

# Memorandum

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



**TO: Transportation Commission & Transportation Commission DBE Committee**

**FROM: Heidi Bimmerle, Director of Human Resources and Administration**

**RE: FTA Overall DBE Goal (FFY 2014-16)**

**DATE: July 5, 2013**

CDOT is requesting the Transportation Commission's approval of the proposed overall goal for DBE participation on FTA-assisted contracts for Federal Fiscal Years 2014 - 2016. The overall goal is an aspirational goal that CDOT must seek to achieve on an annual basis.

CDOT began developing the factual and anecdotal bases for the overall goal in May 2013. Over the past two months, in accordance with 49 CFR Part 26, CDOT has sought public comment and input. At the May DBE Committee meeting, the Civil Rights & Business Resource Center (CRBRC) presented an overview of the process used to establish the overall goal and also made it available to the public at <http://www.coloradodot.info/business/equal-opportunity/dbe/documents-assets/transitdraftgoal>.

CDOT's tri-annual overall DBE goal for its Division of Transit and Rail (DTR) is due August 1, 2013. The CRBRC and DTR have worked together to compile contract data for the goal setting process. The data has been compared to ready, willing and able DBEs to complete the work and weighted to determine an overall goal. The goal will be presented to the full commission for approval at the Transportation Commission meeting in July.

The proposed overall goal is 1.26%. This number is based upon historical data of work procured by CDOT, current availability of DBEs and non-DBE firms, and other factors which are further explained in the methodology.



**The Colorado Department of Transportation (CDOT)  
Federal Transit Administration (FTA)  
Disadvantaged Business Enterprise (DBE)  
Goal Setting Methodology  
&  
Goal for FFY 2014-2016**

**Submitted by CDOT Division of Transit and Rail (DTR)  
Draft: June 3, 2013**

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## **INTRODUCTION**

The Colorado Department of Transportation (CDOT) has prepared this document, which details the methodology for establishing its Disadvantaged Business Enterprise (DBE) overall goal for Federal Transit Administration (FTA) assisted contracts. The establishment of an overall goal is mandated in Section 26.45 of Title 49 of the Code of Federal Regulations (CFR), herein referred to as 49 CFR 26.45.

CDOT's Division of Transit and Rail (DTR) receives, distributes, and oversees the use of federal funds received by FTA. Most DTR FTA funds are granted to transit providers in rural areas. These grantees (or subrecipients) then contract for goods and services creating indirect FTA-assisted contracting opportunities for DBE firms.

Through the years, it has been CDOT's practice to establish DBE goals that strike a balance between being reasonable and attainable. The methodology below seeks to continue that balance by determining the actual contracting opportunities to be offered, the ready, willing and able DBEs to participate in such opportunities, and the measures that are needed to the achieve participation.

## **PROPOSED DBE GOAL FOR FFY 2014-2016**

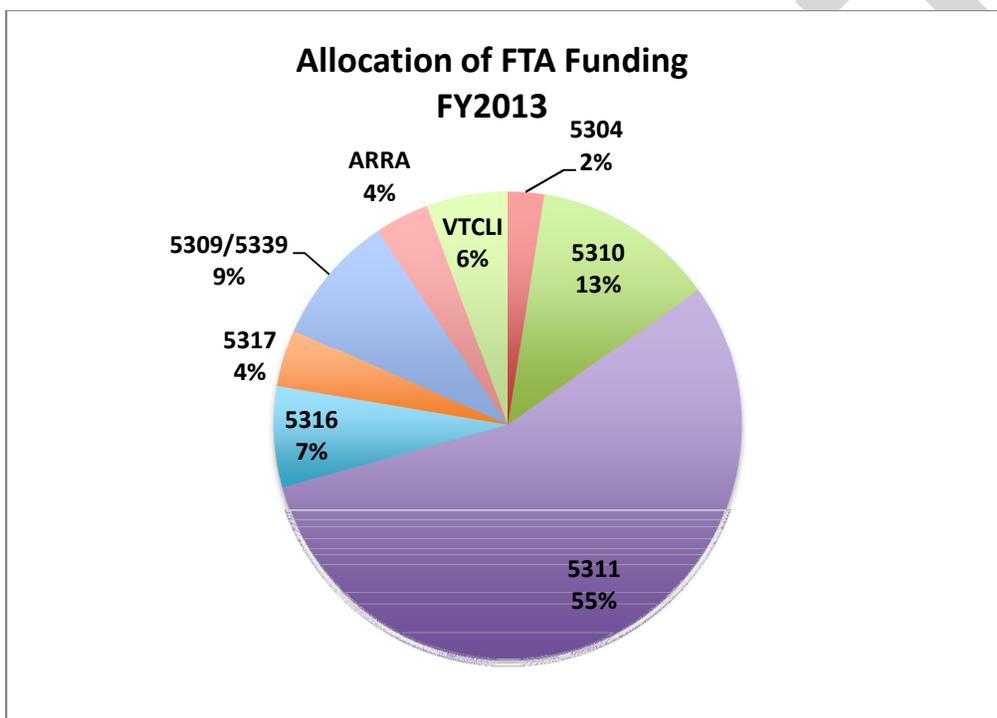
FTA requires that CDOT submit its overall DBE goal for Federal Fiscal Years (FFY) 2014 –2016 by August 1, 2013. To ascertain a reasonable and achievable DBE goal, based upon 49 CFR 26.45, CDOT used a two-step goal setting process outlined below. Based upon analysis of primary and secondary data, CDOT proposes an FTA DBE goal of **1.26%** for the three-year period from October 1, 2014 through September 30, 2016 (FFY 2014-2016).

