

**Transportation Commission of Colorado
Disadvantaged Business Enterprises (DBE) Committee
Agenda**

**Thursday, August 15, 2013
4201 East Arkansas Avenue; Auditorium
Denver, Colorado**

**HEATHER BARRY, Chairwoman
District 4**

Vacant

**KATHY CONNELL
District 6**

**LES GRUEN
District 9**

**ED PETERSON
District 2**

**HERMAN STOCKINGER
Policy and Government
Relations Director/Secretary**

The Chairwoman may change the item sequence or timing

- 1. Call to order**
- 2. Approval of Minutes from May 16, 2013**
- 3. DBE Participation Report**
- 4. FTA DBE Goal Recap**
- 5. Revised DBE Construction Special Provision**
- 6. Labor Compliance Moves into CRBRC**
- 7. CRLMS Implementation Update**
- 8. Public Input/Comments**
- 9. Adjournment**

Civil Rights and Business Resource Center
4201 E. Arkansas Ave., Room 150
Denver, Colorado 80222



TO: Transportation Commission DBE Committee

FROM: Heidi Bimmerle, Director of Human Resources and Administration

RE: DBE Committee August 2013

DATE: August 15, 2013

DBE Participation Report:

The report on federal aid contracts (10/1/2012 – 6/30/2013) shows DBE participation at 12.7% which currently exceeds CDOT's overall goal of 10.25%. The report also shows that 326 total contracts (prime and sub) were awarded to 112 individual DBE firms during the same time period.

FTA DBE Goal Recap

On August 1, 2013 CDOT submitted its new overall goal of 1.26% to the Federal Transit Administration for approval. Via a survey that is conducted every six months, CDOT will continue to gather data on race-neutral DBE participation from the Division and Transit and Rail and its grantees in order to determine whether we are meeting this goal.

Revised DBE Construction Special Provision

At the September Joint Specification Committee Meeting, the Civil Rights & Business Resource Center (CRBRC) will present a new DBE Standard Special Provision for the committee's final approval. The specification includes new forms for better tracking and reporting of DBE participation, improved termination procedures, and sanctions for not fulfilling DBE commitments.

Labor Compliance Moves into CRBRC

Construction labor compliance has been transferred from Staff Branches to the CRBRC. Beginning August 1, 2013, Karen Fuji-Martin and Jeff Leoper became CRBRC staff. Their responsibilities will include labor compliance, reporting, and CRLMS support (see below).

CRLMS Implementation Update

In July, the CRBRC had its initial kick-off training and consultation with the Info-Tech staff assigned to CDOT's implementation of the Civil Rights and Labor Management System (CRLMS). The new system introduces external access to CDOT prime and subcontractors and will track prompt payment information, certified payroll submittals, and provides much improved ad hoc reporting capability. The implementation process is estimated to take eighteen months to complete.

DBE MONTHLY REPORT FOR CONSTRUCTION CONTRACTS

Federal Fiscal Year 2013 to Date (10/1/2012 - 6/30/2013)

Federal Dollars Only

	A	B	C	D	E	F	G	H	I
AWARDS/COMMITMENTS MADE DURING THIS REPORTING PERIOD (total contracts and subcontracts awarded or committed during this reporting period)	Total Dollars	Total Number	Total to DBEs (dollars)	Total to DBEs* (number)	Total to DBEs /Race Conscious (dollars)	Total to DBEs/Race Conscious (number)	Total to DBEs/Race Neutral (dollars)	Total to DBEs/Race Neutral (number)	Percentage of total dollars to DBEs
1. Prime contracts awarded this period	\$278,506,683	79	\$4,216,900	3	\$0	0	\$4,216,900	3	1.5%
2. Subcontracts awarded/committed this period	\$89,009,077	936	\$31,039,946	323	\$24,259,094	222	\$6,780,853	101	34.9%
3. TOTAL			\$35,256,846	326	\$24,259,094	222	\$10,997,752	104	12.7%

	A	B	C	D	E	F	G
DBE AWARDS/COMMITMENTS THIS REPORTING PERIOD-BREAKDOWN BY ETHNICITY & GENDER	Black American	Hispanic American	Native American	Asian American	Non-Minority Women	Other (i.e. not of any other group listed here)	TOTALS (for this reporting period only)
4. Total Number of Contracts (Prime and Sub)	26	135	5	3	157	0	326
5. Total Dollar Value	\$1,240,762	\$18,747,308	\$958,428	\$320,033	\$13,990,315	\$0	\$35,256,846

