

### FEDERAL FISCAL YEARS 2023 THROUGH 2025

### DISADVANTAGED BUSINESS ENTERPRISE (DBE) OVERALL TRIENNIAL GOAL ANALYSIS REPORT

For Contracts Assisted by the Federal Transit Administration

May 23, 2022 Revised July 22, 2022

### SUMMARY

The San Francisco Bay Area Water Emergency Transportation Authority (WETA) operates passenger ferry service on the San Francisco Bay. Under the San Francisco Bay Ferry brand, WETA carries over 3 million passengers annually on five ferry routes, utilizing a fleet of 14 high speed passenger-only ferry vessels. San Francisco Bay Ferry currently serves the cities of Alameda, Oakland, Richmond, San Francisco, South San Francisco and Vallejo. WETA is a recipient of federal financial assistance from the Federal Transit Administration ("FTA") and the Federal Highway Administration ("FHWA") of the U.S. Department of Transportation (DOT), and is required to implement a Disadvantaged Business Enterprise (DBE) Program in accordance with 49 CFR Part 26, including setting a triennial goal for the inclusion of DBEs in WETA's federal contracting activities.

WETA has developed a 0.48% overall triennial DBE goal, with a 100% race-neutral and 0% race-conscious split, applicable to Federal Fiscal Years 2023, 2024, and 2025 contracting opportunities assisted by the FTA in accordance with 49 CFR Part 26.

The goal is applicable to a total of \$79,936,315 of FTA dollars that are budgeted for 27 projects with contracts anticipated to be awarded from October 1, 2022, through September 30, 2025. WETA will periodically evaluate the goal and the award of federally assisted contracts to determine whether the present goal continues to be realistic or whether mid-course adjustments will be necessary. The overall triennial DBE goal developed for FTA-assisted contracts reflects the relative availability of DBEs, based on evidence of ready, willing and able DBEs relative to all comparable businesses that are likely to be available to compete for WETA's FTA-assisted contracts. The three-year overall goal reflects WETA's determination of the level of DBE participation that would be expected absent the effects of discrimination.

Goals for inclusion of DBEs in WETA's federally assisted vessel construction contracts are captured in separate project specific DBE goals prepared by WETA, or through a Transit Vehicle Manufacturer (TVM) certified shipyard's DBE program.

The types of contracts included in WETA's FFY 23-25 overall goal consist of 22 vessel engine overhaul projects, 3 vessel refurbishment projects, 1 dredging project, and due to the receipt of federal COVID relief funds, the agency's ferry service operations contract. The table below breaks these contracts down by type and notes the percentage of federal funds for each of these categories.

Contract Type	FTA Dollars	Percentage of FTA Dollars	FTA Dollars Projected for DBEs
Vessel Refurbishment	\$11,096,336	14%	\$73,022
Vessel Engine Overhaul	\$15,339,558	19%	\$1,294
Terminal	\$2,551,000	3%	\$307,862
Operations	\$50,949,421	64%	\$0
Total FTA Dollars and DBE Dollars	\$79,936,315	100%	\$382,179

	Total FTA	Annual Overall
FTA Dollars Projected for DBEs	Dollars	Goal
\$382,179	\$79,936,315	0.48%

All of WETA's federally funded capital projects during FFY 23-25 are either vessel refurbishment/engine overhaul projects or marine construction contracts that include very specialized work with limited contractors available to complete the work. Despite efforts to encourage DBE participation in agency contracting opportunities, WETA has experienced a lack of DBE participation in vessel related work and limited participation in waterside construction work. Since 2012, WETA has received DBE participation on 8 contracts, 4 of which were terminal or land-based construction contracts, 1 design contract, and 2 waterside construction contracts. WETA has not yet achieved DBE participation on vessel engine overhaul or dredging contracts, which is reflective of the lack of firms available to complete this specialized work.

WETA's 0.48% overall triennial DBE goal for FFY 23-25 considers the historically low DBE participation in the types of contracts that WETA will be letting in the next three years.

The following report provides a step-by-step overview of WETA's determination of its FFY 23-25 overall triennial DBE goal which was developed in accordance with 49 Code of Federal Regulations (CFR) Part 26, issued by U.S. DOT.

### DETERMINING WETA'S LOCAL MARKET AREA

WETA's local market area is the area in which the substantial majority of contractors and subcontractors with which WETA does business are located and the area in which WETA spends the substantial majority of its federal contracting dollars. Staff determined the local market area by examining each federally assisted contract let over the last three federal fiscal years based on the location (county) of the successful bidder. The substantial majority of WETA's federal contracting dollars during the last three years have been awarded to prime contractors in Alameda, Contra Costa, Marin, San Francisco and San Diego counties. WETA has included the other 5 counties in the San Francisco Bay Area as firms in these counties are likely to bid on WETA's projects due to geographic proximity.

For the FFY 23-25 goal period, WETA's Local Market Area is dependent on the type of project being conducted, specifically whether it is a vessel refurbishment contract that could take place outside of the Bay Area region, or if it is a project that will take place in the Bay Area. The majority of vessel refurbishment contracts are awarded to shipyards in the San Francisco Bay Area and San Diego County. Accordingly, for vessel refurbishment projects, WETA has widened its market area beyond the local San Francisco Bay Area to include San Diego county but has excluded San Diego county from its local market area for all other projects in this goal period as they will be taking place in the San Francisco Bay Area.

WETA's local market area for FFY 23-25 includes the counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano and Sonoma. San Diego county will be included for the M/V PISCES, GEMINI & TAURUS - Vessel Half Life Refurbishment.

### **RELEVANT AVAILABLE EVIDENCE**

WETA examined available evidence within its geographic market area to determine which sources should be considered in WETA's FY23-25 overall triennial DBE goal Methodology:

<u>Census Bureau's County Business Pattern (CBP) Database:</u> WETA used the CBP database through American Fact Finder tool on the Census website (<u>https://data.census.gov/cedsci/table?q=CBP2019.CB1900CBP&tid=CBP2019.CB1900</u> <u>CBP&hidePreview=true</u>)

using the most current data from 2019, to obtain the number of all firms (DBEs and non-DBEs) in WETA's market area that are ready, willing and able to bid for WETA's FTA-assisted contracts.

<u>California Unified Certification Program (CUCP) Database:</u> WETA used the CUCP database to determine the number of certified DBEs in WETA's market area that are ready, willing, and able to bid for WETA's FTA-assisted contracts.

<u>WETA's Bidders List:</u> WETA maintains a bidders list as required under 49 CFR Section 26.11 of all bidders (successful and unsuccessful) on federally assisted contracts. Staff reviewed the bidders list and determined that the type of contracts included in the last three years of the bidders list are not similar enough to the projects/contracts included in WETA's upcoming FFY 23-25 goal period to solely determine the relative availability of DBEs in WETA's market area.

<u>Disparity Studies Performed by Other Agencies</u>: Several Bay Area transit agencies including the San Mateo County Transit District (SamTrans), Bay Area Rapid Transit (BART), Santa Clara Valley Transportation Authority (VTA), San Francisco Municipal Transportation Agency (SFMTA), Caltrain and the California Department of Transportation (Caltrans), have completed disparity studies in the past. The types of contracts included in these disparity studies are not marine specific (vessel and terminal) and therefore these disparity studies cannot be used as a data source for WETA's FFY 23-25 goal.

<u>Goals of Other DOT Recipients</u>: WETA did not consider the goals of other U.S. DOT recipients as other DOT recipients in the region do not have substantially similar contracting opportunities.

### Contracts Assisted by FTA for FFY 23-25

As shown in Table 1, a total of \$79,936,315 of FTA dollars is budgeted for 27 projects with contracts anticipated to be awarded from October 1, 2023, through September 30, 2025. A two-step process is used to determine the overall goal for these contracts.

Contract Type	Description of Contract	FTA Dollars
FFY 2023-25		
Operations	Purchased Transportation	\$50,949,421
FFY 2023		
Vessel	2023 Vessel Half Life Overhaul (Gemini)	\$3,590,002
Vessel	2023 Engine Half Life Overhauls (Hydrus, Cetus, Argo, Intintoli, Lyra)	\$1,810,430
Vessel	2023 Engine Quarter Life Overhauls (Mare Island)	\$104,902
Terminal	Vallejo Terminal Dredging	\$2,551,000
FFY 2024		
Vessel	2024 Vessel Half Life Overhaul (Pisces)	\$3,697,702
Vessel	2024 Engine Half Life Overhauls (Carina, Peralta, Mare Island)	\$847,283
Vessel	2024 Engine Quarter Life Overhauls (Intintoli, Dorado, Cetus, Hydrus)	\$3,826,730
FFY 2025		
Vessel	2025 Vessel Half Life Overhaul (Taurus)	\$3,808,633
Vessel	2025 Engine Major Overhaul (Pyxis, Vela, Peralta, Bay Breeze II, Solano II)	\$6,440,940
Vessel	2025 Engine Quarter Life Overhauls (Hydrus, Cetus, Mare Island, Mavrik)	\$2,309,274
	Total	\$79,936,315

Table 1: Federally Funded Contracts Anticipated to be Awarded During FFY23-25

### Step One. Determining Base Figures

Base figures were calculated for contracts budgeted for award during FFY 23-25 to determine the relative availability of DBEs in specific areas of expertise using the North American Industrial Classification System (NAICS) codes for the counties in WETA's market area. WETA identified 20 NAICS codes as pertinent areas of expertise for the contracts. The NAICS codes and descriptions are identified in Table 2a and 2b below.

