

Overall Goals and Methodology
Section 26.45: Overall Goal Calculation

Cleveland Area Rapid Transit (CART),
 University of Oklahoma, Norman, Oklahoma
 3-Year Goal Period: FFY2018–2020: October 1, 2017 – September 30, 2020

<u>Fiscal Year</u>	<u>DOT-assisted Contract Amount*</u>	<u>Dollar Amount to DBEs</u>	<u>DBE Goal</u>
2018	260,000	2,600	1%
2019	250,000	2,500	1%
2020	240,000	2,400	1%
Average 3-year Goal for Required Projects	750,000	7,500	1%

** Amount shown is the estimated DOT-assisted contract amount. Expenditures for bus parts are projected to decrease annually as new replacement vehicles are purchased.*

Description of DOT-assisted Projects for 3-year fiscal period:

1. Preventative Maintenance - Bus Parts
 CART provides preventative maintenance on its vehicles in-house using University staff. The University, through OU Fleet Services, has a contract with NAPA/Genuine Parts Company to provide parts for preventative maintenance and repairs for CART's fleet. NAPA's five-year contract, beginning July 1, 2016, has an annual goal of 2% DBE participation. At the present time there are no certified DBEs with NAICS code 423120 for Motor Vehicle Supplies and New Parts in the market area. However, NAPA has begun to identify potential DBEs who supply bus parts.

Market Area: State of Oklahoma

NOTE: All planning activities and operations are performed in-house with CART staff. CART expends all of its allocated 5307 UPWP Planning and Operating funds to cover the costs of staff hours needed to perform the tasks related to the Unified Planning Work Program (UPWP) and to operate the CART fixed route and paratransit service. FTA funds are used to pay CART staff that perform tasks related to planning and operations.

Fuel Suppliers are provided through a state-mandated contract for biodiesel, diesel, and ethanol and through a long-term university contract for CNG. In addition, CART staff has reviewed the UCP listings for Oklahoma and North Texas and determined that there are no DBE-owned fuel suppliers in the region.

Amount of Goal

1. CART's overall goal for FFY 2018 through 2020 is 1 % annually.

Goal Methodology

Step 1 – Analysis: Actual relative availability of DBE’s

The data used to calculate the DBE base figure was derived utilizing information collected from the US Census Bureau concerning State of Oklahoma Business Patterns (National American Industry Classification System – NAICS) and the Oklahoma Department of Transportation (ODOT) DBE Certified Contractors list. The base figure was determined by dividing the total DBE firms in the local market area by the total of all firms (compiled from the Census Bureau Data per the relevant NAICS project codes).

Table 1: Anticipated Project Expenditures by Trade Classification

Project	Proposed FY	Trade	Applicable NAICS Code	% of Project	Project Cost
Purchase of Bus Parts	2018	Motor Vehicle Supplies and New Parts	423120	100%	\$260,000
Purchase of Bus Parts	2019	Motor Vehicle Supplies and New Parts	423120	100%	\$250,000
Purchase of Bus Parts	2020	Motor Vehicle Supplies and New Parts	423120	100%	\$240,000

Table 2: DBE Availability

Project	Trade	Applicable NAICS Code	# of Available Certified DBE’s*	# of CBP Businesses
Purchase of Bus Parts	Motor Vehicle Supplies and New Parts	423120	1	132

Source: DBE’s in market area provided by Oklahoma DOT Regulatory Services Division Director of Certified Firms (<https://okdot.gob2g.com/Default.asp>). Business data provided by the US Census Bureau, 2015 Business Patterns using the American FactFinder (www.factfinder.census.gov).

*NAPA/Genuine Parts Company is working with a potential DBE to receive certification. This DBE would supply motor vehicles supplies and new parts.

FY2018, FY2019, and FY2020 each

$$\text{Step One Base Figure} = \frac{\text{Ready, Willing \& Able DBE's}}{\text{All firms Ready, Willing \& Able}} = \frac{1 \text{ (Total DBE Firms)}}{132 \text{ (Total All firms)}} = 0.76\%$$

Since there is only one type of work to be performed, Motor Vehicle Supplies and Bus Parts, then weighting the is not appropriate for this calculation because it will result in the same percentage.

Step 2 – Adjustment – Past Participation

Evidence was examined to determine what, if any, adjustment is needed to the “base figure” percentage from Step 1 so that it reflects as accurately as possible the DBE participation the recipient would expect in the absence of discrimination.