	A	B	C	D	E
ACTUAL PAYMENTS ON CONTRACTS COMPLETED THIS REPORTING PERIOD	Number of Prime Contracts Completed	Total Dollar Value of Prime Contracts Completed	DBE Participation Needed to Meet Goal (Dollars)	Total DBE Participation (Dollars)	Percentage of Total DBE Participation
6. Race Conscious	62	\$149,589,476	\$12,778,178	\$17,148,742	11.5%
7. Race Neutral	12	\$4,930,671		\$1,514,008	30.7%
8. Totals	74	\$154,520,147		\$18,662,749	12.1%

* The 326 prime and subcontracts shown in this column went to 112 individual DBE firms.

DBE Subcontracts Approved on CDOT Highway Construction Projects 10/1/2012 - 6/30/2013

Projects with Federal Funding

Subcontract Work Type	Percent of Subcontracts
Traffic Control	34.25%
Miscellaneous	11.38%
Curb & Gutter, Sidewalk, Inlets	10.16%
Trucking, Hauling	9.77%
Guard Rail	9.65%
Steel	4.76%
Seeding, Topsoil, Erosion Control	4.15%
Storm Drain System	3.97%
Walls	3.06%
Concrete Pavement	1.46%
Structural Concrete	1.27%
Testing	1.21%
Landscaping	0.91%
Asphalt (HBP)	0.91%
Culverts	0.55%
Signing	0.48%
Painting (Not Pavement Marking)	0.48%
Minor Fencing, Chain Link, Barbed Wire	0.46%
Electrical & Signal Items	0.35%
Waterproofing	0.31%
Pavement Marking	0.30%
Aggregate, Gravel	0.04%
Drilling Holes	0.04%
Construction Surveying	0.03%
Seal Coat & Asphaltic Matls	0.02%
Planing, Milling	0.01%

**Transportation Commission of Colorado
Disadvantaged Business Enterprises (DBE) Committee**

DBE Committee Meeting Minutes, May 16, 2013

The meeting was called to order at 12:45 p.m.

Attendees

Commissioner Barry, District 4	RTD Eller, Region 3
Commissioner Ortiz, District 10	RTD Neet, Region 5
Commissioner Gruen, District 9	Tom Peterson, CAPA ⁱⁱ
Commissioner Connell, District 6	Greg Diehl, CRBRC ⁱⁱⁱ
Commissioner Peterson, District 2	Michael Nusen, CRBRC
RTD ⁱ DeVito, Region 1	Toni Bircher, CDOT
RTD Wrona, Region 2	

Minutes Approval – Approval of Minutes from November 2012 and February 2013

Topic I: Connect2DOT^{iv} Program – Greg Diehl

- The website, www.connect2dot.org, was launched this week & is a key component of the Connect2DOT program. The 1-stop Website provides information to small businesses on how to do business with CDOT and other non-CDOT state and local transportation agencies: the program’s link on CDOT’s homepage <http://www.coloradodot.info> can be located on the “Business Center” tab (<http://www.coloradodot.info/business>). Although a press release was done for the Website launch, there will be more publications in the future to promote the Website. Key features of the website were demonstrated: i.e.
 - o A “Training and Events” page is located at <http://www.connect2dot.org/event-calendar> for both CDOT & non-CDOT events: i.e. RTD and local agencies’ events. The links on the calendar navigate to event/training descriptions & a link for registration.
 - o “Key Contacts” for CDOT are located at <http://www.connect2dot.org/stay-connected/key-contacts>.
 - o Scattered good transportation resources have been consolidated into one online location: i.e. at <http://www.connect2dot.org/resources/state-local-offices.htm> there are resources for RTDs (Regional Transportation Districts), Denver Business Assistance Center (BAC), etc.
 - o Businesses can sign up online to receive free consulting resources as follows:
 - click the “Resources” (<http://www.connect2dot.org/resources>) menu item on the Connect2DOT main page,
 - click the “SBDC Resources” (<http://www.connect2dot.org/resources/sbdc-resources.htm>) sub-menu item,
 - & click the “Free Consulting Requests” link to access the consulting request information located at <http://www.coloradosbdc.org/consulting>.
 - One-On-One Consulting can also be accessed via <http://www.connect2dot.org/need-assistance/one-on-one-consulting>. Four to five of the consultants are retired CDOT engineers with 20-25 years of experience.

