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# The Inglewood Transit Connector Joint Powers Authority's

Federal Transit Administration (FTA) - Overall DBE  
Goal Setting Methodology

**for**

**FFY 2022/24  
Goal Period**

*Submitted in fulfillment of:*

***Section 1101 of the Transportation Equity Act for the 21<sup>st</sup> Century  
49 Code of Federal Regulations Part 26***

This analysis is prepared exclusively for the Owner; it is non-transferable and is not to be duplicated.

**THE JOINT POWERS AUTHORITY**  
**DISADVANTAGED BUSINESS ENTERPRISE**  
**PROPOSED OVERALL GOAL AND METHODOLOGY**  
**FOR**  
**Federal Fiscal Year Period 2022/24**  
*(October 1, 2021 to September 30, 2024)*

**I. INTRODUCTION**

The City of Inglewood and the Los Angeles Metropolitan Transportation Authority have entered into a Joint Powers Agreement (JPA), a single purpose governmental entity tasked with owning, managing, and overseeing the design, construction, financing, operation, and maintenance of the Inglewood Transit Connector (ITC) Project.

The ITC JPA (Owner), and its Administrator, the City of Inglewood (COI), which is leading procurement efforts for a Design-Build-Finance-Operate-and-Maintenance Contractor, have established a Disadvantaged Business Enterprise (DBE) Overall Goal for DBE participation as a condition of receiving federal assistance, pursuant to Moving Ahead for Progress in the 21<sup>st</sup> Century; 49 CFR Part 26 “Participation by Disadvantaged Business Enterprises in U.S. Department of Transportation Programs” and the Federal Transit Administration (FTA) Master Funding Agreement.

**II. BACKGROUND**

Effective March 3, 2010, the United States Department of Transportation (“DOT”) issued a final rule affecting the implementation and management of its DBE program. The final rule requires submission of a goal-setting methodology on a three-year cycle. Pursuant to this final rule, the Owner is still required to conduct an annual review to account for changes that may warrant an adjustment to the overall goal or make an adjustment based on changed circumstances (i.e. significant change in the legal standards governing the DBE program, new contracting opportunities presented by the availability of new or different grant opportunities, etc.) to ensure the goal and program as a whole are narrowly tailored throughout the goal period. Under the three-year schedule, the Owner’s proposed DBE goal and methodology submission includes FTA-funded contracting activities for Federal Fiscal Years (FFY) 2022/24.

*The Owner herein presents its Proposed Overall DBE Goal Methodology for FFY 2022/24 goal period, which resulted in a 16% Overall DBE Goal.*

**III. FTA-ASSISTED CONTRACTING PROGRAM FOR FFY 2022/24**

**Table 1** represents the Owner’s U.S. DOT-assisted (FTA) defined contracting program, which includes primary scope areas and corresponding values anticipated to be procured as a part of the ITC Project. The project has viable subcontracting possibilities and

corresponding availability of DBEs, a required criterion for Overall Goal consideration, and is anticipated to be awarded within the respective goal period (the infrastructure portion of ITC Project is the only portion of the project anticipated to be procured within the goal period). The Owner considered these scope areas in preparing its Proposed Overall DBE Goal-Setting Methodology.

**Table 1**

Infrastructure Project Cost - B1: Project Cost Classification for Infrastructure Work	
Project Management and Coordination	\$23,025,738
Field Offices and Sheds	\$11,457,402
Temporary Scaffolding and Platforms	\$7,886,313
Selective Site Demolition	\$2,784,344
Structure Demolition	\$1,832,467
Selective Demolition	\$1,956,852
Underground Storage Tank Removal	\$12,354
Structural Cast-In-Place Concrete Forming	\$36,920,254
Plain Steel Reinforcement Bars	\$28,708,333
Galvanized Reinforcement Steel Bars	\$6,624,228
Stressed Tendon Reinforcing	\$1,036,852
Cast-In-Place Concrete	\$9,547,494
Heavyweight Structural Concrete	\$16,926,792
Concrete Finishing	\$792,430
Tooled Concrete Finishing	\$5,264,924
Precast Structural Pre-tensioned Concrete	\$1,172,778
Concrete Unit Masonry	\$1,683,253
Stone Masonry	\$912,000
Structural Steel For Buildings	\$25,332,520
Metal Grating Stairs	\$49,929
Industrial Railings	\$955,215
Bar Gratings	\$7,195,052
Ornamental Railings	\$149,214
Sheet Waterproofing	\$72,202
Roof and Deck Insulation	\$932,605
Metal Wall Panels	\$4,596,909
Soffit	\$2,488,653
Thermoplastic-Polyolefin Roofing	\$2,279,047
Flexible Flashing	\$188,242
Manufactured Gravel Stops and Fasciae	\$728,388
Elastomeric Joint Sealants	\$262,343