**Number of DBEs**: To determine the number of DBEs in WETA's market area staff searched the CUCP database for ready, willing and able DBEs certified in the NAICS codes identified for the prime contracts and subcontracts. The numbers of DBEs identified are displayed in Column C of Table 2a and 2b located below.

**Number of All Firms (DBEs and non-DBEs):** To determine the number of all firms (DBEs and non-DBEs) in WETA's market area, staff searched the Census Bureau's County Business Patterns database for all firms specializing in the NAICS codes identified for the prime contracts and subcontracts. Numbers of all firms identified are displayed in Column D of Table 2a and 2b.

**Relative Availability of DBE Firms:** Relative availability is derived by dividing the number of ready, willing and able DBEs in a particular NAICS code by the number of all firms (DBEs and non-DBEs) in that NAICS code. Table 2a and 2b show this equation carried out for the DBEs identified in the CUCP database and all firms identified in the County Business Pattern database.

Relative Availability figures are displayed in two different tables below because WETA has a different Local Market Area for vessel refurbishment projects. Table 2a displays the Availability of DBEs and all firms by NAICS Code for all projects except Vessel Refurbishments (excluding San Diego County). Table 2b displays the availability of DBEs and all firms by NAICS, GEMINI and TAURUS - Vessel Half Life Refurbishment project (includes San Diego County). The resulting relative availability figures are displayed in Column E of Table 2a and 2b.

			country	
A. NAICS Code	B. NAICS Description	C. CUCP DBEs	D. All Firms in Local Market Area	E. Relative DBE Availability
811310	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance	3	553	0.54%
532490	Other Commercial and Industrial Machinery and Equipment Rental and Leasing	4	491	0.81%
484110	General Freight Trucking, Local	14	1,151	1.20%
483212	Inland Water Passenger Transportation	0	0	0.00%
541620	Enviro consulting services	81	723	10.07%
237990	Other Heavy and Civil Engineering Construction	11	79	12.22%
541370	Hydrographic survey work	17	167	9.24%

# Table 2a:Availability of DBEs and all firms by NAICS Code for all projects exceptVessel Refurbishment (excludes San Diego County)

# Table 2b: Availability of DBEs and all firms by NAICS Code for M/V PISCES, GEMINI and TAURUS - Vessel Half Life Refurbishment project (Includes San Diego County)

A. NAICS Code	B. NAICS Description	B. NAICS Description C. CUCP D. All Firms in Local Market Area		E. Relative DBE Availability
336611	Ship Building and Repairing	2	60	3.23%
238210	Electrical Contractors and Other Wiring Installation Contractors	43	5,292	0.81%
238220	Plumbing, Heating, and Air-Conditioning Contractors	11	5,886	0.19%
238310	Drywall and Insulation Contractors	14	1,379	1.01%
336360	Motor Vehicle Seating and Interior Trim Manufacturing	0	0	0.00%
238330	Flooring Contractors	3	1,379	0.22%
238320	Painting and Wall Covering Contractors	19	3,190	0.59%
541330	Engineering services	184	7,222	2.48%
334220	Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing	0	125	0.00%
335313	Switchgear and Switchboard Apparatus Manufacturing	0	12	0.00%
332996	Bends, pipe, made from purchased metal pipe	3	7	30.00%
238350	Finish Carpentry Contractors	17	1,640	1.03%
334511	Search, Detection, Navigation, Guidance, Aeronautical, and Nautical System and Instrument Manufacturing	0	52	0.00%

**FTA Funds to be Expended in Each Specific Area and Calculating Base Figures:** To determine the FTA dollars that will be expended for each specific area of expertise, the FTA-assisted contracts and subcontracts identified by project managers were categorized according to their NAICS industry classifications. See Exhibit 1, Column B. Contract dollars of each industry classification were divided by the total contract dollars (\$79,936,315) resulting in percentage of total dollars per contract and classification, called the "weighted" percentage. The result is shown in Exhibit 1, Column D.

Next, the Base Figure for the Overall Goal was calculated by multiplying the weighted percentage of funds to be expended for each NAICS code (Exhibit 1, Column D) by DBE relative availability for each NAICS code (carried forward from Table 2 and shown in Exhibit 1, Column E). Base Figures for each NAICS code are shown in Exhibit 1, Column F. Finally, Base Figures for all NAICS codes were totaled, resulting in a 0.97% overall base figure.

**Calculating Base Figure per Individual Contract:** To determine the Base Figure for each contract, the percentage of work (prime and sub) identified by project managers was multiplied by the DBE relative availability (carried forward from Table 2), and totaled for each contract. See Exhibit 2.

### Step Two. Adjusting Base Figures

WETA examined the nature of the contracts budgeted for award and the agency's past participation to determine whether any further refinements were warranted. Staff determined adjustments were warranted on 9 contracts based on the nature of the work included in each of the contracts. Staff did not make adjustments based on past participation due to the difference in the nature and number of contracts during this triennial period.

### 1. PISCES, GEMINI, TAURUS - Vessel Half Life Refurbishment Project:

This project is performed at a shipyard and includes refurbishment of the interior, extensive inspections and refurbishments of the vessels' hull, house, and supporting structures such as plumbing and navigational equipment. There are very few shipyards in the state of California and WETA has experience working with all of the shipyards that are qualified to work on WETA's vessels. The CUCP data for the NAICS code 336611 Shipbuilding and Repair listed one firm certified as a DBE that WETA had not heard of before. To determine if this firm would be "ready, willing and able" to perform the scope of work for the Pisces/Gemini/Taurus Vessel Half Life Refurbishment Project, staff looked up the website of the firm and called the firm. After investigating further by looking at the business' website and talking with an employee of the firm, it was confirmed that although the business is a shipyard, it does not have waterfront access and does not have a travel lift for the size of vessel that WETA operates. It is therefore not capable of operating as a prime contractor on this project. Since the firm is potentially capable performing work on this project as a sub-contractor, we have set DBE availability for NAICS code 336611 Shipbuilding and Repair at 0% for the prime

work and have allotted 10% of the prime work under 336611 for subcontracting work as noted in Table 3 below.

Relative DBE Availability for NAICS code 336360 Motor Vehicle Seating and Interior Trim Manufacturing was 14.29%. From experience with vessel refurbishment projects, there are not many transit vehicle seat manufacturers. In looking at the firms reported in the CUCP data, there was one DBE firm reported. Staff looked up their website and found that Yelp.com reported that the business is closed. Additionally, the phone number listed on the CUCP database was disconnected. Since this business is no longer operating the relative DBE availability for NAICS code 336360 Motor Vehicle Seating and Interior Trim Manufacturing for this project is adjusted to 0.0%, as noted in Table 3 below.

Table 3: Step 2 Adjustment to PISCES, GEMINI and TAURUS - Vessel Half Life
Refurbishment Project

	Code & Des tracting Op	cription for Prime & portunities	Percent of Individual Contract Dollars	Relative DBE Availability	Original Base Figure Per Contract	Step 2 Adjusted Relative DBE Availability	New Base Figure Per Contract
Prime	336611	Ship Building & Repair	56%	3.23%	<del>1.968%</del>	0.00%	0.000%
Sub	336611	Ship Building & Repair	6%	-	-	1.64%	0.098%
Sub	238210	Electrical Contractors & Other Wiring Installation	3%	0.81%	0.024%	N/A	0.024%
Sub	238220	Plumbing, Heating, and AC Contractors	4%	0.19%	0.007%	N/A	0.007%
Sub	238310	Drywall and Insulation Contractors	0.50%	1.01%	0.005%	N/A	0.005%
Sub	336360	Motor Vehicle Seating and Interior Trim Mfg.	6%	14.29%	<del>0.857%</del>	0.00%	0.000%
Sub	238330	Flooring Contractors	5%	0.22%	0.011%	N/A	0.011%
Sub	238320	Painting and Wall Covering Contractors	3%	0.59%	0.018%	N/A	0.018%
Sub	541330	Engineering services	7%	2.48%	0.174%	N/A	0.174%
Sub	334220	Radio & TV Broadcasting & Wireless Comms. Equip. Mfg.	2%	0.00%	0.000%	N/A	0.000%
Sub	335313	Switchgear and Switchboard Apparatus Manufacturing	2%	0.00%	0.000%	N/A	0.000%
Sub	332996	Bends, pipe, made from purchased metal pipe	1%	30.00%	0.300%	N/A	0.300%
Sub	238350	Finish Carpentry Contractors	2%	1.03%	0.021%	N/A	0.021%
Sub	334511	Search, Detection, Navigation, Guidance, Aeronautical, & Nautical System & Instrument Mfg.	3.50%	0.00%	0.000%	N/A	0.000%
			100.00%		<del>3.385%</del>		0.658%

2. <u>Engine Major Overhauls (2023-2025), Engine Half Life Overhauls (2023-2025), and</u> Engine Quarter Life Overhauls (2023-2025)

Engine Major Overhauls consist of two types of work, trucking and refurbishment of the engine subcomponents by a company providing Original Engine Manufacturer (OEM) authorized service and support for ferry vessel engines. The type of work involved in Engine Half Life and Engine Quarter Life Overhauls only includes refurbishment of the engine subcomponents by a company providing OEM authorized service and support for ferry vessel engines. In order to not void the warranty on ferry vessel engines, the work must be completed by a company providing OEM authorized service and support. There are only 2 companies providing OEM authorized service and support. There are only 2 companies providing OEM authorized service and support in this region, neither of which are DBEs. Accordingly, the Relative DBE Availability for NAICS code 811310 Commercial and Industrial Machinery and Equipment Repair and Maintenance for all Engine Major Overhaul, Engine Half Life and Engine Quarter Life Overhaul projects is adjusted to 0.0%. Table 4 shows this adjustment for all of the Engine Major Overhauls, Engine Half Life and Engine Quarter Life Overhaul projects.