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- Connect2DOT e-mail news/announcements & CDOT Bid Matching^v – this service replaces the CDOT Bidder’s Loop. It provides information regarding upcoming trainings/technical assistance opportunities. Businesses can enter their Primary & Secondary NAICS^{vi} code(s) at <http://www.connect2dot.org/website/newsletter> & receive customized lists of current project bids that match their NAICS code via CDOT Bid Matching. The lists of current projects include links to CDOT’s Website for access to cost data & other project information.
 - o Q: Is a reverse search possible whereby primes can search for subcontractors?
 - o A: That capability is currently only available on a different system but work is underway to integrate that into the Connect2DOT Website.

Topic II: DBE Participation Reports: Federal Fiscal Year 2013 to Date (10/1/2012 – 3/31/2013) – Federal Dollars only - Greg Diehl

- The percentage of total dollars to DBEs in construction is currently at 12.2% (Column D, Row 3) for DBE participation (total between both prime & subcontracts awarded/committed), which exceeds the 10.25% [FHWA^{vii}] DBE goal by 1.95 percentage points. \$24.1M of the \$198.6M total dollars is to DBEs. Two prime contracts (Column D, Row 1) & 193 subcontracts were awarded to DBEs (Column D, Row 2) for a total of 195 contracts awarded (Column D, Row 3) to 79 individual DBE firms (footnote).
- The percentage of total dollars to DBEs in consulting is currently at 26.48% (Column I, Row 9.5) for DBE participation (total between both prime & subcontracts awarded/committed). 26.48% exceeds the 10.25% DBE goal by 16.23 percentage points. \$19.5M of the \$73.6M total dollars is to DBE consultants.
- Between both reports, \$43.6M, or 16%, of the \$272.3M total dollars is to DBEs. This exceeds the 10.25% DBE goal by 5.75 percentage points.

Topic III: DBE Transit Goal Update - Greg Diehl

- The current FTA^{viii} goal of 4.75% is much higher compared to other state DOT FTA goals. A reduced goal^{ix} will be recommended for approval by the Commission in the summer of 2013.
- Comparatively, the FAA^x goal is 1.9% based on one contract.

Public Input / Comments – opened for public comment; no comments.

Move to adjourn by Commissioner Barry at 12:55 p.m.

Announcements – no announcements

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Endnotes

ⁱ Region Transportation District

ⁱⁱ Colorado Asphalt Pavement Association

ⁱⁱⁱ CDOT Civil Rights and Business Resource Center

^{iv} Connect2DOT is a partnership between the Colorado Department of Transportation (CDOT) and the Colorado Small Business Development Center (SBDC) Network designed to help small businesses in the transportation industry become more competitive and successful in bidding and contracting with CDOT and other local transportation agencies.

^v To comply with 49 Code of Federal Regulations (CFR) Part 26.11, Connect2DOT functions as part of the federally required "bidders list" to provide CDOT as accurate data as possible about the universe of DBE and non-DBE firms actively seeking work on its' highway construction and design contracts, for use in setting overall DBE goals.

^{vi} North American Industry Classification System number used to classify a business to an industry according to type of economic activity

^{vii} Federal Highway Administration: Colorado's FHWA DBE goal of 10.25% is 50% to 100% higher than comparative states within FTA Region 8 that includes Colorado (10.25%), Montana (5.3%), North Dakota (7.4%), South Dakota (7.25%), Utah (7.47%), & Wyoming (5.06%): each state's FHWA DBE goal appears in parentheses.

Source: CDOT Division of Transit & Rail (DTR), FTA DBE Goal Setting Methodology & Goal for FFY2014-2016, June 3, 2013 Draft.

^{viii} Federal Transit Authority

^{ix} The proposed CDOT DBE goal for Federal Fiscal Years (FFY) 2014 –2016 is 1.26%. Colorado's FTA DBE goal of 4.75% is 150% to 400% higher than comparative states within FTA Region 8 that includes Colorado (4.75%), Montana (0%), North Dakota (0%), South Dakota (0.8%), Utah (2%), & Wyoming (1%): each state's FTA DBE goal appears in parentheses.

Source: CDOT Division of Transit & Rail (DTR), FTA DBE Goal Setting Methodology & Goal for FFY2014-2016, June 3, 2013 Draft.

^x Federal Aviation Administration