## **ANTICIPATED FTA FUNDING**

In FFY 2013, CDOT received approximately \$13.5 million in FTA assistance. Going forward, CDOT anticipates receiving approximately the same amount of \$13.5 million per year during the next three-year period, FFY 2014-2016. This estimated amount was determined by conservatively extending the amount of FTA assistance received during FFY 2013, without increases for inflation or anticipation of additional funding. While certain programs will be discontinued (ARRA, JARC and New Freedom), and Section 5309 will be replaced with 5339, CDOT anticipates that overall FTA funding will remain consistent through FFY 2014-2016. The chart below shows the approximate funding received and utilized by CDOT and its subrecipients during FFY 2013.

**Table 1: Allocation of FTA Funding (FY 2013)**

FTA Program Section	FY 2013	Description
5304	2%	Transit technical assistance, planning, demonstration projects, training, etc.
5310	13%	Transportation for elderly and disabled
5311	55%	Transportation for rural and small urbanized areas, general public
5316	7%	Job Access and Reverse Commute (JARC) for welfare and low-income
5317	4%	New Freedom program for disabled
5309/5339	9%	Transit capital investment for rolling stock, bus shelters, fare boxes, etc.
ARRA	4%	American Recovery and Reinvestment Act
VTCLI	6%	Veterans Transportation and Community Living Initiative
Total	100%	



### DBE CONTRACTING OPPORTUNITIES

CDOT obtained its primary data on potential contracting opportunities through a survey that garnered more than an 80% response rate. Grantees that maintain their own DBE program were exempted from the survey. All others were asked to provide a breakdown of their use of the FTA funds.

Because subrecipients draw down CDOT-provided FTA funds over a course of multiple calendar years, there is not always a direct correlation between funds received from FTA and the contracting opportunities made available in the same year. Therefore, CDOT sought to obtain average expenditures of grantees. Any anomalies for special allocations within the year were taken into consideration in determining potential opportunities. CDOT also determined that it

would be most prudent to work with the average percentages of use in a particular area over the past year since actual funding amounts will vary in the future.

Of the total \$13.5 million of FTA financial assistance received, CDOT determined that approximately \$10.4 million (77%) needed to be deducted from the total before doing a weighted analysis of opportunities. The use of these funds does not present a viable contracting opportunity for one or more of the following reasons:

- The subrecipient meets the \$250,000 threshold for its own DBE program (22%)
- Pursuant to MAP-21, the subrecipient will be reporting to a different direct recipient in the next three-year period (2%)
- The funds are used for purchases from transit vehicle manufacturers (TVMs) who already have their own DBE program (14%)
- The funds are used for operating expenses such as rent and utilities; payroll taxes, employment taxes and fringe benefits; license fees and other taxes; conferences and travel; and insurance (32%)
- The funds are used for transit service fuel, service and maintenance and other supplies provided by internal government offices (7%)

The largest deduction from the calculation is operating expenses that FTA has deemed non-contracting opportunities. Additionally, to be reasonable about potential contracting opportunities, CDOT has exempted expenditures made within government organizations. These purchases, often for vehicle service and maintenance, transportation materials and supplies, and fuel, are funds paid to other branches of the same government organization. The grantees do not have leeway or authority to contract out such opportunities.

For example, a subrecipient might use the services of a mechanical shop that is part of the city government to maintain its buses. As such, these expenditures with a local government do not represent a viable contracting opportunity for DBEs.