Metal Doors and Frames	\$347,943
Overhead Coiling Doors	\$87,087
All-Glass Entrances and Storefronts	\$827,840
Aluminum-Framed Storefronts	\$283,580
Curtain Wall and Glazed Assemblies	\$16,794,034
Maintenance of Finishes	\$559,542
Non-Structural Metal Framing	\$123,636
Gypsum Board	\$210,679
Thin-Set Ceramic Tiling	\$92,909
Mortar-Bed Quarry Tiling	\$1,975,463
Acoustical Tile Ceilings	\$275,086
Acoustical Metal Pan Ceilings	\$959,041
Resilient Tile Flooring	\$125,485
Acoustic Blanket Insulation	\$75,930
Exterior Painting	\$108,536
Interior Painting	\$382,855
Common Work Results for Specialties	\$202,530
Chalkboards	\$50,664
Signage	\$656,027
Post and Panel/Pylon Signage	\$986,227
Traffic Signage	\$30,681
Toilet, Bath, and Laundry Accessories	\$120,911
Common Work Results for Equipment	\$59,726
Parking Ticket Dispensers	\$73,650
Loading Dock Equipment	\$25,640
Commercial Laundry and Dry Cleaning Equipment	\$50,409
Residential Appliances	\$9,656
Facility Solid Waste Handling Equipment	\$66,013
Hardwood Casework	\$138,411
Waste Receptacles	\$86,145
Interior Public Space Furnishings	\$9,617
Trash and Litter Receptacles	\$18,224
Facility Protection	\$206,247
Electric Traction Passenger Elevators	\$14,885,491
Escalators	\$11,545,380
Vehicle Lifts	\$482,044
Fire-Suppression Sprinkler Systems	\$1,656,726
Common Work Results for Plumbing	\$236,794

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General-Duty Valves for Plumbing Piping	\$7,917
Facility Water Distribution Piping	\$642,324
Domestic Water Piping Specialties	\$96,265
Sanitary Waste and Vent Piping	\$1,266,663
Sanitary Waste Piping Specialties	\$59,637
Facility Storm Drains	\$544,310
Sump Pumps	\$89,372
General Service Packages Air Compressors and Receivers	\$159,667
Commercial Gas Domestic Water Heaters	\$100,468
Commercial Water Closets, Urinals, And Bidets	\$498,773
Eyewash Equipment	\$44,382
Drinking Fountains and Water Coolers	\$31,590
Pneumatic Control System For HVAC	\$1,087,573
Air Curtains	\$128,871
Gas-Fired Radiant Heaters	\$135,524
Packages Outdoor HVAC Equipment	\$3,858,248
Air-Source Unitary Heat Pumps	\$188,071
Selective Demolition For Electrical	\$165,965
Medium-Voltage Cables	\$548,781
Low-Voltage Electrical Power Conductors And Cables	\$165,577
Grounding And Bonding For Electrical Systems	\$638,242
Raceway And Boxes For Electrical Systems	\$1,205,400
Pad-Mounted, Liquid-Filled, Medium-Voltage Transformers	\$767,833
Medium-Voltage Switchgear	\$664,233
Low-Voltage Distribution Transformers	\$172,549
Switchboards	\$301,201
Panelboards	\$419,480
Motor-Control Centers	\$94,444
Wiring Devices	\$418,531
Engine Generators	\$658,110
Automatic Transfer Switches	\$55,625
Interior Lighting Fixtures, Lamps, And Ballasts	\$1,286,821
LED Exterior Lighting	\$1,163,556

