue of Passenger Transport, a national transit industry publication:

PUBLIC NOTICE
CARSON AREA METROPOLITAN PLANNING ORGANIZATION
FFY 2014-2016 DISADVANTAGED BUSINESS ENTERPRISE GOAL

The Carson Area Metropolitan Planning Organization (CAMPO) hereby announces its proposed FFY 2014-2016 goal of 0.34% for Disadvantaged Business Enterprise (DBE) participation in applicable federally funded contracts. The proposed goal and its rationale are available for inspection during normal business hours at the CAMPO office for 30 days from the date of this notice. CAMPO will accept comments on the goal for 45 days from the date of this notice.

Comments may be submitted via U.S. Postal Service or electronically to:

CAMPO
3505 Butti Way
Carson City, NV 89701
Fax: 775-887-2112
www.carsonareampo.com

Comments may also be directed to:
Civil Rights Officer
FTA Region IX
201 Mission Street, Suite 1650
San Francisco, CA 94105-1839