NAICS	Code & Des	cription for Prime & Subcontracting Opportunities	Percent of Individual Contract Dollars	Relative DBE Avail.	Original Base Figure Per Contract	Step 2 Adjusted Relative DBE Avail.	New Base Figure Per Contract
	ngine Maj	or Overhaul (Pyxis, Vela, Peralta, Bay Breez	<u>e II, Solano</u>				
<u>II)</u>							
Prime	811310	Commercial and Industrial Machinery and Equipment Repair and Maint.	98.0%	0.54%	<del>0.529%</del>	0.00%	0.000%
Sub	532490	Other Commercial and Industrial Machinery and Equipment Rental and Leasing	1.0%	0.81%	0.008%	N/A	0.008%
Sub	484110	General Freight Trucking, Local	1.0%	1.20%	0.012%	N/A	0.012%
			100%		<del>0.549%</del>		0.020%
2023 E	ngine Half	Life Overhauls (Hydrus, Cetus, Argo, Intint	oli, Lyra)				
Prime	811310	Commercial and Industrial Machinery and Equipment Repair and Maint.	100.0%	0.54%	<del>0.540%</del>	0.00%	0.000%
			100%		<del>0.540%</del>		0.000%
2024 E	ngine Half	Life Overhauls (Carina, Peralta, Mare Island	(k				
Prime	811310	Commercial and Industrial Machinery and Equipment Repair and Maint.	100.0%	0.54%	<del>0.540%</del>	0.00%	0.000%
			100%		0.540%		0.000%
2023 E	ngine Qua	rter Life Overhauls (Mare Island)	•		-		
Prime	811310	Commercial and Industrial Machinery and Equipment Repair and Maint.	100.0%	0.54%	<del>0.540%</del>	0.00%	0.000%
			100%		<del>0.540%</del>		0.000%
2024 E	ngine Qua	rter Life Overhauls (Intintoli, Dorado, Cetus	, Hydrus)		-		
Prime	811310	Commercial and Industrial Machinery and Equipment Repair and Maint.	100.0%	0.54%	<del>0.540%</del>	0.00%	0.000%
			100%		<del>0.540%</del>		0.000%
2025 E	ngine Qua	rter Life Overhauls (Hydrus, Cetus, Mare Isl	and, Mavrik)		-		
Prime	811310	Commercial and Industrial Machinery and Equipment Repair and Maint.	100.0%	0.54%	<del>0.540%</del>	0.00%	0.000%
			100%		<del>0.540%</del>		0.000%

#### Table 4: Step 2 Adjustments for Engine Overhaul Projects 2023-2025

### **Overall Goal**

DBE availability per contract was calculated into projected DBE participation dollars by taking the FTA dollars budgeted for each contract (from Table 1) and multiplying them by the adjusted availability per contract. The total of the projected DBE participation dollars was then divided by the total of the budgeted FTA dollars for all contracts, resulting in a 0.48% overall goal. See Table 5 below.

Contract Type	Contract	FTA Dollars	DBE Availability per Contract	FTA Dollars Projected for DBEs
Anticipated for A	Award in FFY 23-25			
Vessel	2023 Vessel Half Life Overhaul (Gemini)	\$3,590,002	0.66%	\$23,625
Vessel	2024 Vessel Half Life Overhaul (Pisces)	\$3,697,702	0.66%	\$24,334
Vessel	2025 Vessel Half Life Overhaul (Taurus)	\$3,808,633	0.66%	\$25,064
Vessel	2025 Engine Major Overhaul (Pyxis, Vela, Peralta, Bay Breeze II, Solano II)	\$6,440,940	0.02%	\$1,294
Vessel 2023 Engine Half Life Overhauls (Hydrus, Cetus, Argo, Intintoli, Lyra)		\$1,810,430	0.00%	\$0
Vessel	2024 Engine Half Life Overhauls (Carina, Peralta, Mare Island)	\$847,283	0.00%	\$0
Vessel	2023 Engine Quarter Life Overhauls (Mare Island)	\$104,902	0.00%	\$0
Vessel	2024 Engine Quarter Life Overhauls (Intintoli, Dorado, Cetus, Hydrus)	\$3,826,730	0.00%	\$0
Vessel	2025 Engine Quarter Life Overhauls (Hydrus, Cetus, Mare Island, Mavrik)	\$2,309,274	0.00%	\$0
Terminal	Vallejo Terminal Dredging	\$2,551,000	12.07%	\$307,862
Operations	Purchased Transportation	\$50,949,421	0.00%	\$0
То	etal FTA Dollars and DBE Dollars	\$79,936,315		\$382,179

### Table 5: Overall Triennial DBE Goal FFY 23-25

FTA Dollars Projected for DBEs	FTA Budgeted	Annual Overall Goal
\$382,179	\$79,936,315	0.48%



### Race/Gender-Neutral Measures

Summary of Race-Neutral Methods of Achieving DBE Participation

The federal DBE regulations require that the maximum feasible portion of the overall triennial DBE goal be achieved through race-neutral measures. Race-neutral efforts are programs and other initiatives that assist small businesses in general and are not limited to minority or women-owned firms.

WETA continues to focus on expanding race/gender-neutral outreach through participation in the "Business Outreach Committee" (BOC), a consortium of over twenty-six Bay Area transit and transportation agencies formed in an effort to maximize outreach efforts. The BOC publishes a quarterly newsletter to advertise each BOC member agency's upcoming contracting opportunities as well as advertise BOC events and workshops to assist DBEs and small businesses. The BOC has an aggressive annual outreach calendar. Events in the past year have included DBE certification workshop presented by certifying agencies of the California Unified Certification Program, meet the buyers and meet the primes events, and professional services networking and technical training workshops. Many of these events are focused on introducing DBE and small businesses to prime contractors in order to provide networking opportunities.

In preparation for the development of upcoming overall triennial goals, the BOC also held a consultation meeting with trade and business organizations on the overall triennial DBE goal setting process and BOC agencies' upcoming contracting opportunities, as well as a public participation event to solicit public comments on each agency's overall triennial DBE goal and upcoming contracts (see discussion below).

In addition to participating in the educational and outreach activities through the BOC, WETA will continue race/gender-neutral activities in its contracting opportunities, including:

- Ensuring that bidding and contract requirements facilitate participation by DBEs and other small businesses by incorporating DBE language throughout WETA's bid documents including:
  - WETA's DBE Program policy.
  - A nondiscrimination assurance from the contractor (and each subcontract the prime contractor signs with a subcontractor).
  - A statement that encourages prime contractors to use financial institutions owned and controlled by socially and economically disadvantaged individuals in the community.
  - The website address for the DBE directory identifying all firms eligible to participate as DBEs in WETA's program.
- Ensuring contracts are accessible to small businesses, and if not, making efforts to unbundle large contracts to make them more accessible.

- Encouraging prime contractors to subcontract portions of the work that they might otherwise perform themselves.
- Providing technical assistance and other support services to facilitate consideration of DBEs and other small businesses.
- Provide information at pre-bid conferences to prospective contractors/consultants as to applicable small business/DBE requirements including DBE database websites, resources and answering any questions.
- Providing an email service to firms interested in receiving notification when WETA posts new contracting opportunities on its website.
- Providing an online networking list for prospective prime and subcontractors for large construction contracts in order to promote networking well in advance of prebid meetings.

### Public Participation

Member agencies of the BOC conducted a virtual consultation and public participation session on April 11, 2022, and April 26, 2022. The April 11 consultation meeting focused on consulting with and receiving comments from trade groups, minority, women's and general contractor groups, community organizations, and other representatives to discuss how to increase availability of disadvantaged, minority and women owned businesses. The public participation session meeting was held on April 26 with owners and representatives of DBE firms.

The BOC emailed an invitation for the consultation meeting to over 100 organizations. The consultation meeting invitation is provided in Exhibit 3, and the list of organizations invited is provided in Exhibit 4. Despite the large number of firms invited, only one person representing the Conference of Minority Transportation Officials, Northern California (COMTO) attended. The BOC members focused the discussion at the end of the meeting on understanding why attendance was low and how the BOC can increase participation in the future. The roundtable discussion topics included the following:

- What are the major barriers for your members in competing for contracting opportunities?
- o What trades are there a lack/plethora of DBE participation?
- o What types of technical assistance do your members need most?
- o Do you have suggestions for resources and references that the BOC should develop, maintain, and disseminate to your members?
- o How can the Business Outreach Committee assist you in your mission?

