



The United States Department of Transportation (DOT) regulations CFR 49 Part 26 require the development of a goal setting methodology for the participate of Disadvantaged Business Enterprises (DBE's) in Federal Transit Administrations (FTA) assisted contracts awarded and/or administered by Lakeland Area Mass Transit District dba Citrus Connection.

The overall goal of Lakeland Area Mass Transit District (LAMTD) for FY2019-2021 will be: **(2) %** of the Federal assistance that will be expended in FTA assisted contracts, exclusive of funds to be used for the purchase of transit vehicles.

Overview of the Goal Setting Program

The primary reason for defining goals for the USDOT Disadvantaged Business Enterprise Program is to achieve a “level playing field” for DBE's seeking to participate in Federal-aid transportation contracting. FTA guidelines require recipients to set goals based on what will facilitate a “level playing field” for DBE's; that is, the amount of participation that could be expected in the absence of discrimination and the effects of past discrimination. USDOT also established in the Final Rule (49 CFR26.45c), a two-step process for goal setting. The first step of the process is to create a baseline figure for the relative availability of ready, willing, and able DBE's in the local market. The second step is to make adjustment from the base figure by relying on an examination of additional evidence, past experience, local expertise, public-hearings with local DBEs, and anticipated changes in DOT-assisted contracting over the coming year.

Methodology

The following is a summary of the method used to calculate the above DBE goal:

- a. The method used to calculate the relative availability of DBE's (base figure) for “STEP 1” of the process was derived from the 2012 U.S. Census for Minority and Women Owned Businesses for the State of Florida and the 2012 U. S. Census Economic data for Florida.
- b. The data sources used to derive the numerator and denominator were as follows: The total number of DBE firms based on the classifications in the Florida census is divided by the number of all firms based on the same North American Industry Classification System (NAICS). This gives the relative availability of DBE firms in our area for the anticipated federal projects for FY 2019 – 2021.
- c. These numbers include the total number of certified firms that qualify for Disadvantaged Business Enterprise status, not the total number of certified Disadvantaged businesses. Many of these firms may still exceed the personal net worth and other exclusion limitations.
- d. This method was chosen to illustrate the total possible DBE qualified for these jobs as provided by Florida DOT Unified Certification Program (UCP) DBE Directory.
- e. The availability percentage was calculated to be **2 %**.
- f. The data sources used to implement “STEP 2” (see 49 CFR 26.45(d)). This step is intended to adjust 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.

Availability Rate

Determining the availability of potential DBE firms is a necessary prerequisite. In establishing a base figure, data from the U.S. Census Economic data for Florida and the 2012 MSA Business Patterns North American Industry Classification System (NAICS) was used. This is the latest economic census that has a comparative breakdown of all registered companies as well as the number of minority and women owned businesses compared by North American Industry Classification System (NAICS). The codes which cover various types of work contracted out in transit projects are:

FY 2019-2021 Projects

Bus Shelter Slabs

A	B	C	D = C/Total Project Cost	E	F	G = E+F	H = E/G	I = D*H
Elements of Work	NAICs	Est Cost per Element	% of Tot Work (Weight)	# of DBE Providers	# of Census Providers	# of All Providers	Relative Availability	DBE Goal Percentage by Work Element
Site Surveys	541370	\$ 4,800.00	0.01590	14	841	855	0.016	0.03%
Underground Utilities	237110	\$ 45,000.00	0.14911	11	642	653	0.017	0.25%
MOT, Soil Prep, Soil Compaction, Pad Prep, & Regrading	238990, 238910	\$ 112,500.00	0.37276	21	3343	3364	0.006	0.23%
Concrete Foundation (4", 6"w/swm) Curbs & Gutters	238110, 237310	\$ 40,500.00	0.13419	42	1252	1294	0.032	0.44%
Sodding	561730	\$ 9,000.00	0.02982	20	8055	8075	0.002	0.01%
Labor Install Shelters	236220	\$ 90,000.00	0.29821	39	2180	2219	0.018	0.52%
Total Project Cost =		\$ 301,800.00					Total DBE Goal =	1.48%
(this amount should match your ICE)							Total DBE Funds =	\$ 4,457.54