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Operation and Maintenance of Communications Systems	\$49,467
Communications Cabinets, Racks, Frames And Enclosures	\$21,438
Communications Horizontal Cabling Applications	\$1,199,496
Data Communications Network Equipment	\$271,286
Sound Masking Systems	\$151,358
Integrated Credential Readers And Field Entry Management	\$276,420
Video Surveillance Systems Infrastructure	\$495,635
Fire Sensors And Detectors	\$614,184
Selective Tree And Shrub Removal	\$217,132
Grading	\$13,579,224
Excavation	\$229,653
Dewatering	\$158,228
Fill - Backfill	\$2,129,689
Drilled Caissons	\$52,206,066
Schedules for Exterior Improvements	\$1,766,700
Base Courses	\$1,143,773
Asphaltic Base Courses	\$1,679,715
Asphalt Paving	\$4,319,351
Precast Concrete Unit Paving	\$1,876,584
Curbs And Gutters	\$785,696
Pavement Markings	\$135,045
Chain Link Fences And Gates	\$156,396
Segmental Retaining Walls	\$375,228
Site Seating And Tables	\$111,168
Underground Sprinklers	\$653,228
Soil Preparation	\$792,978
Seeding	\$57,408
Ground Covers	\$516,872
Trees	\$144,354
Planting Accessories	\$833,389
Public Water Utility Distribution Piping	\$2,057,524
Electrical Underground Ducts And Manholes	\$3,653,494
Roadway Signaling and Control Equipment	\$2,159,335

Oil and Grease Separation and Removal Equipment	\$215,749
Engineering	\$29,316,664
Professional Liability Insurance	\$1,605,301
Surveys, Testing & Inspections	\$3,664,583
General Liability Insurance	\$3,734,893
Mobilization/Demobilization	\$7,329,166
Builder's Risk Insurance	\$1,757,597
Performance & Payment Bonds	\$2,411,865
Permitting	\$2,196,996
General Contractor OH&P	\$20,923,768
<b>Operating System Project Cost - Attachment A2/C-1/C-2</b>	
OS Capital - Guideway Equipment	\$26,419,366
OS Capital - Station Equipment	\$7,500,327
OS Capital - Fare Collection Equipment	\$0
OS Capital - Maintenance and Storage Facility Equipment	\$15,996,772
OS Capital - Power Distribution System Equipment	\$21,217,682
OS Capital - Automatic Train Control Equipment	\$21,507,265
OS Capital - Communications Equipment	\$7,147,059
OS Capital - Other OS Equipment or Facilities	\$4,939,738
OS Capital - OS Verification and Acceptance	\$9,229,416
OS Capital - OS Supplier's Project Management and Administration	\$65,124,020
<b>Infrastructure Operations &amp; Maintenance Attachments D-1/D-2</b>	
Infrastructure O&M_Stations - Janitorial	\$9,328,560
Infrastructure O&M_Stations - Pest Control	\$880,050
Infrastructure O&M_Stations - Electrical	\$21,916,200
Infrastructure O&M_Stations - Utility - Water/Wastewater	\$267,660
Infrastructure O&M_Stations - General Building Maintenance	\$5,280,330
Infrastructure O&M_Stations - Escalators	\$15,897,780
Infrastructure O&M_Stations - Elevators	\$10,901,340
Infrastructure O&M_MSJ - Janitorial	\$4,708,140

Infrastructure O&M_MSF - Pest Control	\$757,050
Infrastructure O&M_MSF - Electrical	\$18,144,180
Infrastructure O&M_MSF - Water/Watershed	\$1,133,730
Infrastructure O&M_MSF - General Building Maintenance	\$4,542,210
Infrastructure O&M_MSF - Elevators	\$1,362,660
Infrastructure O&M_Misc. - Landscaping	\$1,301,160
Infrastructure O&M_Misc. - Parking Pavement	\$3,690,540
Infrastructure O&M_Misc. - IT Equipment	\$2,271,120
Infrastructure O&M_Misc. - Vehicles/Leases	\$999,300
Infrastructure O&M_Misc. - Waste Disposal	\$272,520
Infrastructure O&M_Misc. - Security Guards and Patrol Service	\$29,842,380
Infrastructure O&M_Guideway	\$4,731,480
Infrastructure O&M_Core Staff	\$31,492,710
<b>Operating System (OS) Operations &amp; Maintenance Attachments D-1/D-2</b>	
Operating System O&M _Labor - Operations	\$47,244,979
Operating System O&M _Labor - Maintenance & other O&M Support	\$194,885,539
Operating System O&M _Materials	\$66,324,682
Operating System O&M_Uilities and Other Engineering Support	\$36,334,800
<b>Future Capital Costs for Infrastructure - Attachment E-1</b>	
Future Capital Costs_Stations - HVAC Replacement	\$137,643
Future Capital Costs_Stations - Escalators Overhaul	\$3,441,075
Future Capital Costs_Stations - Elevators Overhaul	\$1,101,144
Future Capital Costs_MSF - HVAC Replacement	\$458,810
Future Capital Costs_MSF - Elevators Overhaul	\$183,524
Future Capital Costs_Misc. - Pavement Rehab	\$3,914,223
<b>Total</b>	<b>\$1,147,071,249.10</b>