Participants also discussed how the BOC could better reach contractors and where contractors are looking to find out about upcoming procurement opportunities. Meeting minutes for the consultation meeting are included as Exhibit 5.

The invitation to the public participation meeting was sent out by each BOC member agency to their respective outreach lists, and was also advertised in the BOC Newsletter which is distributed to over 7,900 recipients. A copy of the public participation meeting flyer is provided in Exhibit 6. WETA posted a notice of the meeting on its website and emailed out to our Business Outreach email list with over 499 recipients. Over 70 firms RSVP'd but only 33 people attended the public participation meeting.

BOC Chair, Artemise Davenport (Golden Gate Bridge Highway & Transportation District), provided an overview on the goal-setting methodology used by agencies in establishing their overall triennial DBE goals. This included identifying contracting opportunities, setting a base figure, and making any adjustments as necessary. The presentation also included a slide with each participating agency's proposed goal as of that date, including WETA's proposed 0.5% goal. After the public participation meeting, the goal was updated due to project budget adjustments, resulting in a draft proposed goal of 0.41%. As discussed below, this goal was further refined to be 0.48%.

Participants had questions and comments about availability for the DBE contractor, mentoring and protégé programs, the difficulty forming relationships with primes as a smaller DBE firm, how many of the transit agencies that receive over \$100 million dollars conducted disparity studies and how to use them as a resource to assist small businesses.

Both sessions provided a forum for representatives from businesses and organizations to share their views about the availability of certified and potential DBEs ready, willing and able to compete for DOT-assisted contracts, to discuss their concerns, and to provide input on how DOT recipients might more effectively administer their programs to improve DBE participation.

No comments were provided specific to WETA's proposed overall goal. The meeting minutes from the public participation meeting are included as Exhibit 7.

# Adjustments Made Based on Comments from Various Groups, Organizations and Officials

Since the comments received at the public participation sessions do not concern WETA's specific contracting opportunities projected for FFY 2023 through FFY 2025, no adjustments as a result of the public participation meetings were made to the DBE availability figures or the overall goal.

#### Publication of Goal

Per modifications to 49 CFR Section 26.45, effective November 2014, WETA has elected to eliminate the 30-day public comment period and inspection of WETA's goal methodology at a specified location. Instead, WETA posts its proposed goal on its website. WETA originally posted a 0.41% draft proposed overall goal on the agency's website on May 3<sup>rd</sup> with contact information to submit comments. This was incorrect

due to an oversight in the original goal development and was corrected to the final goal of 0.48%. Staff posted the corrected goal on our website on May 17<sup>th</sup>. As of July 22, 2022, no comments have been submitted. Exhibit 8 includes proof of posting on WETA's website.

#### **Conclusion**

The proposed overall triennial DBE goal for FTA-assisted contracts for FFY 2023 through 2025 is 0.48% with a proposed race-neutral/race-conscious split of 100% race neutral and 0% race-conscious.

## <u>Exhibit 1</u>

## Calculating Weighted FTA Dollars and Base Figure

A. NAICS		6	FTA Dollars	D. Weighted	E. DBE	F. Base
Code	B. NAICS Description and Associated Contracts		or contract	% of Total FTA Dollars	Availability	Figure
_						
811310	Commercial and Industrial Machinery and Equipment Repair and Maint.					
	2025 Engine Major Overhaul (Pyxis, Vela, Peralta, Bay Breeze II, Solano II)	\$	6,312,121	7.90%	0.54%	0.04%
	2023 Engine Half Life Overhauls (Hydrus, Cetus, Argo, Intintoli, Lyra)	\$	1,810,430	2.26%	0.54%	0.01%
	2024 Engine Half Life Overhauls (Carina, Peralta, Mare Island)	\$	847,283	1.06%	0.54%	0.01%
	2023 Engine Quarter Life Overhauls (Mare Island)	\$	104,902	0.13%	0.54%	0.00%
	2024 Engine Quarter Life Overhauls (Intintoli, Dorado, Cetus, Hydrus)	\$	3,826,730	4.79%	0.54%	0.03%
	2025 Engine Quarter Life Overhauls (Hydrus, Cetus, Mare Island, Mavrik)	\$	2,309,274	2.89%	0.54%	0.02%
532490	Other Commercial and Industrial Machinery and Equipment Rental and Leasing					
	2025 Engine Major Overhaul (Pyxis, Vela, Peralta, Bay Breeze II, Solano II)	\$	64,409	0.08%	0.81%	0.00%
484110	General Freight Trucking, Local					
	2025 Engine Major Overhaul (Pyxis, Vela, Peralta, Bay Breeze II, Solano II)	\$	64,409	0.08%	1.20%	0.00%
336611	Ship Building and Repairing					
	2023 Vessel Half Life Overhaul (Gemini)	\$	2,189,901	2.74%	3.23%	0.09%
	2024 Vessel Half Life Overhaul (Pisces)	\$	2,255,598	2.82%	3.23%	0.09%
	2025 Vessel Half Life Overhaul (Taurus)	\$	2,323,266	2.91%	3.23%	0.09%
238210	Electrical Contractors and Other Wiring Installation Contractors					
	2023 Vessel Half Life Overhaul (Gemini)	\$	107,700	0.13%	0.91%	0.00%
	2024 Vessel Half Life Overhaul (Pisces)	\$	110,931	0.14%	0.91%	0.00%
	2025 Vessel Half Life Overhaul (Taurus)	\$	114,259	0.14%	0.91%	0.00%
238220	Plumbing, Heating, and Air-Conditioning Contractors					
	2023 Vessel Half Life Overhaul (Gemini)	\$	143,600	0.18%	0.18%	0.00%
	2024 Vessel Half Life Overhaul (Pisces)	\$	147,908	0.19%	0.18%	0.00%
	2025 Vessel Half Life Overhaul (Taurus)	\$	152,345	0.19%	0.18%	0.00%

A. NAICS Code	B. NAICS Description and Associated Contracts	 TA Dollars ontract	D. Weighted % of Total FTA Dollars	E. DBE Availability	F. Base Figure
238310	Drywall and Insulation Contractors				
	2023 Vessel Half Life Overhaul (Gemini)	\$ 17,950	0.02%	1.20%	0.00%
	2024 Vessel Half Life Overhaul (Pisces)	\$ 18,489	0.02%	1.20%	0.00%
	2025 Vessel Half Life Overhaul (Taurus)	\$ 19,043	0.02%	1.20%	0.00%
336360	Motor Vehicle Seating and Interior Trim Manufacturing				
	2023 Vessel Half Life Overhaul (Gemini)	\$ 215,400	0.27%	14.29%	0.04%
	2024 Vessel Half Life Overhaul (Pisces)	\$ 221,862	0.28%	14.29%	0.04%
	2025 Vessel Half Life Overhaul (Taurus)	\$ 228,518	0.29%	14.29%	0.04%
238330	Flooring Contractors				
	2023 Vessel Half Life Overhaul (Gemini)	\$ 179,500	0.22%	0.22%	0.00%
	2024 Vessel Half Life Overhaul (Pisces)	\$ 184,885	0.23%	0.22%	0.00%
	2025 Vessel Half Life Overhaul (Taurus)	\$ 190,432	0.24%	0.22%	0.00%
238320	Painting and Wall Covering Contractors Ship painting contractors				
	2023 Vessel Half Life Overhaul (Gemini)	\$ 107,700	0.13%	0.47%	0.00%
	2024 Vessel Half Life Overhaul (Pisces)	\$ 110,931	0.14%	0.47%	0.00%
	2025 Vessel Half Life Overhaul (Taurus)	\$ 114,259	0.14%	0.47%	0.00%
541330	Engineering services				
	2023 Vessel Half Life Overhaul (Gemini)	\$ 251,300	0.31%	2.58%	0.01%
	2024 Vessel Half Life Overhaul (Pisces)	\$ 258,839	0.32%	2.58%	0.01%
	2025 Vessel Half Life Overhaul (Taurus)	\$ 266,604	0.33%	2.58%	0.01%
334220	Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing		0.0076		
	2023 Vessel Half Life Overhaul (Gemini)	\$ 71,800	0.09%	0.00%	0.00%
	2024 Vessel Half Life Overhaul (Pisces)	\$ 73,954	0.09%	0.00%	0.00%
	2025 Vessel Half Life Overhaul (Taurus)	\$ 76,173	0.10%	0.00%	0.00%
335313	Switchgear and Switchboard Apparatus Manufacturing				
	2023 Vessel Half Life Overhaul (Gemini)	\$ 71,800	0.09%	0.00%	0.00%
	2024 Vessel Half Life Overhaul (Pisces)	\$ 73,954	0.09%	0.00%	0.00%
	2025 Vessel Half Life Overhaul (Taurus)	\$ 76,173	0.10%	0.00%	0.00%
332996	Bends, pipe, made from purchased metal pipe				
	2023 Vessel Half Life Overhaul (Gemini)	\$ 35,900	0.04%	33.33%	0.01%
	2024 Vessel Half Life Overhaul (Pisces)	\$ 36,977	0.05%	33.33%	0.02%
	2025 Vessel Half Life Overhaul (Taurus)	\$ 38,086	0.05%	33.33%	0.02%
238350	Finish Carpentry Contractors				
	2023 Vessel Half Life Overhaul (Gemini)	\$ 71,800	0.09%	1.09%	0.00%
	2024 Vessel Half Life Overhaul (Pisces)	\$ 73,954	0.09%	1.09%	0.00%
	2025 Vessel Half Life Overhaul (Taurus)	\$ 76,173	0.10%	1.09%	0.00%