Bus Shelter

A	B	C	D = C/Total Project Cost	E	F	G = E+F	H = E/G	I = D*H
Elements of Work	NAICs	Est Cost per Element	% of Tot Work (Weight)	# of DBE Providers	# of Census Providers	# of All Providers	Relative Availability	DBE Goal Percentage by Work Element
Engineering	541330	\$ 6,000.00	0.02636	1	4295	4296	0.000	0.0000061
Bus Shelters	236220	\$ 122,750.00	0.53932	2	2180	2182	0.001	0.0004943
Trash cans, benches, bike racks	332439, 337127, 332313	\$ 30,250.00	0.13291	0	75	75	0.000	-
Lighting	335122	\$ 19,600.00	0.08612	1	19	20	0.050	0.0043058
Freight	4841xx	\$ 49,000.00	0.21529	3	3135	3138	0.001	0.0002058
Total Project Cost =		\$ 227,600.00					Total DBE Goal =	0.50%
(this amount should match your ICE)							Total DBE Funds =	\$ 1,140.75

Total DOT Assisted Contracts: 2

Total Cost	Total Relative DBE Firms	All Relative Firms	Relative Availability
528,400	154	26,017	2%

The latest economic Census Bureau data available compiling Minority and Women owned businesses was compiled from the 2012 U.S. Census data for the State of Florida. The projects above were weighted according to their percent of the total federal contracting opportunities projected. The NAICS codes were assigned based on the category of work performed in each contract. The classifications that are used in more than one project are combined in the formula with the adjusted weighting.

Step One – Determining Base Figure Based on Availability

Availability Rate:	$\frac{\text{Number of DBE Firms}}{\text{Total Number of All Firms}} = \frac{154}{26,017}$
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The latest economic Census Bureau data available compiling Minority and Women owned businesses was compiled from the 2012 U.S. Census data for the State of Florida. Total number of firms is provided by the Department of Labor.

Step Two – Adjusting the Base Figure

The availability showed an adequate percentage of available DBE's within the State of Florida for the programmed projects of FY 2019 - 2021. This represents all Minority and Women owned firms in the category of the particular fields. Since this goal setting compares availability of DBE firms within the State, it does not take into consideration the availability of other states which may have a higher concentration of DBE firms in that area. In addition, LAMTD plans to encourage sub-contracting work within the contracts for the project issued.

<u>Fiscal Year</u>	<u>Achieved</u>	<u>Goal</u>
2015	2%	2%
2016	2%	2%
2017	3.83%	2%

The rates for past participation indicate an achievement rate equal to the goal set for each fiscal Year except for 2017 where we were slightly over our anticipated goal. Projects for the fiscal years 2019 – 2021 are anticipated to remain flat. Considering the past goal achievement rates toward the planned goal and the type of projects planned during the period, we have maintained our DBE goal. No adjustment to the base figure is recommended. The number of DBE Firms are derived from available certified DBEs for each element of work from the above projects. These firms were included in the local market area which includes, but not limited to, Polk, Osceola, Orange, Lake, Sumter, Pasco, Hillsborough, Manatee, Hardee, Highlands, and Okeechobee counties.

Race-Neutral and Race-Conscious Measures and Programs

USDOT defines a race-neutral measure or program as a gender-neutral program that may be used to assist all small businesses. Section 26.51 states that recipients are required to meet the maximum feasible portion of their overall goals by using race neutral measures. A race-conscious program, on the other hand, is a program sensitive to DBE's in order to provide ample opportunity. Recipients may use race-conscious measures to get the remainder of the DBE participation it needs to meet the overall goal.

LAMTD's goal is 2% for FY 2019 – 2021 and will achieve 2% of that goal through race neutral means and 0% through race conscious means. This will be achieved applying the following efforts:

- Engage DBE Liaison for solicitation goal setting, pre-bid conference, and resulting DBE commitment.
- Contracts with total value less than \$3,000.00, for which competitive bids are not required, the district shall seek DBEs where available.
- Itemize large procurement packages by commodity so that more firms have an opportunity to bid on small projects or to work with prime contractors.