#### **IV. GOAL METHODOLOGY**

##### **Step 1: Determination of a Base Figure (26.45)<sup>1</sup>**

To establish the Owner's Base Figure of the relative availability of DBEs to all comparable firms (DBE and Non-DBEs) available to propose on the Owner's FFY 2022/24 FTA-assisted contracting opportunities projected to be solicited during the respective goal period, the Owner followed one of the five prescribed federal goal-setting methodologies in accordance with 49 CFR Part 26 regulations. This was accomplished by accessing the **California Unified Certification Program (CUCP) Directory of Certified DBE Firms** and the **2020 U.S. Census Bureau County Business Patterns (CBP) Database**. Comparisons were made within the Owner's market area (defined as Los Angeles County) and by specified industries and types of businesses identified in Table 2 (refer to Exhibit A). The Owner's local market was determined by identifying where the substantial majority of the Owner's contracting dollars are anticipated to be expended and/or where the substantial majority of contractors' and subcontractors' bids or quotes are anticipated to be received.

The Owner made a concerted effort to ensure that the scope of businesses included in the numerator was as close as possible to the scope included in the denominator. For corresponding detail of all work category classifications grouped, refer to Table 3 below.

**For the numerator:** *California UCP DBE Database of Certified Firms*  
**For the denominator:** *2020 U.S. Census Bureau's Business Pattern Database (CBP)*

To determine the relative availability of DBEs, the Owner divided the numerator<sup>2</sup> representing the ratio of ready, willing and able DBE firms, by the denominator<sup>3</sup> representing all firms (DBE and Non-DBEs) available in each work category, see below:

*Number of Ready, Willing and Able DBEs* = DBE Availability %  
*Number of All Available Firms*  
**(Including DBEs and Non-DBEs)**

To determine the appropriate weighting percent by NAICS, the estimated dollar value by NAICS was divided by the total estimated federal dollars for FFY 2022/24. The weighting percent by NAICS was then multiplied by the DBE Availability % to determine the Base Figure % by NAICS, see below:

**Weighting X DBE Availability % = Base Figure % by NAICS**

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<sup>1</sup> 26.45 represents Title 49 CFR Part 26 regulatory goal setting methodology reference.

<sup>2</sup> Numerator represents all DBE firms established within the City's market area.

<sup>3</sup> Denominator represents all comparable available established firms within the City's market area.

To determine the Step 1 Base Figure, the Owner added together all Base Figure % by NAICS in Table 3 below, resulting in a 16.16% to produce a Step 1 Base Figure of 16 percent (rounded).

**Total Dollars (A): \$1,147,071,249.10**

**Table 3**

		<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G*</b>
<b>NAICS</b>	<b>Description</b>	<b>Value</b>	<b>Weight (B/A)</b>	<b># of DBE's</b>	<b># of All Items Census</b>	<b>DBE Availability (D/E)</b>	<b>Base Figure (Cx F)</b>
115112	Soil Preparation, Planting, and Cultivating	\$898,219.18	0.08%	3	10	30.00%	0.02%
213112	Support Activities for Oil and Gas Operations	\$10,787.45	0.00%	1	24	4.17%	0.00%
221122	Electric Power Distribution	\$1,647,001.89	0.14%	3	72	4.17%	0.00%
221310	Water Supply and Irrigation Systems	\$645,026.60	0.06%	15	70	21.43%	0.01%
236220	Commercial and Institutional Building Construction	\$0.00	0.00%	200	930	21.51%	0.00%
237110	Water and Sewer Line and Related Structures Construction	\$3,180,988.10	0.28%	100	77	100.00%	0.28%
237120	Oil and Gas Pipeline and Related Structures Construction	\$42,199.60	0.00%	18	20	90.00%	0.00%
237130	Power and Communication Line and Related Structures Construction	\$913,373.50	0.08%	40	50	80.00%	0.06%
237310	Highway, Street, and Bridge Construction	\$2,866,541.45	0.25%	221	76	100.00%	0.25%
237990	Other Heavy and Civil Engineering Construction	\$13,550,509.86	1.18%	144	43	100.00%	1.18%
238110	Poured Concrete Foundation and Structure Contractors	\$20,898,201.98	1.82%	93	253	36.76%	0.67%
238120	Structural Steel and Precast Concrete Contractors	\$40,559,562.13	3.54%	72	127	56.69%	2.01%
238130	Framing Contractors	\$469,734.03	0.04%	25	160	15.63%	0.01%
238140	Masonry Contractors	\$1,778,943.44	0.16%	32	223	14.35%	0.02%
238150	Glass and Glazing Contractors	\$1,849,173.15	0.16%	14	183	7.65%	0.01%