A. NAICS Code	B. NAICS Description and Associated Contracts	-	FTA Dollars or contract	D. Weighted % of Total FTA Dollars	Ava	E. DBE ilability	F. Base Figure
334511	Search, Detection, Navigation, Guidance, Aeronautical, and Nautical System and Instrument Manufacturing						
	2023 Vessel Half Life Overhaul (Gemini)	\$	125,650	0.16%		0.00%	0.00%
	2024 Vessel Half Life Overhaul (Pisces)	\$	129,420	0.16%		0.00%	0.00%
	2025 Vessel Half Life Overhaul (Taurus)	\$	133,302	0.17%		0.00%	0.00%
483212	Inland Water Passenger Transportation						
	2023 Purchased Transportation	\$	50,949,421	63.74%		0.00%	0.00%
541620	Enviro consulting services						
	Vallejo Terminal Dredging	\$	76,530	0.10%	\$	0.10	0.01%
237990	Other Heavy and Civil Engineering Construction						
	Vallejo Terminal Dredging	\$	2,397,940.00	3.00%	\$	0.12	0.37%
541370	Hydrographic survey work						
	Vallejo Terminal Dredging	\$	76,530.00	0.10%		9.24%	0.01%

Total Federal Funds	\$ 79,936,315
Base Figure	0.97%

N	AICS Code	• & Description for	Prime & Subcontracting Opportunities	Percent of Individual Contract Dollars	Т	otal FTA \$ for Project	Relative DBE Availability	Base Figure Per Contract
20	23 Vesse	el Half Life Overh	<u>aul (Gemini)</u>					
	Prime	336611	Shipbuilding and Repair	61%	\$	2,189,900.96	3.23%	1.968%
	Sub	238210	Electrical Contractors and other wiring contractors	3%	\$	107,700.05	0.81%	0.024%
	Sub	238220	Plumbing, HVAC Contractors	4%	\$	143,600.06	0.19%	0.007%
	Sub	238310	Drywall and Insulation Contractors	0.50%	\$	17,950.01	1.01%	0.005%
	Sub	336360	Motor Vehicle Seating and Interior Trim Manufacturing	6%	\$	215,400.09	14.29%	0.857%
	Sub	238330	Flooring contractor	5%	\$	179,500.08	0.22%	0.011%
	Sub	238320	Painting and Wall Covering Contractors	3%	\$	107,700.05	0.59%	0.018%
	Sub	541330	Engineering Services	7%	\$	251,300.11	2.48%	0.174%
	Sub	334220	Radio & Television Broadcasting and Wireless Communications Equipment manufacturing	2%	\$	71,800.03	0.00%	0.000%
	Sub	335313	Switchgear and Switchboard Apparatus mfg	2%	\$	71,800.03	0.00%	0.000%
	Sub	332996	Fabricated Pipe and Pipe Fitting Manufacturing	1%	\$	35,900.02	30.00%	0.300%
	Sub	238350	Finish Carpentry Contractor/ship joinery	2%	\$	71,800.03	1.03%	0.021%
	Sub	334511	Search, Detection, Navigation, Guidance, Aeronautical, and Nautical System and Instrumentation Manufacturing	3.50%	\$	125,650.06	0.00%	0.000%
				100.00%	\$	3,590,001.58		3.385%
20	24 Vesse	el Half Life Overh	aul (Pisces)					
	Prime	336611	Shipbuilding and Repair	61%	\$	2,255,597.99	3.23%	1.968%
	Sub	238210	Electrical Contractors and other wiring contractors	3%	\$	110,931.05	0.81%	0.024%
	Sub	238220	Plumbing, HVAC Contractors	4%	\$	147,908.06	0.19%	0.007%
	Sub	238310	Drywall and Insulation Contractors	0.50%	\$	18,488.51	1.01%	0.005%
	Sub	336360	Motor Vehicle Seating and Interior Trim Manufacturing	6%	\$	221,862.10	14.29%	0.857%
	Sub	238330	Flooring contractor	5%	\$	184,885.08	0.22%	0.011%
	Sub	238320	Painting and Wall Covering Contractors	3%	\$	110,931.05	0.59%	0.018%

## Exhibit 2: Base Figure Breakdown per Individual Contract

NAICS Code &	ode & Description for Prime & Subcontracting Opportunities         541330       Engineering Services         Radio & Television Broadcasting		Percent of Individual Contract Dollars	Total FTA \$ for Project	Relative DBE Availability	Base Figure Per Contract
Sub			7%	\$ 258,839.11	2.48%	0.174%
Sub	334220	Radio & Television Broadcasting and Wireless Communications Equipment manufacturing	2%	\$ 73,954.03	0.00%	0.000%
Sub	335313	Switchgear and Switchboard Apparatus mfg	2%	\$ 73,954.03	0.00%	0.000%
Sub	332996	Fabricated Pipe and Pipe Fitting Manufacturing	1%	\$ 36,977.02	30.00%	0.300%
Sub	238350	Finish Carpentry Contractor/ship joinery	2%	\$ 73,954.03	1.03%	0.021%
Sub	334511	Search, Detection, Navigation, Guidance, Aeronautical, and Nautical System and Instrumentation Manufacturing	3.50%	\$ 129,419.56	0.00%	0.000%
			100.00%	\$ 3,697,701.62		3.385%
2025 Vessel H	lalf Life Overh	aul (Taurus)				
Prime	336611	Shipbuilding and Repair	61%	\$ 2,323,265.93	3.23%	1.968%
Sub	238210	Electrical Contractors and other wiring contractors	3%	\$ 114,258.98	0.81%	0.024%
Sub	238220	Plumbing, HVAC Contractors	4%	\$ 152,345.31	0.19%	0.007%
Sub	238310	Drywall and Insulation Contractors	0.50%	\$ 19,043.16	1.01%	0.005%
Sub	336360	Motor Vehicle Seating and Interior Trim Manufacturing	6%	\$ 228,517.96	14.29%	0.857%
Sub	238330	Flooring contractor	5%	\$ 190,431.63	0.22%	0.011%
Sub	238320	Painting and Wall Covering Contractors	3%	\$ 114,258.98	0.59%	0.018%
Sub	541330	Engineering Services	7%	\$ 266,604.29	2.48%	0.174%
Sub	334220	Radio & Television Broadcasting and Wireless Communications Equipment manufacturing	2%	\$ 76,172.65	0.00%	0.000%
Sub	335313	Switchgear and Switchboard Apparatus mfg	2%	\$ 76,172.65	0.00%	0.000%
Sub	332996	Fabricated Pipe and Pipe Fitting Manufacturing	1%	\$ 38,086.33	30.00%	0.300%
Sub	238350	Finish Carpentry Contractor/ship joinery	2%	\$ 76,172.65	1.03%	0.021%
Sub	334511	Search, Detection, Navigation, Guidance, Aeronautical, and Nautical System and Instrumentation Manufacturing	3.50%	\$ 133,302.14	0.00%	0.000%
			100.00%	\$ 3,808,632.67		3.385%
	Major Overhau	l <u>(</u> Pyxis, Vela, Peralta, Bay Breeze				
II, Solano II)						
Prime	811310	Commercial and Industrial Machinery and Equipment Repair and Maint.	98.0%	\$ 6,312,120.95	0.54%	0.529%

NAICS Code & Description for		Prime & Subcontracting Opportunities	Percent of Individual Contract Dollars	Total FTA \$ for Project	Relative DBE Availability	Base Figure Per Contract
Sub	532490	Other Commercial and Industrial Machinery and Equipment Rental and Leasing	1.0%	\$ 64,409.40	0.81%	0.008%
Sub	484110	General Freight Trucking, Local	1.0%	\$ 64,409.40	1.20%	0.012%
			100%	\$ 6,440,939.74		0.549%
2023 Engine Lyra)	e Half Life Overh	auls (Hydrus, Cetus, Argo, Intintoli,				
Prime	811310	Commercial and Industrial Machinery and Equipment Repair and Maint.	100.0%	\$ 1,810,429.60	0.54%	0.540%
			100%	\$ 1,810,429.60		0.540%
2024 5		veule (Cerine Derette Mars Ist. 1)				
	e Hait Life Overh	auls (Carina, Peralta, Mare Island) Commercial and Industrial				
Prime	811310	Machinery and Equipment Repair and Maint.	100.0%	\$ 847,283.03	0.54%	0.540%
			100%	\$ 847,283.03		0.540%
2023 Engin	e Quarter Life Ov	verhauls (Mare Island)				
Prime	811310	Commercial and Industrial Machinery and Equipment Repair and Maint.	100.0%	\$ 104,901.79	0.54%	0.540%
			100%	\$ 104,901.79		0.540%
2024 Engine Hydrus)	e Quarter Life Ov	verhauls (Intintoli, Dorado, Cetus,				
Prime	811310	Commercial and Industrial Machinery and Equipment Repair and Maint.	100.0%	\$ 3,826,729.95	0.54%	0.540%
			100%	\$ 3,826,729.95		0.540%
		verhauls (Hydrus, Cetus, Mare				
Island, Mav	rik)	Commercial and Industrial				
Prime	811310	Machinery and Equipment Repair and Maint.	100.0%	\$ 2,309,273.96	0.54%	0.540%
			100%	\$ 2,309,273.96		0.540%
Purchased '	Transportation					
Prime	483212	Inland Water Passenger Transportation	100.0%	\$ 50,949,421.00	0.00%	0.000%
			100%	\$ 50,949,421.00		0.000%
Vallejo Tern	ninal Dredging	1		,, <b></b>		
Prime	541620	Enviro consulting services	3%	\$ 76,530.00	10.07%	0.302%
Prime	237990	Other Heavy and Civil Engineering Construction	94%	\$ 2,397,940.00	12.22%	11.489%
Sub	541370	Hydrographic survey work	3%	\$ 76,530.00	9.24%	0.277%
			3%	\$ 2,551,000.00		12.068%

