

DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS (DTPW-1089)  
DISADVANTAGED BUSINESS ENTERPRISE GOAL METHODOLOGY  
FOR FISCAL YEARS 2021,2022, and 2023

**SUMMARY**

Pursuant to the U.S. Department of Transportation (DOT) rules and regulations provided in 49 CFR Part 26 (DBE Regulations), the triennial goal for fiscal years 2021-2023 for the Department of Transportation and Public Works (DTPW-1089) overall Disadvantaged Business Enterprise (DBE) program, has been set at **20%** for the ensuing triennial period. DTPW wishes to achieve this goal through race-neutral means. DTPW commits that it will regularly monitor its progress in achieving the overall goal over the triennial period and will adjust its measures as necessary.

**I. LOCAL MARKET AREA**

In developing the FY2021-2023 DBE goal, DTPW narrowly tailored its program to Miami-Dade County- its local market area.

DTPW is actively moving forward with its Strategic Miami Area Rapid Transit (SMART) Plan, which is a bold capital improvement and infrastructure program of transit projects approved by the Board of County Commissioners. The SMART Plan's objective is to significantly improve transportation mobility and provide a world-class transit system to Miami's residents and travelers. Due to the tremendous economic growth that is expected in Miami-Dade County, fully implementing the SMART Plan Corridors will help commuters save time when compared to existing transit service or driving. DTPW has received and will continue to seek federal funding to assist in the design and buildout of the proposed corridors.

The corridors identified include:

- **South Corridor:** Experiencing the fastest population growth in Miami-Dade County. (Pending award)
- **North Corridor:** Key regional mobility linkage for access to jobs, the HardRock Stadium, and educational facilities.
- **Northeast Corridor:** High transit demand and part of a critical regional corridor stretching to Palm Beach County.
- **East-West Corridor:** Heaviest commuter travel for international, state and local businesses.
- **Beach Corridor:** Highest tourist demand in region with major employment centers.
- **Kendall Corridor:** One of the most congested arterial roadways with the highest demand.

Total population and employment within a 2-mile radius of all six corridors:

- 63% of the County's population (1.7 million residents) live within 2-mile radius of the corridors.
- 855,000 employees (or 75% of the workforce) work within a 2-mile radius of the corridors.

Positive impacts from the SMART Plan are anticipated in the following main areas of the transit system:

- New opportunities for Transit Oriented Developments (TOD's) along SMART Plan corridors (more housing, retail and office developments that are near transit stations).

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- An expanded and interconnected network of premium transit services that connect to more key destinations.
- Improved reliability and on-time performance as the existing transit network is optimized to better feed the SMART Plan transit corridors.
- More job opportunities in the transportation industry as new transit corridors are planned, designed, constructed, and implemented.
- Real-time arrival and departure information signage at transit stations.
- New transit stations/terminals and park-and-ride facilities to support new SMART Plan corridors.

**II. STEP ONE: ESTABLISHMENT OF AVAILABILITY ESTIMATE FOR A BASE FIGURE**

Pursuant to 49 CFR 26.45(c) (1), in determining the Relative Base Figure, DTPW examined the North American Industrial Classification (NAIC) codes, which represent the work most likely to be completed by subcontractors on DTPW projects for FFY21-23. In examining the total number of DBE firms within the primary market and the respective NAICS codes obtained from DBEs listed on Florida’s Unified Certification Program (UCP) website, DTPW divided the total number of DBE firms in the state by the total number of certified firms in Miami-Dade County (*an apples-to-apples comparison*) that are available in the local market area to provide services under the same NAICS codes.

**Table 1 – DTPW’s Relative Availability of DBEs by Projects and Unique NAICS Codes**

	NAICS Code	Project	Number of DBEs available to perform this work	Number of all firms available (including DBEs)	Relative Availability
1)	236220	South Corridor Bus Rapid Transit Project	332	556	0.5971
2)	237110	South Corridor Bus Rapid Transit Project	162	59	2.7458
3)	237310	South Corridor Bus Rapid Transit Project	215	151	1.4238
4)	237990	MetroMover CEI Project -Heavy Civil Eng.	79	45	1.7556
5)	238150	South Corridor Bus Rapid Transit Project	7	82	0.0854
6)	238210	South Corridor Bus Rapid Transit Project	128	1050	0.1219
7)	238330	South Corridor Bus Rapid Transit Project	27	185	0.1459
8)	238910	South Corridor Bus Rapid Transit Project	264	95	2.7789
9)	238990	South Corridor Bus Rapid Transit Project	281	1700	0.1653

