

DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS (DTPW-1089)
DISADVANTAGED BUSINESS ENTERPRISE GOAL METHODOLOGY
FOR FISCAL YEARS 2024,2025, and 2026

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 2024-2026 for the Department of Transportation and Public Works (DTPW-1089) overall Disadvantaged Business Enterprise (DBE) program, has been set at **21%** 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 FY2023-2026 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, now SMART Program, which is a bold capital improvement and infrastructure program of transit projects approved by the Board of County Commissioners. The SMART Program's objective is to implement and significantly improve transportation mobility and provide a world-class transit system to Miami's residents and traveling visitors. And while Miami continues to experience unprecedented economic growth, it is expected in Miami-Dade County to fully implement the SMART Program Corridors to 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 and/or projects below.

The SMART Program is advancing five (5) rapid transit corridors of the People's Transportation Plan (PTP) and various projects outlined in its CIP FY23, which includes:

- **South Corridor**
 - Corridor Project completion by FY24,
 - Purchase of the Electric Bus Fleet, and
 - Complete build-out of the *South Transportation Operations Facility for the Electric Bus Fleet*).
- **Northeast Corridor:** The Northeast Corridor is Miami-Dade's portion of the Coastal Link of the County, that extends from Downtown Miami to the City of Aventura, along the existing Florida East Coast railway track.
- **East-West Corridor:** Heaviest commuter travel for international, state and local businesses. (In study)
- **Beach Corridor:** Highest tourist demand in region with major employment centers. (In study)
- **Kendall Corridor:** One of the most congested arterial roadways with the highest demand. (In study)

Positive impacts from the SMART Program 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*).
- 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.

DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS (DTPW-1089)
DISADVANTAGED BUSINESS ENTERPRISE GOAL METHODOLOGY
FOR FISCAL YEARS 2024,2025, and 2026

- 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 FFY24-26. 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	Commercial & Industrial Building Construction	415	1436	0.2890
2)	237110	Water and Sewer Line and Related Structures	178	230	0.7739
3)	237310	Highway, Bridge, and Building Construction	294	483	0.6087
4)	237990	Other Heavy and Civil Eng. Construction	119	213	0.5587
5)	238150	Glass & Glazing	13	284	0.0458
6)	238210	Electrical Contractors	179	2817	0.0635
7)	238910	Site Prep Contractors	312	3736	0.0835
8)	541310	Architectural Services	77	311	0.2476
9)	541320	Landscape Architectural Services	64	1113	0.0575
10)	541330	Professional - Civil Engineering Services	487	2772	0.1757
11)	541618	Management Consulting Services	261	2640	0.0989
12)	238220	Plumbing & HVAC	79	4568	0.0173
13)	541512	Communications/ Systems	34	139	0.2446
	Overall availability of DBEs		2512	20,742	0.1211

DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS (DTPW-1089)
DISADVANTAGED BUSINESS ENTERPRISE GOAL METHODOLOGY
FOR FISCAL YEARS 2024,2025, and 2026

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

In calculating the Relative Base Figure, it is evident that DTPW has a 15% 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.

$$\text{Relative Availability: } 2,512 \text{ DBEs} \div 20,742 \text{ Certified firms in the Tri-County area.} \\ = 0.1211 \text{ or } 12\%$$

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

FISCAL YEAR	TOTAL DBE CONTRACTS	TOTAL ASSISTED CONTRACTS	DBE Attainment	DBE Goal
2019	\$154,000	\$1,725,934	9%	24%
2020	\$1,807,744	\$7,140,910	25%	24%
2021	\$89,817,159	\$282,587,324	32%	20%
2022	\$1,100,000	\$1,100,000	100%	20%

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%**, **32%**, and 100% and excluded the lowest and highest outliers. The median of the remaining numbers is 29%.

$$25\% + 32\% / 2 = 28.5\% \text{ or } 29\%$$

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:

DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS (DTPW-1089)
DISADVANTAGED BUSINESS ENTERPRISE GOAL METHODOLOGY
FOR FISCAL YEARS 2024,2025, and 2026

$$\frac{12\% + 29\%}{2} = 20.5\% \text{ or } 21\%$$

Taking into consideration the past participation and solicitations slated for award, the adjusted base of 21% 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 is expected to participate on transit contracts absent of the effects of discrimination through race-neutral means.

Based on the Department's proposed DOT-assisted contracts for this triennial period, DTPW expects to spend approximately \$61,537,253.42 with its DBEs.

	Project Name	Project cost	Potential Spending with DBEs
1	South Transit Operations Facility	\$ 133,007,231	
2	NE Corridor	\$ 163,615,000	
3	Panther Station	\$ 3,559,493	
	Total	\$ 300,181,724	
	Estimated \$\$\$ to expend with DBE's FFY23-26	DBE Goal @ 21%	\$ 61,537,253.42

Good Faith Efforts

DTPW requires a bidder/respondent to show good faith efforts as a matter of responsiveness. Each bidder/respondent must document commitments and good faith efforts in recruiting participation of 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 subcontractors.
- 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 cannot 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.

DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS (DTPW-1089)
DISADVANTAGED BUSINESS ENTERPRISE GOAL METHODOLOGY
FOR FISCAL YEARS 2024,2025, and 2026

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:
https://www.miamidade.gov/global/service.page?Mduid_service=ser154032152188682.
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 & 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 continues to present its anticipated DBE Goal at the MIA-MDAD meeting for minority businesses leaders. This year, DTPW-DBE presented its proposed DBE Goal to the small business community on July 7, 2023. DTPW-DBE made an appeal to the women-owned businesses, inviting those who are and perhaps 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.

DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS (DTPW-1089)
DISADVANTAGED BUSINESS ENTERPRISE GOAL METHODOLOGY
FOR FISCAL YEARS 2024,2025, and 2026

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