## Exhibit 3: Consultation Meeting Invitation Letter



March 8, 2022

Dear Business Partner:

The Business Outreach Committee (BOC) invites you to participate in a virtual consultation meeting with Bay Area transit and transportation agencies to share information on the availability of Disadvantaged Business Enterprises (DBEs) and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and agency efforts to establish a level playing field in procurement and contracting activities. The BOC seeks your input on the methodology agencies use to determine their overall DBE goals for Federal Transit Administration (FTA) assisted contracts for Federal Fiscal Year (FFY) 2023 - 2025.

Members of trade associations, chambers of commerce, builders exchanges, and technical resource groups are invited to join in this discussion. We have included a list of proposed discussion topics and contact information for the BOC agency representatives that are participating in this meeting.

Immediately following the consultation session, BOC member agencies will conduct a virtual meeting for the public. The Public Participation meeting will include information on the role of recipients, the DBE goal-setting process, a DBE goal-setting exercise, agencies' proposed overall DBE goals, and an open forum to receive comments and/or suggestions on agencies' proposed DBE goals for the upcoming FFY. We are interested in hearing from you and the disadvantaged and small business community on how agencies can improve their DBE Programs. Please share the attached flyer with your clients.

Here are the details of the Consultation Meeting:

<u>Consultation Session</u> Monday, April 11, 2022, 9:30 AM – 10:30 AM (PST) Cisco Webex: https://goldengate.webex.com/goldengate/j.php?MTID=m2e2e1e06db3f21038644aabb97939b05

The goal of the BOC is to assist small, disadvantaged and local firms in doing business with Bay Area transportation agencies. We strive to provide opportunities for small, disadvantaged, and/or local companies to expand their capacity by developing relationships with transit agency staff and the contracting community of the San Francisco Bay Area.

For questions, please contact me at adavenport@goldengate.org or 415-257-4581.

Please join us and provide your input on our efforts.

Respectfully, Artemisé Davenport

Artemisé Davenport Chair, Business Outreach Committee

Attachments: Public Participation Flyer

Alameda-Contra Costa Transit District (AC Transit) Alameda County

Transportation Commission (Alameda CTC)

Bay Area Rapid Transit (BART)

California Department of Transportation (CALTRANS)

California High Speed Rail Authority (HSR) Central Contra Costa Transit Authority (County

Connection) City of Rio Vista (Delta Breeze)

City of Santa Rosa

Golden Gate Bridge, Highway and Transportation District (GGBHTD)

Marin Transit

Metropolitan Transportation Commission (MTC)

Napa Valley Transportation Authority (NVTA)

Peninsula Corridor Joint Powers Board (Caltrain) San Francisco Bay Area

San Francisco Bay Area Water Emergency Transportation Authority (WETA)

San Francisco County Transportation Authority (SFCTA)

San Francisco Municipal Transportation Agency (SFMTA)

San Mateo County Transit District (SamTrans) Santa Clara Valley

Transportation Authority (VTA)

Santa Cruz Metropolitan Transit District (SCMTD) Solano County Transit (SolTrans)

Sonoma County Department of Transportation & Public Works

Sonoma-Marin Area Rail Transit District (SMART)

Transbay Joint Powers Authority (TJPA) Tri Delta Transit (ECCTA)

Western Contra Costa Transit Authority (WestCAT)

Business Outreach Committee c/o GGBHTD, 1011 Andersen Drive, San Rafael, CA 94901

#### Proposed Discussion Topics

- 1. What are the major barriers for your members in competing for contracting opportunities?
- 2. What trades are there a lack/plethora of DBE participation?
- 3. What are some recommended strategies to attract and increase DBE participation?
- 4. Do you have suggestions for resources and references that the BOC should develop, maintain, and disseminate to your members?
- 5. How can the Business Outreach Committee assist you in your mission?

The Business Outreach Committee includes Civil Rights Officers and Contract Administrators from:



#### **Business Outreach Committee Contact List**

Alameda Contra Costa Transit District (AC Transit) <u>www.actransit.org</u>; Contracts Compliance Administrator: Phillip Halley; <u>phalley@actransit.org</u>; 510-891-7164; Management Compliance Analyst Contracts Compliance: Brooklyn Moore-Green; <u>bpmgreen@actransit.org</u>; 510-891-7231

Bay Area Rapid Transit District (BART) <u>www.bart.gov;</u> Manager, Performance & Data Analytics Unit: Joseph Towner; <u>itowner@bart.gov;</u> 510-987-5210

California Department of Transportation (CALTRANS) <u>www.dot.ca.gov</u>; Branch Chief Small Business and Property Control: Ayanna Nobles, <u>Ayanna.nobles@dot.ca.gov</u>; 510-908-8681

California High Speed Rail Authority (HSR) <u>www.hsr.ca.gov</u> Small Business Manager: Damon Dorn; <u>damon.dorn@hsr.ca.gov</u>; 916-330-5631

Central Contra Costa Transit Authority (County Connection) <u>www.countyconnection.com</u> Director of Recruitment & Employee Development: Kristina Martinez; <u>kmartinez@countyconnection.com</u>; 925-680-2031

City of Santa Rosa www.srcity.org/reimagining; Transit Planner: Yuri Koslen; ykoslen@srcity.org; 707-543-3335

Golden Gate Bridge, Highway & Transportation District (GGBHTD) <u>www.goldengate.org</u>; DBE Program Administrator: Artemisé Davenport; <u>adavenport@goldengate.org</u>; 415-257-4581

Marin Transit <u>www.marintransit.org;</u> Director of Policy & Legislative Programs: Keith Green; <u>kgreen@marintransit.org;</u> 415-226-0870

Metropolitan Transportation Commission (MTC) www.mtc.ca.gov Contract Compliance Manager: Michael Brinton; mbrinton@bayareametro.gov; 510-778-6727; Purchasing: Luz Campos; <a href="light:

Napa Valley Transportation Authority (NVTA) www.nvta.ca.gov; Administrative Technician: Renée Kulick; rkulick@nvta.ca.gov 707-259-8780

San Francisco Bay Ferry, a service of the Water Emergency Transportation Authority (WETA) <u>www.watertransit.org</u> Program Manager/Analyst: Lauren Duran Gularte; <u>gularte@watertransit.org;</u> 415-364-3188; Government & Regulatory Affairs Specialist: Terence Candell; <u>candell@watertransit.org</u>;

San Francisco County Transportation Authority (SFCTA) <u>www.sfcta.org</u>; Principle Management Analyst: Lily Yu; <u>lily.yu@sfcta.org</u>; 415-522-4811

San Francisco Municipal Transportation Agency (SFMTA) <u>www.sfmta.gov;</u> Contract Compliance Office Employment Unit Manager Finance and Information Technology Division: Todd Senigar; <u>todd.senigar@sfmta.com;</u> 415-646-2014

San Mateo County Transit District (SamTrans) and Peninsula Joint Powers Board (Caltrain) <u>www.smctd.com/bidscontracts;</u> DBE Administrator: Kamal Hubbard, <u>Hubbardk@samtrans.com;</u> 650-508- 7939

Santa Clara Valley Transportation Authority (VTA) <u>www.vta.org</u> Business Diversity Programs Management Analyst: Jennifer Mena; Jennifer.mena@vta.org; 408-321-5876

Santa Cruz Metropolitan Transit District (Santa Cruz Metro) www.scmtd.com; Purchasing Agent: Joan Jeffries; jjeffries@scmtd.com; 831-420-2572

Solano County Transit (SolTrans) www.soltransride.com; DBE Liaison Officer: Reilly Kent; reilly@soltransride.com; 707-736-6986

Sonoma-Marin Area Rail Transit (SMART) www.sonomamarintrain.org Chief Financial Officer: Heather McKillop; hmckillop@sonomamarintrain.org; 707-794-3320

Tri Delta Transit (ECCTA) <u>www.trideltaltransit.com</u>DBE Liaison Officer: Tania Babcock; <u>tbabcock@eccta.org</u>: 925-754-6622 ext. 223

Western Contra Costa Transit Authority (WestCAT) <u>www.westcat.org</u> Grants & Compliance Manager: Mike Furnary; <u>mike@westcat.org</u>; 510-724-3331

> Business Outreach Committee c/o GGBHTD, 1011 Andersen Drive, San Rafael, CA 94901

### Exhibit 4: Consultation Meeting Invite List

AFRICAN AMERICAN CHAMBER OF COMMERCE

AMERICAN COUNCIL OF ENGINEERING COMPANIES

AMERICAN INDIAN CHAMBER OF COMMERCE OF CALIFORNIA

ANEWAMERICA WOMEN'S BUSINESS CENTER, EAST BAY

ANEWAMERICA WOMEN'S BUSINESS CENTER, SAN JOSE

ASIA AMERICA MULTITECHNOLOGY ASSOCIATION

ASIAN AMERICAN ARCHITECTS ENGINEERS (AAAE)

ASIAN BUSINESS LEAGUE OF SAN FRANCISCO

ASIAN INC.

