

Metropolitan Council FTA and EPA Triennial Goals FFY 2027-2029

Office of Civil Rights and Small Business Programs

METROPOLITAN COUNCIL

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DBE Program

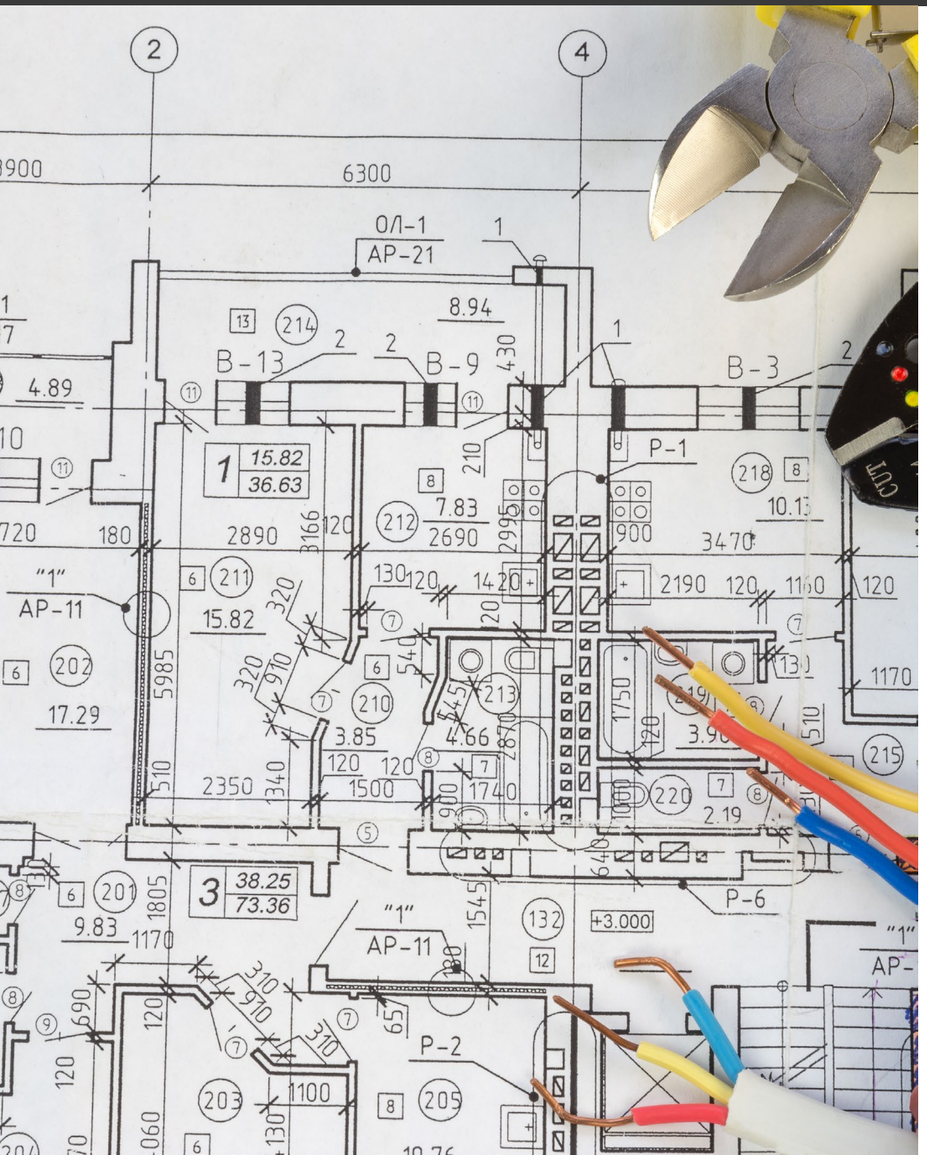
DBE Program Objective

- Federal program to ensure nondiscrimination in the award and administration of DOT-assisted contracts. The intent is to create a level playing field which Disadvantaged Business Enterprises (DBE) can compete fairly and ensure that the DBE program operates in a nondiscriminatory manner and without regard to race or sex, while maximizing efficiency of service; (49 CFR 26.1)

- Each recipient of USDOT funding is responsible for setting an overall program goal every three years.

- Requires a public 30-day public comment period.

2027-2029 Proposed FTA and EPA Goals



- The Proposed FTA Goal is 4.7%
- The Proposed EPA Goal is 5.4%

Goal Calculation Methodology

Step One – Determining a Base Figure

- DBE Relative Availability is weighed by estimates of future spending
  - Considers what types of firms are typically used in projects assisted by FTA /EPA funds.

Step Two – Adjustments

- The DBE Final Rule removed the race- and sex-based presumptions for determining eligibility of DBEs, measuring disparities between the use of firms owned by members of racial groups or women and their availability in the market is no longer relevant due to the USDOT Final Rule.

- Given the Final Rule, levels of past DBE participation on Council projects may not be considered. Therefore, no adjustments were made.

Determining Relative Availability

- Firms in 7 county Metropolitan Area
  - Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington
  - Ready, willing and able (RWA) DBEs: MNUCP DBE Directory
  - All RWA firms: US Census Bureau

- Determined Relative Availability by individual six-digit NAICS code

$$\frac{\text{Number of RWA DBEs for NAICS code } (\textit{MNUCP DBE Directory})}{\text{Number of all RWA firms for NAICS code } (\textit{Census Bureau})}$$

Weighting Relative Availability



- Relative availability shows the raw percentage of RWA DBEs as part of the overall pool

- Relative availability can be weighted by value of work for each NAICS code and total spend for a more accurate number for goal-setting

Base Figure

FTA DBE Goal

- Future spending estimates include:
  - Total Projected Spend estimated at $2.8 billion
  - 68 projects
  - Work across 54 NAICS codes
- Using relative availability percentage and weighted availability provides a base figure of **4.7%**

EPA DBE Goal

- Future spending estimates include:
  - Total Projected Spend estimated at $510 million
  - 15 projects
  - Work across 29 NAICS codes
- Using relative availability percentage and the weighted availability provides a base figure of **5.4%**

Considerations

- The DBE pool was previously around 1300 firms. At the time of calculating the proposed goals there are 391 DBE firms of which, 244 are in the METC's seven county jurisdiction.

- Federal Regulation does allow us to adjust the triennial goal in year two or three if we are exceeding our goal or have a substantial increase in DBE firms.

- Many of the same contractors are working on both EPA and FTA contracts straining capacity.

- We are continuing to encourage previously certified DBEs to go through the reevaluation process. The larger the pool of firms is, the more we can increase the DBE goals.

Questions?

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