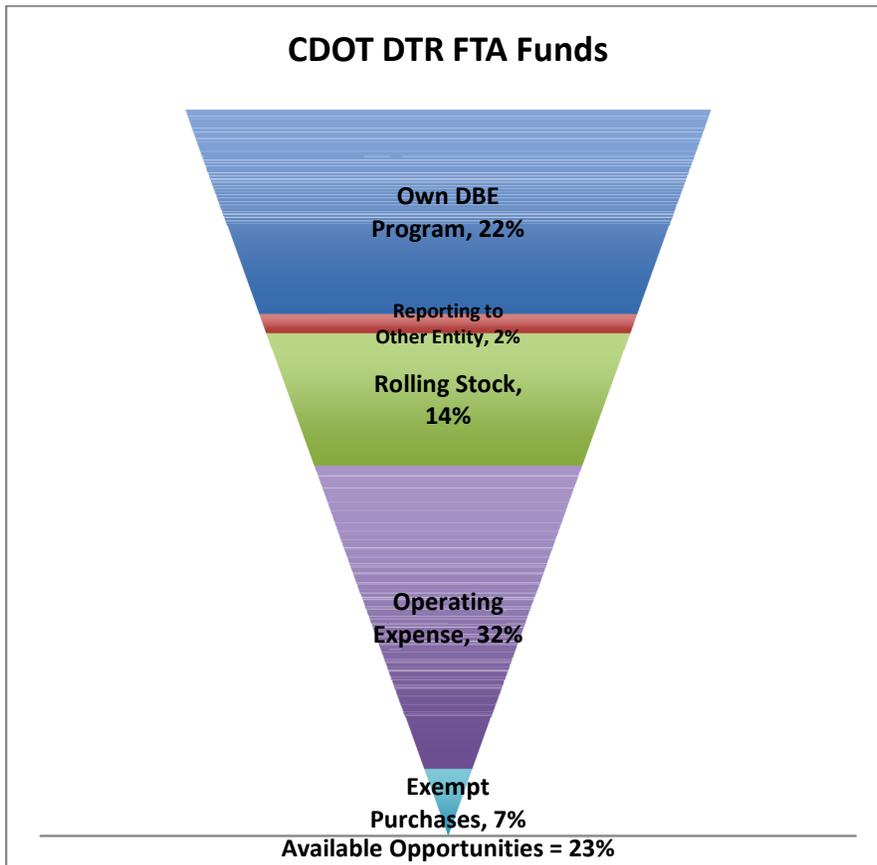
In some cases, grantees share funds under intergovernmental agreements (IGAs). If these IGAs allow for contracting opportunities, they have been included. If they provide only for internal exempt expenses, they have not.

The next largest deduction comes from organizations that maintain their own DBE program. These grantees are some of CDOT's largest and include:

- City and County of Boulder
- City of Breckenridge
- City of Durango
- Mesa County
- North Front Range Metropolitan Planning Organization
- City of Steamboat Springs
- Roaring Fork Transportation Authority

CDOT is currently implementing Memoranda of Understanding (MOU) with these subrecipients. These MOUs formally exempt the subrecipient from CDOT's DBE program. They will expire upon the next goal setting or the termination of the subrecipient's DBE program, whichever comes first.

Below is a visual depiction of the resulting funds available for contracting opportunities.



The FTA provides a significant and valuable financial contribution to support Colorado's transit system. Yet, when exemptions are factored in, the potential for DBE contracting opportunities is limited to approximately \$3.1 million or 23% of the FTA funding allocated to CDOT.

### GOAL SETTING METHODOLOGY

To derive the proposed DBE goal, CDOT used the two-step goal setting methodology specified in 49 CFR Section 26.45(c) of the DBE Regulations:

- Step 1: Develop a base figure for relative availability of DBEs
- Step 2: Adjust base figure, as needed, to arrive at an overall goal

What follows is CDOT’s calculation of its base figure and a detailed analysis of the data and rationale for adjusting the base figure to arrive at a reasonable and achievable DBE goal.

### STEP 1: DEVELOP A BASE FIGURE

In developing a base figure, CDOT first determined the relative availability of DBEs. The relative availability of DBEs is defined as the total number of DBE firms that are ready, willing and able to perform the types of contracts CDOT anticipates awarding. To establish the base figure, the following calculation was made:

$$\text{Number of DBEs} / \text{Total number of firms} = \text{Base Figure}$$

To optimize the relevance of the data and help to establish a realistic number of DBE firms, a crosswalk (Table 1) was conducted between the contracting opportunities identified by CDOT and its subrecipients, the North American Industry Classification System (NAICS) Codes, and CDOT UCP Certification Descriptions.

**Table 2: Crosswalk of Contracting Opportunities, NAICS Codes and CDOT DBE Work Codes**

Contracting Opportunity	2012 NAICS Code	CDOT UCP Certification Descriptions	#DBE Firms
<b>Building Construction Total=115</b>	236220	Bus shelter construction	1
		Bus terminal construction	0
		Office building construction	18
		Construction management, office & institutional building	105
		Parking garage construction	0
<b>Road Construction Total=182</b>	237310	Asphalt paving (i.e., highway, road, street, public sidewalk)	14
		Bridge construction	14
		Bridge decking construction	9
		Concrete paving (i.e., highway, road, street, public sidewalk)	42
		Construction management, highway, road, street and bridge	80
		Culverts, highway, road and street construction	35
		Grading, highway, road, street and airport runway	4
		Guardrail construction	25
		Painting lines on highways, streets and bridges	8
		Parking lot marketing and line painting	3
		Pothole filling, highway, road, street or bridge	2
		Repair, highway, road street, bridge or airport runway	4
		Resurfacing, highway, road, street, bridge or airport runway	9
		Sign erection, highway, roads, street or bridge	21
Tarring roads	0		
<b>Vehicle Purchase (non TVM), Total=0</b>	423110	Bus merchant wholesalers	0
<b>Sign Production Total=10</b>	339950	Signs and signboards (except paper, paperboard) mfg	7
	423990	Signs (except electrical) merchant wholesalers	3
<b>Transportation Supplies, Total=0</b>	336	Transportation Equipment Manufacturing	0
<b>Office Equip, Total=1</b>	423420	Office equipment merchant	1