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238160	Roofing Contractors	\$1,605,826.00	0.14%	13	430	3.02%	0.00%
238170	Siding Contractors	\$2,381,341.10	0.21%	1	52	1.92%	0.00%
238190	Other Foundation, Structure, and Building Exterior Contractors	\$37,970,478.45	3.31%	49	151	32.45%	1.07%
238210	Electrical Contractors and Other Wiring Installation Contractors	\$42,837,471.58	3.73%	154	2147	7.17%	0.27%
238220	Plumbing, Heating, and Air-Conditioning Contractors	\$3,941,037.64	0.34%	46	2523	1.82%	0.01%
238290	Other Building Equipment Contractors	\$38,775,062.91	3.38%	16	185	8.65%	0.29%
238310	Drywall and Insulation Contractors	\$893,168.63	0.08%	22	357	6.16%	0.00%
238320	Painting and Wall Covering Contractors	\$381,627.15	0.03%	43	793	5.42%	0.00%
238330	Flooring Contractors	\$328,710.15	0.03%	12	396	3.03%	0.00%
238340	Tile and Terrazzo Contractors	\$980,496.65	0.09%	10	276	3.62%	0.00%
238350	Finish Carpentry Contractors	\$165,462.20	0.01%	21	542	3.87%	0.00%
238390	Other Building Finishing Contractors	\$44,428.92	0.00%	27	197	13.71%	0.00%
238910	Site Preparation Contractors	\$22,552,053.35	1.97%	131	359	36.49%	0.72%
238990	All Other Specialty Trade Contractors	\$29,530,398.07	2.57%	156	577	27.04%	0.69%
321211	Hardwood Veneer and Plywood Manufacturing	\$69,205.50	0.01%	0	8	0.00%	0.00%
324121	Asphalt Paving Mixture and Block Manufacturing	\$1,782,959.20	0.16%	1	22	4.55%	0.01%
327211	Flat Glass Manufacturing	\$5,521,880.20	0.48%	0	4	0.00%	0.00%
327320	Ready-Mix Concrete Manufacturing	\$34,532,793.58	3.01%	3	58	5.17%	0.16%
327331	Concrete Block and Brick Manufacturing	\$355,939.30	0.03%	3	7	42.86%	0.00%
327390	Other Concrete Product Manufacturing	\$13,234,191.20	1.15%	6	15	40.00%	0.46%
327420	Gypsum Product Manufacturing	\$79,333.07	0.01%	0	5	0.00%	0.00%
332312	Fabricated Structural Metal Manufacturing	\$12,288,788.60	1.07%	18	51	35.29%	0.38%

332321	Metal Window and Door Manufacturing	\$6,330,708.57	0.55%	4	39	10.26%	0.06%
332322	Sheet Metal Work Manufacturing	\$2,133,897.42	0.19%	13	161	8.07%	0.02%
332323	Ornamental and Architectural Metal Work Manufacturing	\$2,376,046.40	0.21%	16	83	19.28%	0.04%
332439	Other Metal Container Manufacturing	\$45,922.36	0.00%	1	8	12.50%	0.00%
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing	\$1,220,577.80	0.11%	9	99	9.09%	0.01%
333318	Other Commercial and Service Industry Machinery Manufacturing	\$237,005.65	0.02%	1	43	2.33%	0.00%
333413	Industrial and Commercial Fan and Blower and Air Purification Equipment Manufacturing	\$109,540.35	0.01%	0	9	0.00%	0.00%
333414	Heating Equipment (except Warm Air Furnaces) Manufacturing	\$47,198.40	0.00%	0	7	0.00%	0.00%
333415	Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing	\$28,210.65	0.00%	1	33	3.03%	0.00%
333912	Air and Gas Compressor Manufacturing	\$158,162.20	0.01%	0	6	0.00%	0.00%
333914	Measuring, Dispensing, and Other Pumping Equipment Manufacturing	\$75,966.20	0.01%	0	12	0.00%	0.00%
333921	Elevator and Moving Stairway Manufacturing	\$23,759,345.72	2.07%	2	4	50.00%	1.04%
334118	Computer Terminal and Other Computer Peripheral Equipment Manufacturing	\$66,312.90	0.01%	0	19	0.00%	0.00%
334310	Audio and Video Equipment Manufacturing	\$227,212.90	0.02%	2	39	5.13%	0.00%
334519	Other Measuring and Controlling Device Manufacturing	\$184,255.20	0.02%	1	32	3.13%	0.00%