ASSOCIATED BUILDERS AND CONTRACTORS NORTHERN CALIFORNIA

ASSOCIATED GENERAL CONTRACTORS OF CALIFORNIA

BAY AREA BUILDERS EXCHANGE

BAY AREA CHAPTER AMERICAN SUBCONTRACTORS ASSOCIATION

BREAKFAST OF CHAMPIONS

BUILDERS' EXCHANGE OF STOCKTON

**"BUILDERS EXCHANGE** 

OF SAN FRANCISCO"

BUILDERS' EXCHANGE OF SANTA CLARA COUNTY

CA DEPARTMENT OF GENERAL SERVICES OFFICE OF SMALL BUSINESS CERTIFICATION AND RESOURCES

CALASIAN CHAMBER OF COMMERCE CALIFORNIA BLACK CHAMBER OF COMMERCE

CALIFORNIA DEPT. OF GENERAL SERVICES PROCURMENT DIVISION/OFFICE OF SMALL AND DISABLED VETERAN BUSINESS ENTERPRISE SERVICES

"CALIFORNIA HISPANIC CHAMBERS OF COMMERCE

CALIFORNIA PUBLIC UTILITIES COMMISSION SMALL BUSINESS PROGRAM

CALIFORNIA UNIFIED CERTIFICATION PROGRAM (CUCP)C/O BAY AREA RAPID TRANSIT DISTRICT

CALMENTOR PROGRAM

CENTRE CITY DEVELOPMENT CORPORATION

CHINESE FOR AFFIRMATIVE ACTION

"CITIBANK, N.A.

OAKLAND DOWNTOWN FINANCIAL CENTER"

CITY OF SAN JOSE OFFICE OF ECONOMIC DEVELOPMENT

COMTO-NORTHERN CALIFORNIA

CONSTRUCTION BID SOURCE

DBE CONTRACTOR

DBE GOODFAITH, INC.

EAST BAY SCORE

EAST BAY SMALL BUSINESS DEVELOPMENT CENTER

EAST BAY WOMEN IN BUSINESS ROUNDTABLE C/O OAKLAND METROPOLITAN CHAMBER

FACE - REDWOOD RESOURCES

FILIPINO AMERICAN CHAMBER OF COMMERCE OF SILICON VALLEY

FOUNDATION FOR FAIR CONTRACTING

HISPANIC CHAMBER OF COMMERCE ALAMEDA COUNTY

HISPANIC CHAMBER OF COMMERCE OF CONTRA COSTA

HISPANIC CHAMBER OF COMMERCE OF MARIN

HISPANIC CHAMBER OF COMMERCE OF SILICON VALLEY

HISPANIC CHAMBER OF COMMERCE OF SONOMA COUNTY

HORIZONS UNLIMITED

INDUSTRY COUNCIL FOR SMALL BUSINESS DEVELOPMENT

J.R. OLSEN BONDS & INSURANCE BROKERS, INC.

JAPANESE CHAMBER OF COMMERCE OF NORTHERN CALIFORNIA

LA RAZA ROUNDTABLE DE CALIFORNIA

LAWYERS COMMITTEE FOR CIVIL RIGHTS

LINK 2000

MARIN BUILDERS ASSOCIATION

MINORITY BUSINESS CONSORTIUM

MISSION ECONOMIC DEVELOPMENT AGENCY (MEDA)

MISSION HIRING HALL

NAPA-SONOMA SMALL BUSINESS DEVELOPMENT CENTER C/O NAPA VALLEY COMMUNITY COLLEGE

NATIONAL ASSOCIATION OF MINORITY CONTRACTORS NORTHERN CALIFORNIA

NATIONAL ASSOCIATION OF SURETY BOND PRODUCERS (NASBP)

NATIONAL ASSOCIATION OF WOMEN BUSINESS OWNERS (NAWBO) SAN FRANCISCO BAY AREA CHAPTER

WETA FFY 23-25 Overall Triennial DBE Goal Analysis

NATIONAL ASSOCIATION OF WOMEN IN CONSTRUCTION (NAWIC)

NATIONAL BUILDERS CONTROL

NATIONAL CENTER FOR AMERICAN INDIAN ENTERPRISE DEVELOPMENT

NATIONAL ORGANIZATION OF MINORITY ARCHITECTS SAN FRANCISCO CHAPTER

NAWBO SILICON VALLEY

NORCAL MENCHANICAL CONTRACTORS ASSOCIATION

NORCAL PTAC

NORTH BAY BLACK CHAMBER OF COMMERCE

"NORTHERN CALIFORNIA MINORITY BUSINESS ENTERPRISE CENTER

(Operated by Asian Inc.)"

NORTHERN CALIFORNIA VETERANS BUSINESS OUTREACH CENTER

OAKLAND BUILDERS ALLIANCE

OAKLAND SMALL BUSINESS DEVELOPMENT CENTER

OAKLAND SMALL BUSINESS GROWTH CENTER

OFFICE OF COMMUNITY INVESTMENT AND INFRASTRUCTURE

PENDERGAST CONSULTING GROUP

SACRAMENTO MBDA BUSINESS CENTER

SACRAMENTO REGIONAL BUILDERS EXCHANGE

SAN FRANCISCO AFRICAN AMERICAN CHAMBER OF COMMERCE

"SAN FRANCISCO CHAMBER OF COMMERCE

"

SAN FRANCISCO FILIPINO CULTURAL CENTER

SAN FRANCISCO HUMAN RIGHTS COMMISSION

SAN FRANCISCO SCORE

SBTRC SOUTHWEST REGION

SILICON VALLEY BLACK CHAMBER OF COMMERCE

SILICON VALLEY SCORE COUNSELORS TO AMERICA'S SMALL BUSINESS C/O SAN JOSE CHAMBER OF COMMERCE

SILICON VALLEY VIETNEMESE AMERICAN CHAMBER OF COMMERCE

SMALL BUSINESS CALIFORNIA

SMALL BUSINESS COMMISSION

SMALL BUSINESS DEVELOPMENT CENTER LEAD CENTER/HUMBOLDT STATE UNIVERSITY

SMALL BUSINESS EXCHANGE (SBE), INC.

SOCIETY OF MARKETING PROFESSIONALS

SOLANO NAPA SMALL BUSINESS DEVELOPMENT CENTER

SONOMA SMALL BUSINESS DEVELOPMENT CENTER C/O SANTA ROSA METRO CHAMBER

SUPPLIER CLEARINGHOUSE OF THE PUBLIC UTILLITIES COMMISSION

SURETY INFORMATION OFFICE (SIO)

THE HISPANIC CHAMBERS OF COMMERCE OF SAN FRANCISCO

TRADESWOMEN, INC

U.S. DEPARTMENT OF TRANSPORTATION OFFICE OF SMALL & DISADVANTAGED BUSINESS UTILIZATION (OSDBU)

U.S. PAN ASIAN AMERICAN CHAMBER OF COMMERCE-WESTERN CHAPTER

U.S. SMALL BUSINESS ADMINISTRATION SAN FRANCISCO DISTRICT OFFICE

WESTERN REGIONAL MINORITY SUPPLIER DEVELOPMENT COUNCIL

WOMEN CONSTRUCTION OWNERS AND EXECUTIVES USA

WOMEN IN CONSULTING San Francisco Chapter

WORKING SOLUTIONS

YEI ENGINEERS

WETA FFY 23-25 Overall Triennial DBE Goal Analysis

### Exhibit 5: Consultation Meeting Minutes

**Consultation Meeting – April 11:** 

	F	Registration Total: 4
Public		BOC Member Representatives
	3	1
	A	Attendance Total: 22
Public		BOC Member Representatives
	2	20

### **BOC Questions for Discussion:**

The BOC asked questions to get feedback on issues within the DBE/SBE community, challenges to the DBE program, and how agencies can better assist DBEs/SBEs. The questions included:

- What are the major barriers for your members in competing for contracting opportunities?
- What trades are there a lack of/plethora of DBE participation?
- What are some recommended strategies to attract and increase DBE participation?
- Do you have suggestions for resources and references that the BOC should develop, maintain, and disseminate to your members?
- How can the Business Outreach Committee assist you in your mission?