Contracting Opportunity	2012 NAICS Code	CDOT UCP Certification Descriptions	#DBE Firms
Office-related Supplies, Total=2	424120	Office supplies	2
Fuel, Total = 2	424720	Fuel oil merchant wholesalers (except bulk stations, terminals)	2
Transit Service Provider, Total=0	485113	<i>No commodity codes found.</i> NAICS 485113 Bus and Other Motor Vehicle Transit Systems	0
	485210	NAICS 485210 Interurban and Rural Bus Transportation	0
	485410	NAICS 485410 School and Employee Bus Transportation	0
	485991	NAICS 485991 Special Needs Transportation	0
Software, Total=60	541512	Computer systems integration analysis and design services	60
Lawyer, Total=2	541110	Attorneys' offices	2
Accounting, Total=13	541211	Accounting (i.e., CPAs) services, certified public	13
Urban Planning Total=64	541320	Urban planning services	64
Engineering Services Total=98	541330	Acoustical engineering consulting services	4
		Civil engineering services	68
		Construction engineering services	8
		Electrical engineering services	18
		Environmental engineering services	19
		Erosion control engineering services	1
		Geological engineering services	4
		Geophysical engineering services	8
		Mechanical engineering services	10
Traffic engineering consulting services	16		
Environmental Consulting, Total=73	541380	Environmental testing laboratories or services	7
	541620	Environmental consulting services	66
Marketing/PR Services, Total=100	541613	Marketing consulting services	23
	541810	Advertising agencies	14
	541820	Public relations services	21
	541910	Market research and public opinion polling	66
Other Professional Services, Total=35	541611	Administrative and general management consulting services	17
		Administrative management consulting services	6
		Financial management consulting (except investment advice)	3
		General management consulting services	11
		Records management consulting services	4
Facilities Maintenance, Total=28	561720	Janitorial services	20
		Window cleaning services	18
Vehicle Service Total=0	811118	Other automotive mechanical, electrical repair & maintenance	0
	811121	Automotive body, paint and interior repair & maintenance	0
	811192	Truck and bus washes	0
	811198	All other automotive repair and maintenance	0

Note: Number of "Total DBEs" under "Contracting Opportunity" represents the number of DBE firms after removing multiple listings of a DBE firm within a single NAICS, given CDOT's sub-categories.

The number of available DBE firms within each NAICS code was derived from the CDOT Unified Certification Program (UCP) DBE directory. The Colorado UCP was established to facilitate statewide DBE certification. This directory includes all DBE firms, certified by CDOT and the City

and County of Denver, and eligible to meet DBE participation requirements on FHWA, FAA and FTA-funded contracts in Colorado.

Then, the total number of firms within each NAICS code was identified from the most recent 2010 U.S. Census Bureau business data for Colorado. (Table 2)

**Table 3: Relative and Weighted Availability of DBE Firms**

Contracting Opportunity	2012 NAICS Code	# DBEs	Total Firms	Relative Availability	Annual Contracting	Forecast Weight	Weighted Availability
<b>Building Construction</b>	236220	115	820	14.02%	\$0	0.00%	0.00%
<b>Road Construction</b>	237310	182	226	80.53%	\$0	0.00%	0.00%
<b>Vehicle Purchase (non TVM)</b>	336120	0	1	0.00%			
	336211	0	14	0.00%			
	423110	0	108	0.00%	\$458,483	18.61%	0.00%
<b>Sign Production</b>	339950	7	147	4.76%			
	423990	3	124	2.42%	\$300	0.01%	0.00%
<b>Transportation Supplies</b>	336	0	131	0.00%	\$12,615	0.51%	0.00%
<b>Office Equipment</b>	423420	1	53	1.89%	\$4,757	0.19%	0.00%
<b>Office-related Supplies</b>	424120	2	82	2.44%	\$57,325	2.33%	0.06%
<b>Fuel</b>	424720	2	39	5.13%	\$190,827	7.74%	0.40%
<b>Transit Service Provider</b>	485113	0	6	0.00%			
	485210	0	2	0.00%			
	485410	0	2	0.00%			
	485991	0	28	0.00%	\$928,951	37.70%	0.00%
<b>Software</b>	541512	60	1739	3.45%	\$423,250	17.18%	0.59%
<b>Lawyer</b>	541110	2	3401	0.06%	\$3,434	0.14%	0.00%
<b>Accounting</b>	541211	13	1385	0.94%	\$11,720	0.48%	0.00%
<b>Urban Planning</b>	541320	64	222	28.83%	\$17,758	0.72%	0.21%
<b>Engineering Services</b>	541330	98	2013	4.87%	\$0	0.00%	0.00%
<b>Environmental Consulting</b>	541380	7	141	4.96%			
	541620	66	406	16.26%	\$0	0.00%	0.00%
<b>Marketing/PR Services</b>	541613	23	963	2.39%			
	541810	14	322	4.35%			
	541820	21	215	9.77%			
	541910	66	119	55.46%	\$10,538	0.43%	0.03%
<b>Other Prof. Services</b>	541611	35	1887	1.85%	\$133,651	5.42%	0.10%
<b>Facilities Maintenance</b>	561720	28	1257	2.23%	\$97,310	3.95%	0.09%
<b>Vehicle Service</b>	811118	0	66	0.00%			
	811121	0	548	0.00%			
	811192	0	254	0.00%			
	811198	0	39	0.00%	\$113,365	4.60%	0.00%
<b>TOTAL</b>		809	16,760	4.83%	\$2,464,284	100.00%	1.48%