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335122	Commercial, Industrial, and Institutional Electric Lighting Fixture Manufacturing	\$122,518.85	0.01%	2	49	4.08%	0.00%
335129	Other Lighting Equipment Manufacturing	\$109,650.64	0.01%	2	12	16.67%	0.00%
335311	Power, Distribution, and Specialty Transformer Manufacturing	\$726,338.59	0.06%	2	9	22.22%	0.01%
335312	Motor and Generator Manufacturing	\$197,433.00	0.02%	0	16	0.00%	0.00%
335313	Switchgear and Switchboard Apparatus Manufacturing	\$227,925.90	0.02%	4	11	36.36%	0.01%
335314	Relay and Industrial Control Manufacturing	\$18,888.80	0.00%	2	15	13.33%	0.00%
335999	All Other Miscellaneous Electrical Equipment and Component Manufacturing	\$8,343.75	0.00%	10	30	33.33%	0.00%
337215	Showcase, Partition, Shelving, and Locker Manufacturing	\$22,660.15	0.00%	2	48	4.17%	0.00%
339950	Sign Manufacturing	\$1,254,701.25	0.11%	14	136	10.29%	0.01%
423110	Automobile and Other Motor Vehicle Merchant Wholesalers	\$399,720.00	0.03%	2	238	0.84%	0.00%
423210	Furniture Merchant Wholesalers	\$88,934.40	0.01%	4	356	1.12%	0.00%
423320	Brick, Stone, and Related Construction Material Merchant Wholesalers	\$9,197,199.61	0.80%	30	67	44.78%	0.36%
423330	Roofing, Siding, and Insulation Material Merchant Wholesalers	\$4,025,853.95	0.35%	8	57	14.04%	0.05%
423390	Other Construction Material Merchant Wholesalers	\$4,202,953.05	0.37%	23	106	21.70%	0.08%
423410	Photographic Equipment and Supplies Merchant Wholesalers	\$148,690.50	0.01%	6	49	12.24%	0.00%
423430	Computer and Computer Peripheral Equipment and Software Merchant Wholesalers	\$13,564.30	0.00%	24	366	6.56%	0.00%

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423440	Other Commercial Equipment Merchant Wholesalers	\$52,184.50	0.00%	8	205	3.90%	0.00%
423490	Other Professional Equipment and Supplies Merchant Wholesalers	\$31,411.68	0.00%	6	71	8.45%	0.00%
423510	Metal Service Centers and Other Metal Merchant Wholesalers	\$19,037,699.02	1.66%	27	383	7.05%	0.12%
423610	Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers	\$22,447,020.47	1.96%	68	577	11.79%	0.23%
423620	Household Appliances, Electric Housewares, and Consumer Electronics Merchant Wholesalers	\$8,593.84	0.00%	2	255	0.78%	0.00%
423690	Other Electronic Parts and Equipment Merchant Wholesalers	\$321,948.09	0.03%	20	581	3.44%	0.00%
423720	Plumbing and Heating Equipment and Supplies (Hydronics) Merchant Wholesalers	\$2,834,998.83	0.25%	11	182	6.04%	0.02%
423730	Warm Air Heating and Air-Conditioning Equipment and Supplies Merchant Wholesalers	\$4,245,409.50	0.37%	8	114	7.02%	0.03%
423740	Refrigeration Equipment and Supplies Merchant Wholesalers	\$24,956.10	0.00%	1	44	2.27%	0.00%
423830	Industrial Machinery and Equipment Merchant Wholesalers	\$833,492.61	0.07%	13	692	1.88%	0.00%
423840	Industrial Supplies Merchant Wholesalers	\$128,887.25	0.01%	33	368	8.97%	0.00%
423850	Service Establishment Equipment and Supplies Merchant Wholesalers	\$60,053.14	0.01%	20	174	11.49%	0.00%
423860	Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers	\$3,552,808.10	0.31%	28	152	18.42%	0.06%