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	NAICS Code	Project	Number of DBEs available to perform this work	Number of all firms available (including DBEs)	Relative Availability
10)	314910	South Corridor Bus Rapid Transit Project	2	23	0.0870
11)	327390	South Corridor Bus Rapid Transit Project	5	43	0.1163
12)	334514	South Corridor Bus Rapid Transit Project	2	2	1.0000
13)	335313	Traction power supply: substations	3	6	0.5000
14)	335314	Train control and signals	1	6	0.1667
15)	541330	Project Management for Design and Construction/ Surveys, Testing, Investigation	363	969	0.3746
16)	541512	South Corridor Bus Rapid Transit Project	123	942	0.1306
17)	561730	South Corridor Bus Rapid Transit Project	138	814	0.1695
18)	561990	South Corridor Bus Rapid Transit Project	39	9326	0.0042
19)	562910	South Corridor Bus Rapid Transit Project	51	11	4.6364
		<b>Combined Totals</b>	<b>2222</b>	<b>16065</b>	<i>0.1383</i>

**Relative Availability** = 
$$\frac{\text{DBE Firms who are ready, willing and able DBEs (data source= Florida Department of Transportation's UCP)}}{\text{Certified firms in Miami-Dade County doing business with the same NAICS Code which includes DBEs and non-DBEs (data source = NAICS Association)}}$$

In calculating the Relative Base Figure, it is evident that DTPW has a 14% relative availability of DBEs who by reason of their certification are ready, willing and able to perform work in each of the listed NAICS codes.

*Relative Availability: 2,222 DBEs ÷ 16,065 Certified firms in Miami-Dade County = 0.1383 or 14%*

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**III. STEP TWO: ADJUSTMENT OF BASE FIGURE**

To adjust the Base Figure in Step One, DTPW considered the current capacity of DBEs to perform work in its DOT-assisted contracting program, as measured by the volume of work DBEs performed in recent years, which is illustrated in the following:

**PAST DBE PARTICIPATION**

Table 2 – FFY Past Participation by Year

<b>FISCAL YEAR</b>	<b>TOTAL DBE CONTRACTS</b>	<b>TOTAL ASSISTED CONTRACTS</b>	<b>DBE Attainment</b>	<b>DBE Goal</b>
2017	\$1,000,000	\$3,833,396	26%	18%
2018	\$5,287,827	\$6,865,700	77%	24%
2019	\$154,000	\$1,725,934	9%	24%
2020	\$1,807,744	\$7,140,910	25%	24%

**ARRIVING AT THE MEDIAN PAST PARTICIPATION**

DTPW arrived at the median by arranging the percentages of past participation shown above from low to high, as follows: 9%, 25%, 26%, and 77% and excluded the lowest and highest outliers. The median of the remaining numbers is 21%.

$$9\%, 25\%, 26\%, 77\% = \text{Median is } 25.5\% \text{ or } 26\% \text{ (rounded)}$$

$$25+26 / 2 = 25.5$$

**ADJUSTING STEP ONE BASE FIGURE:**

After establishing the relative base figure of DBE availability in step 1, DTPW also considered the median past participation from the previous four years to determine what adjustment, if any, is needed to establish an overall goal.

In adjusting the step 1 relative base figure, DTPW added the Step 1 relative base figure to the median and divided their sum by two (2). As illustrated in the calculation below, the adjusted base resulted in an **overall goal** of:

$$\frac{14\% + 26\%}{2} = 20\%$$

Taking into consideration the past participation and solicitations slated for award, the adjusted base of **20%** represents the trending participation of DBE’s who are actively competing and are awarded contracts under DTPW’s race-neutral program. The *adjusted step 1* reflects the level of DBE participation that would be expected on transit contracts absent of the effects of discrimination.

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Based on the Department’s proposed DOT-assisted contracts for this triennial period, DTPW expects to expend approximately **\$29,392,979.98** with its DBEs. These are projects that currently have federal funds already assigned and are pending award.