Based on the above totals, the base figure for relative availability of DBEs was calculated as:

$$\text{Number of DBEs} / \text{Total number of firms} = \text{Relative Availability of DBEs (Base Figure)}$$

$$809 / 16,760 = 4.83\%$$

The U.S. DOT recommends weighting to determine the overall goal. In Table 2 above, Forecast Weight represents the percentage each anticipated contracting opportunity represents of the total estimated annual budget during FFY 2014-2016. The estimated budget is based on the most recent annual contracting amounts spent by subrecipients. As one can see, the Forecast Weight identifies NAICS codes in which there are a high number of DBEs, but for which there are no contracting opportunities.

For example, a larger number of DBE firms provide products and services in NAICS codes related to projects typically funded by the Federal Highways Administration (FHWA), such as building construction, roadway construction, engineering services and environmental consulting. However, there are few FTA-funded contracting opportunities in these areas.

In addition, there are no certified DBEs in several NAICS codes with larger annual contract spending such as Transit Service Provider (\$928,951), Non-TVM Vehicle Purchase (\$458,483) and Vehicle Service (\$113,365). Collectively, these 11 NAICS codes represent over \$1.5 million in annual contracting opportunities for which there are no certified DBE firms.

The Weighted Availability (Base Figure) of DBEs was determined by summing the following:

Weighted Availability (Base Figure) = Relative Availability of DBEs x Forecast Weight

Weighted Availability (Base Figure) = **1.48%**

## **STEP 2: ADJUST BASE FIGURE**

After calculating the base figure, the U.S. DOT recommends that additional adjustments be made in order to arrive at the three-year DBE goal. The weighted availability base figure of 1.48% essentially assumes 100% participation of DBEs within each of the NAICS codes, thus making the weighted availability figure potentially too high. Therefore, CDOT reviewed other data to arrive at its proposed FTA DBE goal.

## **Past Goal Evaluation**

First CDOT evaluated past DTR goals. The DTR goals over the past 10 years have ranged from 2.68% to 9.00%. The most recent CDOT goal setting report dated June 16, 2010 set the FTA DBE goal at 4.75% for FFY 2011-2013.

CDOT's proposed DBE goal signifies a significant difference in the current and past methodologies. In the June 2010 report, the data analyzed included subrecipients along the

Front Range that are considered exempt from the current analysis. Because these subrecipients now report directly to the FTA, the subrecipients, their corresponding FTA funding, and the corresponding amount of DBE opportunities, have been exempt from the current calculations.

It is important to note that using the goal setting methodology set forth herein, the availability of DBE firms presented in the previous 2010 report is reduced by 50% just by eliminating the contracting opportunities provided by subrecipients that have their own DBE program. Purging the data of the largest subrecipients and the corresponding availability of DBE firms, helps to avoid double-counting and skewing the DBE goal unrealistically upwards, leading to a more reasonable and realistic FTA DBE goal going forward.

Additionally, in 2010, a single large FTA-assisted project in Summit County, which involved roadway construction, was added to the mix and given a DBE goal of 5%. At that time, the awarded amount and established goal were included as part of the data on FTA-assisted projects. This specific project can be considered an anomaly that does not accurately reflect the typical contracting opportunities available to DBEs on FTA-assisted projects.

However, between the past goals and the current, there remains a limited distribution of DBEs throughout Colorado. As documented in the previous report, “there is very limited availability of currently certified DBE firms outside of the Denver Metropolitan and surrounding area... Although there are numerous DBE firms available for both planning and other services located in the Denver metro and out of state, it has been CDOT’s experience that these firms are not willing to travel or bid on contracts for such small amounts of money.” The analysis conducted for this report revealed a similar trend.