### **Comments Received: Norcal PTAC and SBA**

- One of the barriers is that some of the primes are reluctant to use DBE certified firms because they are new and/or don't have prior experience.
- Pre-proposal conferences are good for DBE firms to meet the primes and see what requirements are for projects.
- SBA does liaison work with federal agencies and would like to support outreach efforts and information sharing to help reach the small business community.
- Most of the agencies that are federally funded do not have a procurement feature for vendors to "opt in" or post a vendor ad to reach a prime for a construction or professional services contract.
- Why have the majority of transit agencies not listed their DBE goals? A response was provided that several agencies were still finalizing their proposed goals and there is another BOC Public Participation Meeting scheduled for April 26, 2022 and that MTC and VTA would also host a Public Participation Meeting on June 7, 2022 that would include additional transit agencies.

- How many of the transit agencies that receive over \$100 million dollars conducted a disparity study? A response was provided that BART, VTA and Golden Gate Bridge, Highway, and Transportation District were doing a disparity study. It was noted that a disparity study is a challenge as it costs approximately \$1/2 to 3/4 of a million dollars and takes on average 3 years to complete.
- NorCal PTAC encouraged transit agencies to use them as a resource to assist small businesses.

## Exhibit 6: Public Participation Flyer

WETA FFY 23-25 Overall Triennial DBE Goal Analysis



### Exhibit 7: Public Participation Meeting Minutes

#### Public Participation Meeting – April 11:

	R	egistration Total: <b>57</b>
Public		BOC Member Representatives
	48	9
	A	Attendance Total: 41
Public		BOC Member Representatives
	21	20

### **Comments Received**:

- After the goal setting is done, do any agencies follow up with resource availability for the DBE contractor? Different types of assistance are needed for the different markets and subcontractors. An example was given that many DBE subcontractors do not know how to estimate. More assistance in the form of teaching, classes, etc. needs to be given to the DBE community so they learn how to be competitive and get bids. BOC responded stating that technical assistance and DBE supportive services are offered by the BOC. Some challenges are getting firms to participate, but the BOC will definitely look into offering more assistance.
- It was stated that an RFP for professional services is oftentimes less likely to be shown on the transit agencies websites versus capital projects and it is more challenging to find out who will be a prime when you are trying to get on a team. It was also stated that there are financial burdens in professional services. The commenter asked if there are trainings that can be offered to DBEs to get past some of the professional services challenges for developing bids? Lastly, the commenter stated that there are some agencies that have very high goals and many of the agency goals seem low. BOC responded that the BOC will offer trainings for professional services and look into what some of the barriers may be. The reason that goals may be low is that it depends on what types of contracts that are included in the projected goal and the availability of DBEs for the contracts.
- It was stated that the mentoring and protégé program at Caltrans is a great place to network with primes and get educational opportunities. There is also a VTA supply and diversity program. It was advised that DBEs register for these programs. It was suggested that money needs to be set aside at each agency for DBE education programs on how to maneuver in the government contracting arena. Many DBEs do not understand how to do estimating and how to get a contract with a prime.

- It was stated that emerging A&E firms have a difficult time forming relationships with primes because teams are formed in advance. Many primes are hesitant to work with a smaller DBE firm.
- I appreciate all of you setting goals for us DBE's. Very often we would not otherwise have an opportunity to participate on these projects. These requirements open the doors for us.
- I encourage all agencies to continue to focus on supportive services to bolster tradespersons starting business, residential contractors moving into the public works arena, and firms seeking to grow. Working in the public works arena requires a unique skill set and we need to continue to support the DBE firms that are working for your agencies.
- Thank you for the opportunity to learn about the process.
- Focus on your Technical Support Service Program to build DBE Success!
- Work with the Ethic Chambers And Trade Associations on a Training/Education & Development Accelerator Partnering Program
- Networking with the Primes is the Key!

### **Questions During Registration:**

- How can Diversity/Outreach Inclusion Programs provide the necessary training on estimating, bidding, and project management? This is the help that DBE firms need!
- How to partner with prime contractor
- Upcoming contracts and construction management opportunities.
- Small business network

I UDIIC I d	ai tici	pation Meeting – April 20.
	R	egistration Total: <b>37</b>
Public		BOC Member Representatives
	20	17
	A	Attendance Total: 29
Public		BOC Member Representatives
	10	19

### Public Participation Meeting – April 26:

### **Comments Received:**

• How do you address when goals are not met? BOC responded that an agency has to do a shortfall analysis which details the conditions that prevented the agency from meeting the goal and a corrective action plan detailing how the agency will mitigate future shortfalls. It was also noted that an agency can ask the Federal Transit Administration to approve a singular contract to use race-conscious goals using another agency's disparity study if there are similarities in the contracting opportunities; getting more firms certified as DBEs; and encouraging DBEs to

attend pre-proposal conferences to network with prime contractors can assist in meeting goals.

- It was stated that many businesses are not government procurement sound and benefit from business development programs. BOC responded that the BOC provides resources and workshops to assist the DBE and small business community. The BOC also partners with NorCal PTAC and other businesses such as SCORE to promote the free resources available to assist DBEs and small businesses. Many larger transit agencies also offer business development programs.
- A participant who works with DBEs in the Central Valley stated that he wanted to offer similar public participation outreach as the BOC to the Central Valley and was interested in attending future BOC outreach events. The BOC shared a Federal Transit Administration YouTube channel and the U.S. Department of Transportation's "DBE Community of Practice Training Sessions" as additional resources.

### **Questions During Registration:**

• How do you determine the percentage DBE per project solicitation? When it is below 10% DBE we have more challenges finding teaming opportunities.

### Exhibit 8: Proof of Posting on WETA's Website

weta.sanfranciscobayferry.com/dbe-and-sbe-information					Ŕ	* *	13597	a 🗛	*	
	Contract Type	FTA Dollars	Percentage	FTA Dollars Projected for DBEs						
	Vessel Refurbishment	\$11,096,336	14%	\$80,299	-					
	Vessel Engine Overhaul	\$15,339,558	19%	\$1,294						
	Terminal	\$2,040,800	3%	\$246,290	-					
	Operations	\$50,949,421	64%	\$0						
	Total FTA Dollars and DBE Dollars	\$79,426,115	100%	\$327,883						
	FTA Dollars Projected for DBEs	FTA Budgeted		Annual Overall Goal	]					
	\$327,883	\$79,426,115		0.41%						
	DBE goal. The meeting was recorded and be Public Participation Meeting – April 11									
	Presentation: https://www.goldengate.org/ass	ets/1/6/final_public_p	articipation_meet	ing_presentation_april_11_2022.pdf						
	Recording: https://goldengate.webex.com/recordingservice	ce/sites/aoldenaste/re	cordina/533db87	00hf3103a0ca0c32ff4ecfe30/nlavhack						
	Password: ppm411	<u>ceraneargonenigaterre</u>	<u>cording/0000001</u>	<u>3301310343643622114CCC33.playback</u>	1					
	Public Participation Meeting – April 26									
	Presentation: https://www.goldengate.org/ass	ets/1/6/april_26_publi	c_participation_n	neeting_presentation2.pdf						
					<u>k</u>					
	Presentation: https://www.goldengate.org/ass Recording:				<u>k</u>					
	Presentation: https://www.goldengate.org/ass Recording: https://goldengate.webex.com/recordingservice	ce/sites/goldengate/re f the agency's DBE 0 To provide public ce	cording/1327905 Goal, WETA is re	ea7b0103ab9ff1aca0dfb00a6/playbac questing comments from interest p	arties on				Tuesday,	Ma

anfranciscobayferry.com/dbe-and-sbe-information						* 163	<b>a</b>	ABP.	• •	
Search						1638	50	-10		
	Draft FFY 23-25 DBE Goal (projected goal)									
	WETA has developed a draft 0.48% DBE goa									
	Federal Transit Administration (FTA) dollars t 1, 2023, through September 30, 2025.	nat are budgeted for 2	7 projects with to	shiracts anticipated to be awarded from Octob	el					
	1, 2020, anough oppender 00, 2020.									
	The type of contracts included in WETA's FF	Y 23-25 overall goal c	onsist of 22 vesse	el engine overhaul projects, 3 vessel						
	refurbishment projects, 1 dredging project, ar									
	contracts down by type and notes the percen	tage of federal funds	expected to be us	ed during FFY 23-25 on these categories.						
	Contract Type	FTA Dollars	Percentage	FTA Dollars Projected for DBEs						
			-	-						
	Vessel Refurbishment	\$11,096,336	14%	\$73,022						
	Vessel Engine Overhaul	\$15,339,558	19%	\$1,294						
	Terminal	\$2,551,000	3%	\$307,862						
	Operations	\$50,949,421	64%	\$0						
	Total FTA Dollars and DBE Dollars	\$79,936,315	100%	\$389,179						
	FTA Dollars Projected for DBEs	FTA Budgeted		Annual Overall Goal						
	\$382,179	\$79,936,315		0.48%						
	In coordination with the Business Outreach C	Committee, WETA co-I	losted a public pa	inticipation meeting to provide an overview of						
	the DBE program, the DBE goal setting proce			n WETA's Draft proposed DBE goal. proposed	i					
	DBE goal. The meeting was recorded and be	e accessed in the link	s below:							
	Public Participation Meeting – April 11									
	Presentation: <u>https://www.goldengate.org/ass</u>	sets/1/6/final_public_p	articipation_meet	ing_presentation_april_11_2022.pdf						
	Recording: https://goldengate.webex.com/recordingservi			00160400-0-0-00646-00/-11-						