	<b>Project Name</b>	<b>Project cost</b>	<b>FTA Funding</b>
1	Metro Mover Rejuvenation Project CIP249-DB	\$ 132,964,264.00	\$ 39,648,000.00
2	Metro Mover CEI	\$ 7,380,954.00	\$ 2,352,000.00
3	South Dade Corridor - CIP155 CEI	\$ 21,185,737.84	\$ 5,964,899.90
4	South Corridor DB	\$ 368,233,493.42	\$ 99,000,000.00
	<b>Totals</b>	<b>\$ 529,764,449.26</b>	<b>\$ 146,964,899.90</b>
	<b>Estimated to expend with DBE’s FFY21-23:</b>	DBE’s @ 20%	\$ 29,392,979.98

**Good Faith Efforts**

DTPW requires a bidder/respondent to show good faith efforts as a matter of responsiveness. Each bidder/respondent must document commitments for participation by DBE firms, by submitting the following at the time of bid submission:

- a. Names and addresses of DBE firms that were solicited for potential DBE and non-DBE participation as subcontractor.
- b. Written and signed documentation of commitment to use a DBE subcontractor whose participation it submits in order to meet the contract goal.
- c. A description of the work that each DBE will perform.
- d. Dollar amount of participation of each DBE firm performing work.
- e. Written and signed confirmation from the DBE that is participating in the contract as provided in the prime contractor’s commitment.
- f. If a commitment to the contract goal could not be met, evidence of *good faith efforts* must be fully documented and submitted to DTPW for review and approval.

***DTPW’s Commitment***

DTPW will continue its best efforts in reaching out to those leading firms who are *recurring* prime contractors to ensure that contracting opportunities are fully promoted and extended to DBEs in the area, prior to considering any race-conscious measures.

Therefore, the Department will continue to practice a combination of race-neutral strategies to maintain and increase DBE participation by:

1. Encouraging the use of DBEs who are ready, willing and able to perform as prime contractors.
2. Ensuring that competitive solicitations are structured in such a manner as to facilitate participation by all DBEs and small minority firms where possible.
3. Ensuring that DBEs on our mailing list and DBE directory listings are offered advanced notice of upcoming projects and are extended an invitation to attend pre-bid conferences to encourage participation. The Department also ensures the same information is available on its web portal: <http://www.miamidade.gov/transit/>.
4. Engaging DBEs and small businesses in one-on-one technical assistance meetings in areas of concern where DBEs were underutilized; particularly, in areas of marketing and architectural

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- & engineering expertise.
5. Relaunch the quarterly “DBE Roundtable Meetings and Training Sessions”. Quarterly roundtable meetings are designed to address industry barriers that prohibit DBEs and many others attempting to participate in federally funded projects.
  6. Partnering with Miami-Dade Aviation and Small Business Development in their monthly Small Business Outreach meetings. DTPW provides information on: Present and future contracting opportunities with DTPW, How to Prepare Your Business for a Better Day, and Engaging in Healthy Competition.
  7. Unbundling of contracts where and when possible. The Department remains committed to unbundling contracts; particularly, where opportunities lie for DBEs and Small Businesses to participate.
  8. Encouraging primes (Construction and A/E) to utilize DBEs and other small business concerns for opportunities in their field of expertise through race-neutral means.

#### **IV. PUBLICATION**

In partnership with our Small Business Development Division of Miami-Dade County, DTPW-DBE presented its anticipated DBE Goal at the September 4, 2020 MIA-MDAD meeting for minority businesses, and again on October 9, 2020. DTPW-DBE made an appeal to the women-owned businesses, inviting those who are not DBEs, to seek out contracting opportunities on federally funded transit-related projects.

All firms were asked to visit DTPW’s website to review and inspect the methodology prior to its official submission, and to revisit the site to review and inspect the official methodology once approved. To date, no feedback has been provided by any of the minority firms.

DTPW recognizes the importance of public participation in the establishment of the DBE goal. The DBE goal was made available for inspection on DTPW’s website, and this final methodology shall remain intact for the duration of the triennial period.

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**Contact Person:**

Department of Transportation and Public Works (DTPW)  
c/o

Nathaniel Surrancy, Manager & DBELO  
Department of Transportation & Public Works (DTPW)  
Office of Civil Rights (OCR)  
Overtown Transit Village  
701 NW 1 Court, 17<sup>th</sup> Floor  
Miami, Florida 33136

**Office:** (786) 469-5405

**Email:** Nathaniel.Surrancy@miamidade.gov