Nonetheless, because of the unique Summit County project and the fact that the largest subrecipients no longer report through CDOT, an analysis and evaluation of the past DBE goals has limited relevance in deriving future DBE goals.

### **Past DBE Participation**

Next, CDOT evaluated past participation. Currently, CDOT tracks awards and commitments on a semi-annual basis. Within the past few years, CDOT has strived to increase understanding of the FTA DBE program and is continually improving the accuracy of reporting on FTA-assisted projects. In so doing, it has become apparent that an increased number of subrecipients and expenditures are exempt.

With increased reporting accuracy, the base figure for availability of DBEs for FTA-assisted projects decreases. Therefore, DBE utilization from the past 12 months, rather than the past three-year period or even the past 10 years, is more indicative of DBE participation going forward.

**Table 4: 2012 Awards Made on FTA-assisted Projects**

Time Period	\$ Awarded	# Awards	\$ to DBEs	DBE Awards	Race Neutral	Race Conscious	% Total to DBEs
Jan-June 2012	\$1,069,841	207	\$46,711	2	2	0	4.37%
July-Dec 2012	\$558,565	134	\$9,793	1	1	0	1.75%
Total	\$1,628,406	341	\$56,504	3	3	0	3.47%

Table 3 shows that of all the awards made in 2012 on FTA-assisted projects, 3.47% were to DBEs. Of the DBE firms awarded, all awards were race-neutral. However, even since the last report, CDOT has determined that at least three more large subrecipients will be exempted from CDOT’s DBE oversight and reporting because they maintain their own programs.

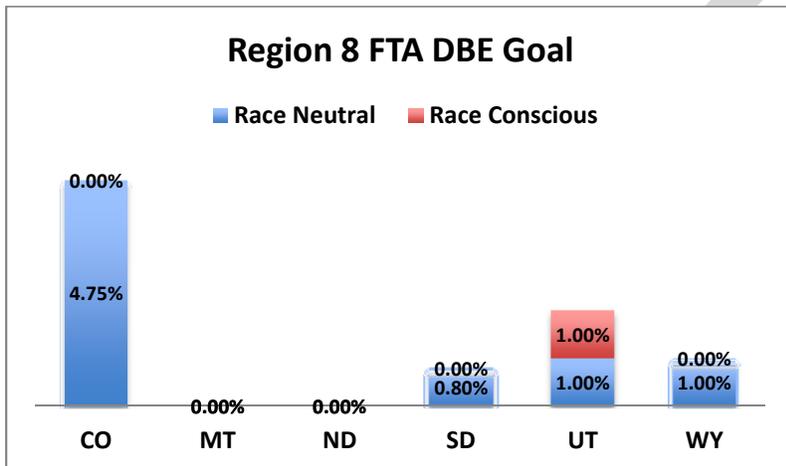
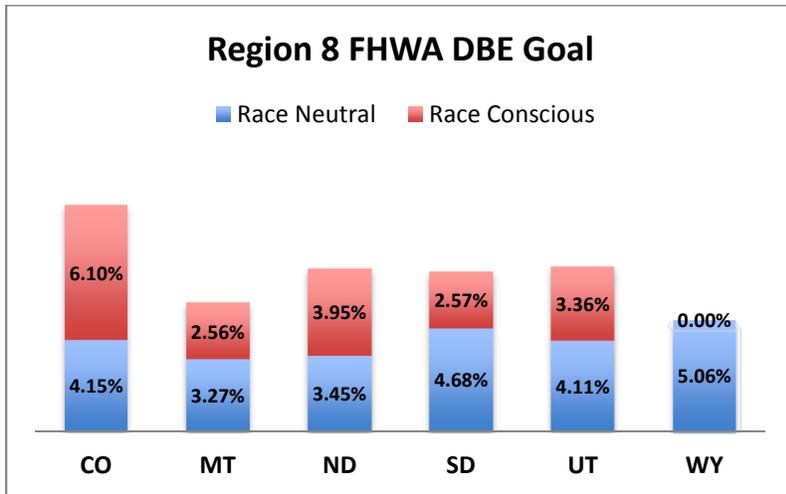
### FTA Region 8 Comparison

To add context and framework for establishing a reasonable DBE goal, an initial comparison of DBE goals within FTA Region 8 was conducted. The Region 8 area includes Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming. These mid-western states share similar geographic characteristics (mountains, plateaus and plains) and rural demographics.

Funding from FHWA is considerably more than that received from FTA. However, it is interesting to note that in a comparison between CDOT’s current FHWA DBE goal versus the comparative states, CDOT’s goal is 50% to 100% higher. Meanwhile, CDOT’s previously established FTA DBE goal versus the comparative states is 150% to 400% higher. Given the larger number of DBEs and the larger dollar amounts of contracts awarded to DBE firms for highway construction and services, one could consider the relative weight of FHWA DBE goals as a more accurate benchmark for FTA DBE goals. Thus, in order for CDOT to come closer in line with comparative states, the most recent FTA DBE goal would be reduced by 66% to 75%, falling in a more realistic range of 1.19% to 1.56%.