1. The University of Oklahoma researched its market area for any disparity studies that may have been conducted in the last five years and found none. We referred to the OSBDU website (<http://www.osdbu.dot.gov>), University of Oklahoma Library website (<http://libraries.ou.edu>), the ODOT website (<http://www.okladot.state.ok.us>), and the State of Oklahoma website (<http://www.state.ok.gov>).
2. Community participation will be solicited for comments. The following offices will be contacted: Small Business Administration – OK District Office; Greater OKC Hispanic Chamber of Commerce, OKC, OK; Norman Chamber of Commerce, Norman, OK; OKC Black Chamber of Commerce, OKC, OK; Vietnamese Buddhist Association; and Chamber of Commerce, OKC, OK. As we identify other minority, women’s and general contractor groups, community organizations, and other officials or organizations which could be expected to have information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, we will add them to our community participation list in order to establish a level playing field for the participation of DBEs.
3. The historic DBE goal accomplishments for CART and other transit agencies in Oklahoma was examined for the past 3 years. Evidence to date shows that there has been little or no DBE participation. CART has had no DBE participation over the past 3 years.
4. The University of Oklahoma, through OU Fleet Services, has a contract with NAPA/Genuine Parts Company with a goal of 2% DBE participation through the purchase of vehicle motor supplies and new parts.

Based on the analysis above, CART will round its Step One Base Figure calculation of 0.76% to 1% DBE participation for federal fiscal years 2018, 2019, and 2020.

Breakout of Estimated Race-Neutral and Race-Conscious Participation

The University of Oklahoma, CART will meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating DBE participation. The university uses the following race-neutral means to increase DBE participation: advertising contracting opportunities to as many small businesses as possible, and working with the Small Business Administration to identify qualified small businesses to assist with CART’s DOT-assisted contracts.

For the 3-year fiscal period, it is estimated that, in meeting the overall goal of 1%, 0% will be obtained from race-neutral participation and 1% from race-conscious measures (e.g., setting contract goals).

Since the University of Oklahoma, CART is a recurring recipient of federal funds requiring established DBE goals, the entire 3-year goal will be met through race-conscious measures.

Public Participation

CART will publish a notice announcing the proposed overall goal, informing the public that the proposed goal and its rationale are available for inspection during normal business hours at CART's principal office for 30 days following the date of the notice, and informing the public that CART and FTA will accept comments on the goals for 45 days from the date of the notice. The notice will include addresses to which comments may be sent, and will be published in general circulation media and minority-focused media.

We will publish our goal information in these publications:

Norman Transcript, a daily newspaper, and The Black Chronicle, a weekly minority newspaper.

CART will also post our goal on the CART website and local chamber websites, including: the Greater Oklahoma City Hispanic Chamber of Commerce, the OKC Black Chamber of Commerce, and the Norman Chamber of Commerce.

We will solicit comments from these individuals or organizations:

Small Business Administration – OK District Office; Greater OKC Hispanic Chamber of Commerce, OKC, OK; Norman Chamber of Commerce, Norman, OK; OKC Black Chamber of Commerce, OKC, OK; Vietnamese Buddhist Association – Chamber of Commerce, OKC, OK.

Summaries of these comments and CART responses: (to be included)

Public involvement to increase DBE participation:

CART will work with the various minority Chambers, including the Greater Oklahoma City Hispanic Chamber of Commerce, the OKC Black Chamber of Commerce, and the Vietnamese Buddhist Association Chamber of Commerce to collect information about qualified DBEs.

CART will participate in DBE workshops hosted by ODOT.

Work with ODOT DBE staff to recommend certification as appropriate.

To ensure that our DBE program will be narrowly tailored to overcome the effects of discrimination, if we use contract goals we will adjust the estimated breakout of race-neutral and race-conscious participation as needed to reflect actual DBE participation (see 26.51(f)) and we will track and report race-neutral and race-conscious participation separately. For reporting purposes, race-neutral DBE participation includes, but is not necessarily limited to, the following: DBE participation through a prime contract a DBE obtains through customary competitive procurement procedures; DBE participation through a subcontract on a prime contract that does not carry DBE goal; DBE participation on a prime contract exceeding a contract goal; and DBE participation through a subcontract from a prime contractor that did not consider a firm's DBE status in making the award.

We will maintain data separately on DBE achievements in those contracts with and without contract goals, respectively.