423990	Other Miscellaneous Durable Goods Merchant Wholesalers	\$7,692.00	0.00%	49	705	6.95%	0.00%
424690	Other Chemical and Allied Products Merchant Wholesalers	\$28,857.73	0.00%	23	275	8.36%	0.00%
424950	Paint, Varnish, and Supplies Merchant Wholesalers	\$109,763.85	0.01%	7	62	11.29%	0.00%
442110	Furniture Stores	\$11,116.80	0.00%	0	601	0.00%	0.00%
444190	Other Building Material Dealers	\$1,252,286.78	0.11%	22	667	3.30%	0.004%
444210	Outdoor Power Equipment Stores	\$76,545.85	0.01%	0	29	0.00%	0.00%
444220	Nursery, Garden Center, and Farm Supply Stores	\$400,413.14	0.03%	2	171	1.17%	0.00%
484110	General Freight Trucking, Local	\$8,668,524.17	0.76%	141	2085	6.76%	0.05%
484220	Specialized Freight (except Used Goods) Trucking, Local	\$3,408,615.98	0.30%	372	389	95.63%	0.29%
485112	Commuter Rail Systems	\$433,449,913.06	37.79%	0	0	0.00%	0.00%
488210	Support Activities for Rail Transportation	\$14,022,954.04	1.22%	20	28	71.43%	0.87%
518210	Data Processing, Hosting, and Related Services	\$113,556.00	0.01%	69	591	11.68%	0.00%
524126	Direct Property and Casualty Insurance Carriers	\$3,831,423.20	0.33%	5	178	2.81%	0.01%
524210	Insurance Agencies and Brokerages	\$5,678,232.80	0.50%	19	3946	0.48%	0.00%
531120	Lessors of Nonresidential Buildings (except Miniwarehouses)	\$4,010,090.70	0.35%	5	1662	0.30%	0.00%
531130	Lessors of Miniwarehouses and Self-Storage Units	\$916,592.16	0.08%	0	473	0.00%	0.00%
532112	Passenger Car Leasing	\$299,790.00	0.03%	1	15	6.67%	0.00%
532120	Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing	\$99,930.00	0.01%	12	159	7.55%	0.00%

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## FTA Overall DBE Goal Methodology for FFY 2022/24

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532412	Construction, Mining, and Forestry Machinery and Equipment Rental and Leasing	\$461,681.10	0.04%	39	96	40.63%	0.02%
532490	Other Commercial and Industrial Machinery and Equipment Rental and Leasing	\$2,249,978.20	0.20%	16	556	2.88%	0.01%
541330	Engineering Services	\$31,215,960.87	2.72%	437	1687	25.90%	0.70%
541350	Building Inspection Services	\$549,687.45	0.05%	86	233	36.91%	0.02%
541360	Geophysical Surveying and Mapping Services	\$916,145.75	0.08%	17	8	100.00%	0.08%
541370	Surveying and Mapping (except Geophysical) Services	\$366,458.30	0.03%	76	67	100.00%	0.03%
541380	Testing Laboratories	\$2,300,558.15	0.20%	73	189	38.62%	0.08%
541511	Custom Computer Programming Services	\$227,112.00	0.02%	243	2310	10.52%	0.00%
541512	Computer Systems Design Services	\$813,445.28	0.07%	289	1926	15.01%	0.01%
541513	Computer Facilities Management Services	\$567,780.00	0.05%	72	141	51.06%	0.03%
541519	Other Computer Related Services	\$227,112.00	0.02%	168	245	68.57%	0.01%
541611	Administrative Management and General Management Consulting Services	\$78,112,532.34	6.81%	826	4481	18.43%	1.26%
541618	Other Management Consulting Services	\$3,138,565.20	0.27%	425	207	100.00%	0.27%
541620	Environmental Consulting Services	\$7,014,619.70	0.61%	338	252	100.00%	0.61%
541690	Other Scientific and Technical Consulting Services	\$2,847,855.50	0.25%	330	1286	25.66%	0.06%
541720	Research and Development in the Social Sciences and Humanities	\$1,465,833.20	0.13%	61	64	95.31%	0.12%
541990	All Other Professional, Scientific, and Technical Services	\$366,458.30	0.03%	167	883	18.91%	0.01%
561110	Office Administrative Services	\$6,287,836.20	0.55%	122	1655	7.37%	0.04%