**Table 5: Comparison with Region 8 States**

State	FHWA DBE Goal	Race Neutral	Race Conscious	FTA DBE Goal	Race Neutral	Race Conscious
Colorado	10.25%	4.15%	6.10%	4.75%	4.75%	0.00%
Montana	5.83%	3.27%	2.56%	0.00%	0.00%	0.00%
North Dakota	7.40%	3.45%	3.95%	0.00%	0.00%	0.00%
South Dakota	7.25%	4.68%	2.57%	0.80%	0.80%	0.00%
Utah	7.47%	4.11%	3.36%	2.00%	1.00%	1.00%
Wyoming	5.06%	5.06%	0.00%	1.00%	1.00%	0.00%



Note: Montana and North Dakota both have FTA DBE goals of 0.00%.

### DBE Geographic Distribution

CDOT also reviewed the geographic distribution of the DBE firms within NAICS codes that offered the greatest contracting opportunities. The review and analysis shows limited availability of DBE firms within areas that present upcoming opportunities on FTA-assisted projects. Most of the DBE firms are located within the Denver metropolitan area and along the Front Range, which extends from Ft. Collins through Colorado Springs to Pueblo. In fact, the data shows that out of 315 DBE firms only 4 (1.27%) of the DBE firms are located in rural or small urbanized areas. These DBE firms are located in Aspen, Breckenridge and Telluride, two of which operate independent DBE programs.

**Table 6: DBE Geographic Distribution**

Contracting Opportunity	2012 NAICS Code	# DBE Firms	Front Range	Out-of-State	Rural Areas	Weighted Availability
Office-related Supplies	424120	2	2	0	0	0.06%
Fuel	424720	2	2	0	0	0.40%
Software	541512	60	38	22	0	0.59%
Urban Planning	541320	64	52	9	3	0.21%
Marketing/PR	541613, 541810 541820, 541910	124	103	20	1	0.03%
Other Professional Services	541611	35	20	15	0	0.10%
Facilities Maintenance	561720	28	26	2	0	0.09%
Total		315	243	68	4	1.48%

After careful consideration of the factors that influence DBE participation, CDOT has determined that a slight adjustment to the Step 1 Base Figure of 1.48% is necessary in order to account for the extremely limited number of DBE firms in rural areas.

Although the base weighted availability of 1.48% lowers the FTA DBE goal from the past three-year period, the data provides rationale to support such a decrease. In addition, given the limited number of DBEs in Colorado's rural areas, it seems more realistic to strive for 85% attainment (rather than 100%) of the weighted availability. Therefore, CDOT proposes an overall FTA DBE goal of **1.26%** for FFY 2014-2016 for FTA-assisted contracts.

### **RACE-NEUTRAL VS. RACE-CONSCIOUS BREAKDOWN**

To determine race-neutral and race-conscious split, CDOT evaluated the awards and commitments on FTA-funded projects to DBEs over the past year. By analyzing the past year's bi-annual reporting, it was determined that all were derived through race-neutral DBE participation. In keeping with the findings, CDOT proposes a 100% race-neutral DBE program that encourages widespread participation from minority-owned and women-owned businesses.

### **RACE-NEUTRAL INITIATIVES**

CDOT intends to meet its overall DBE goal by using race-neutral methods in facilitating DBE participation. CDOT employs the following race-neutral initiatives to increase DBE participation throughout the state:

- CDOT helps to maintain the **UCP DBE directory** as a primary source of DBE firms, certified by CDOT and the City and County of Denver, eligible to meet DBE participation requirements on FHWA, FAA and FTA-funded contracts in Colorado. The availability of the DBE directory makes it easier for subrecipients to identify and contact DBEs for potential contracting opportunities.

- CDOT developed the **Connect2DOT Program**, which is a partnership between CDOT and the Colorado Small Business Development Centers (SBDCs). The program is designed to help small businesses in the transportation industry become more competitive and successful in bidding and contracting. Connect2DOT offers business and technical support tailored to contractors and engineers, online access to bid plans, and various networking events to connect prime contractors and subcontractors.
- CDOT provides **training to subrecipients** to help them understand the DBE program and to encourage them to seek DBE participation on contracts. CDOT also encourages subrecipients to reach out to local businesses that may be eligible for certification.

## PUBLIC PARTICIPATION

To encourage public participation, CDOT is providing notice of its goal setting process on the CDOT DBE Program site at <http://www.coloradodot.info/business/equal-opportunity/dbe>. A copy of the goal setting methodology will also be posted from this web page.

In addition, CDOT is publishing legal notice of the proposed annual DBE goal for FFY 2014-2016 in the following regional newspapers:

- Colorado Springs Gazette Telegraph
- Denver Post
- Durango Herald
- Grand Junction Daily Sentinel
- Greeley Tribune
- La Voz Hispana de Colorado
- Pueblo Chieftain
- Trinidad Chronicle

The notice informs the public that the proposed goal and its rationale are available for review, and that CDOT is allowing inspection of the methodology and accepting comments on the goal for 45 days from the date of the notice.