- Ensure prompt payment of invoices including provisions for same week payments while processing payments to prime contractors.
- Removing / reducing performance bonding requirements from bids when not required by law or to protect the taxpayer's interests (health, safety or welfare) [100% performance and pay bonds are required by Florida Statute 255.05 for public construction projects greater than \$100,000]
- Removing bid bond requirements when not required by law
- Reducing insurance requirements to a minimum to protect taxpayer's and worker's interest. Also allow for exceptions to be taken.
- Removal of contract retainage requirements when practical and feasible (balancing or risk to taxpayers with benefits to DBEs) and increase draw allotments when practical and feasible
- Payment using VISA cards, so vendors have access to their funds within 24-48 hours
- Payment to invoices by electronic funds transfers when requested
- Pre-bid conferences to explain requirements, reaffirm DBE goals, and introduce primes and DBE on contract requirements and other options
- Provide technical assistance and other services upon request
- DBE education for available loans on larger capital projects
- Educate DBEs in preparing proposals during the debriefing process after contract award.
- Provide adequate communication of contracting procedures via website and other sources.
- Ensure inclusion of DBE's on mailing list to bidders.
- Refer DBE's to local support service programs.
- Distribute information within our solicitation packets on how to locate DBE firms and reaffirm any DBE goal.
- Actively solicit DBE's during procurement process and don't rely solely on prime contractors.

Goal Advertisement and Public Participation Process

Citrus Connection is aware of the importance of public participation in the establishment of its DBE goal. Our goal has been published for notice and comments in the Lakeland Ledger as well as Citrus Connection's website and social media. James Phillips assuring that the Citrus Connection's DBE program, current bids, and upcoming solicitations are distributing to all surrounding areas in efforts to maximize the networking with minority business owners.

Public consultation was not engaged in creating the 2019-2021 goal; this was a decision made due to a lack of projects in years prior and a lack of continuity in the agency's program. This will be corrected as we are amid of planning future consultations in the spring of 2020. A partnership with the City of Lakeland and taking part in their DBE meetings will facilitate this planning. In addition, individual workshops publicly noticed by Citrus Connection will guarantee the success of future public solicitations.

To date, there have not been any comments received about the methodology. Citrus Connection is committed to ongoing community outreach efforts.

I, James Phillips, Citrus Connection DBE Liaison, am responsible for implementing all aspects of the DBE Program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations of Citrus Connection in its financial assistance agreements with the DOT.

For any information regarding DBE please feel free to contact me at:

Phone: 863-213-5332

Email: jphillips@ridecitrus.com

Appendix 1

LEGAL NOTICE

In accordance with the U. S. Department of Transportation Rules, and 49 CFR Part 26, Citrus Connection has established a (2%) annual Goal for participation by Disadvantaged Business Enterprise in Citrus Connection's FY 2018/2019 Contracts. The Methodology and proposed goal is available for inspection on the <http://ridecitrus.com/about-us/civil-rights/>. Citrus Connection will accept public comments to the proposed goal and methodology for a period of forty-five days from the date of this publication. Comments should be addressed in writing to the Citrus Connection to the Disadvantaged Business Enterprise Program Liaison Officer, 1212 George Jenkins Blvd, Lakeland, FL 33815 (Facsimile Acceptable: 863-688-8019).

Appendix 2

Civil Rights - Citrus Connection x +

Not secure | ridecitrus.com/about-us/civil-rights/

Apps Florida Web Time Home - Citrus Con... Find My Routes | CL... P-Card Login Executive Office - H... County Meeting Cal... City Commission A... Office Supplies: Offi... The Transit Award ... HR Home Page DBE Travel Advice Homeless Project

About Citrus Connection

Civil Rights

The information provided is specific to Lakeland Area Mass Transit District.

Title VI

- [Reasonable Accommodation Request Form](#)
- [ADA Complaint Procedure or Procedimiento de queja ADA](#)
- [ADA Complaint Form or Forma de reclamo para ADA \(Must Use Internet Explorer\)](#)
- [Title VI Complaint Form or Formulario de Queja de Título VI \(Must Use Internet Explorer\)](#)
- [LAMTD Title VI Complaint Procedures or Procedimiento para una Queja del Título VI](#)
- [Disadvantage Business Enterprise Goal](#)
- [Disadvantage Business Enterprise \(DBE\) Program](#)
- [Equal Employment Opportunities \(EEO\) Program](#)
- [DBE Uniform Reporting Announcement](#)
- [LAMTD Credit Card Privacy Policy](#)

Agenda Info/Meeting Minutes

- [Art In Transit](#)
- [Board of Directors](#)
- [Bus Shelters](#)
- [Chapter 119 Request & Information](#)
- [Civil Rights](#)
- [COLTS](#)
- [Community Scorecard](#)
- [Employment](#)
- [Get To Know Us](#)
- [LAMTD Budgets](#)
- [Lost and Found](#)
- [Performance Indicators](#)
- [PTA Board of Directors Meeting](#)
- [Regional Mobility Call Center](#)
- [Safe Place](#)
- [Senior Staff](#)