The following schedule outlines key milestones for obtaining public comment regarding the FTA DBE goal setting process:

**Table 7: Public Participation Schedule**

Date	Milestone
June 3	DBE Goal and Methodology Published
June 3 - July 18	Public Comment Period
July 18	Resolution Presented to CDOT Transportation Commission

## APPENDIX: GRANTEE SURVEY



### Division of Transit and Rail Grantee Use of FTA Funds

**\* 1. Agency Name:**

**\* 2. Individual Completing Survey:**

**\* 3. Phone Number:**

**\* 4. Email:**

**\* 5. Do you have a DOT-approved DBE Program?**

Yes

No

**\* 6. FTA Grant Subtotals:** For each FTA grant listed below, state the amount you received or will receive from CDOT during the federal fiscal year beginning October 2012 and ending September 2013. If none, enter "0".

5304	<input type="text"/>
5310	<input type="text"/>
5311	<input type="text"/>
5316	<input type="text"/>
5317	<input type="text"/>
5309/5339	<input type="text"/>
ARRA	<input type="text"/>

**\* 7. Provide the total amount of the FTA grants listed in #6.**

Total CDOT FTA Grants:

**8. Exempt expenses:** From the total amount of FTA grants (#7), how much did you use for the following? For the list of TVM manufacturers, please cut and paste the following in your browser: [http://www.fta.dot.gov/12326\\_5626.html](http://www.fta.dot.gov/12326_5626.html)

Rent and utilities:	<input type="text"/>
Payroll, employment taxes, and fringe benefits:	<input type="text"/>
License fees and other taxes:	<input type="text"/>
Conferences and travel:	<input type="text"/>
Insurance:	<input type="text"/>
TVM bus purchases:	<input type="text"/>

**\* 9. Subtract the amount of the exempt expenses from the total amount of FTA grants (i.e. subtract the amount in #9 from the amount in #8). This is your remaining amount.**

Remaining Amount:

**10. Use of remaining amount:** Of the remaining amount (#9), provide the approximate amount that went or will go to each of the following (Round to the nearest \$100; if none, enter "0"). The total of the amounts listed below should equal the amount provided in your answer to #9.

Transit service providers (non-government):	<input type="text"/>
Transit service providers (government):	<input type="text"/>
Non-TVM vehicle purchase:	<input type="text"/>
Vehicle service and maintenance (non-government):	<input type="text"/>
Vehicle service and maintenance (government):	<input type="text"/>
Sign production (non-government):	<input type="text"/>
Transportation materials and supplies, i.e. fabricated bus shelters, bus supplies, etc. (non-government):	<input type="text"/>
Fuel (non-government):	<input type="text"/>
Sign production, transportation materials and supplies, and fuel (government):	<input type="text"/>
Building construction:	<input type="text"/>
Road construction and signage:	<input type="text"/>
Building/facility maintenance:	<input type="text"/>
Engineering Services:	<input type="text"/>
Urban planning:	<input type="text"/>
Environmental consulting services:	<input type="text"/>
Marketing and Public Relations Services:	<input type="text"/>
Accountants:	<input type="text"/>
Lawyers:	<input type="text"/>
Other professional services/consulting:	<input type="text"/>
Office related materials and supplies:	<input type="text"/>
Office equipment:	<input type="text"/>
Other - Please list and provide amount:	<input type="text"/>

**11. Special Situations:** If this fiscal year does not reflect your average spending or if you have a special situation (i.e., large FTA funding project) coming up in the next few years, please explain these anomalies:



**Resolution Number TC-**

**WHEREAS, in accordance with 49 CFR Part 26, CDOT must establish an overall goal for Disadvantaged Business Enterprise (DBE) participation on all FTA-funded contracts for Federal Fiscal Years 2014, 2015 and 2016; and**

**WHEREAS, CDOT must follow the methodology established by 49 CFR Part 26 to establish the overall goal; and**

**WHEREAS, CDOT published its methodology and began the public comment process on June 3, 2013; and**

**WHEREAS, CDOT solicited public comments via newspaper advertisements and electronic mail; and**

**WHEREAS, after reviewing all feedback and comments received, no adjustments have been made to the goal recommendation; and**

**WHEREAS, 49 CFR Part 26 requires that the maximum feasible portion of the goal be met with race and gender neutral means.**

**NOW THEREFORE BE IT RESOLVED:**

- **On August 1, 2013, CDOT shall submit to FTA an overall goal of 1.26% DBE participation on all FTA-funded contracts, with the entire 1.26% to be met with race and gender neutral means.**
- **Following approval from FTA, the overall goal for DBE participation on FTA-funded contracts during Federal Fiscal Years 2014, 2015 and 2016 shall be 1.26%.**