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**FTA Overall DBE Goal Methodology for FFY 2022/24**  
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561210	Facilities Support Services	\$18,905,519.40	1.65%	41	177	23.16%	0.38%
561612	Security Guards and Patrol Services	\$29,842,380.00	2.60%	50	704	7.10%	0.18%
561621	Security Systems Services (except Locksmiths)	\$233,818.70	0.02%	20	204	9.80%	0.00%
561710	Exterminating and Pest Control Services	\$1,637,100.00	0.14%	4	410	0.98%	0.00%
561720	Janitorial Services	\$14,036,700.00	1.22%	91	1283	7.09%	0.09%
561730	Landscaping Services	\$2,884,834.00	0.25%	44	1212	3.63%	0.01%
561790	Other Services to Buildings and Dwellings	\$9,822,540.00	0.86%	38	303	12.54%	0.11%
561990	All Other Support Services	\$30,709.20	0.00%	58	379	15.30%	0.00%
562111	Solid Waste Collection	\$902,914.20	0.08%	15	189	7.94%	0.01%
562119	Other Waste Collection	\$40,878.00	0.00%	28	24	100.00%	0.00%
562212	Solid Waste Landfill	\$293,527.80	0.03%	4	13	30.77%	0.01%
562219	Other Nonhazardous Waste Treatment and Disposal	\$195,685.20	0.02%	6	6	100.00%	0.02%
562910	Remediation Services	\$0.00	0.00%	53	96	55.21%	0.00%
562998	All Other Miscellaneous Waste Management Services	\$13,626.00	0.00%	11	20	55.00%	0.00%
811111	General Automotive Repair	\$199,860.00	0.02%	8	2277	0.35%	0.00%
811212	Computer and Office Machine Repair and Maintenance	\$681,336.00	0.06%	17	180	9.44%	0.01%
811213	Communication Equipment Repair and Maintenance	\$266,685.60	0.02%	8	37	21.62%	0.00%
926150	Regulation, Licensing, and Inspection of Miscellaneous Commercial Sectors	\$659,098.80	0.06%	0	0	0.00%	0.00%

**Total Base Figure** 16.16%

**Base Figure (rounded)** **16%**

\*Availability percentages that produced over 100% were modified to reflect 100%.

**Step 2: Adjusting the Base Figure**

Upon establishing the Base Figure, the Owner reviewed and assessed other known evidence potentially impacting the relative availability of DBEs within the Owner’s market area, in accordance with prescribed narrow tailoring provisions set forth under 49 CFR Part 26.45 Step 2: DBE Goal Adjustment Guidelines.

Evidence considered in making an adjustment to the Base Figure included the Owner’s *Past DBE Goal Attainments*, Evidence from *Disparity Studies conducted in the Owner’s market area*, and *Other Evidence*, as follows:

**A. Past DBE Goal Attainments**

The Owner did not receive Federal Funds in the previous three fiscal years and did not set an Overall Goal on the previous goal period or collect detailed DBE Program award/attainment data. Although the Owner did consider awards to DBEs on non-federally funded projects in the market area, it was determined that these projects were not like in scope or scale to the ITC Project (Infrastructure).

Specifically, the Owner considered additional Automated Transit System (ATS)/Automated People Mover (APM) projects of a similar scope and/or market area, as indicated below:

ATS/APM Projects			
Project Name	Market Area	Goal(s)	Notes
LAX Automated People Mover	Los Angeles	30% Small and Local Business Goal. SB Design Goal: 22% SB Construction Goal: 18%	SBE goal, goal not developed based on available DBE firms. Goal on O&M not available
Oakland Airport Connector	Northern California	Civil Construction & Trucking Goal 18%  Professional Services (no goal)	Goal on O&M not available. CA market area, but northern.
Phoenix Sky Harbor International Airport (PHX) Automated People Mover (Sky Train)	Phoenix, Arizona	12%	Goal based strictly on O&M. Arizona is within region 9 but out of CA.
O’Hare International Airport’s Automated Transit System (ATS) – the People Mover	Chicago	19%	Outside of market area

In review of the four (4) ATS/APM projects identified above, the Owner found that none of the projects included DBE goals for projects within the market area that included infrastructure construction, operations and maintenance.

As the Owner did not have past attainment data and could not identify like projects with viable attainment data, the Owner has elected not to apply an adjustment to the Base Figure in accordance with the DOT's issued guidance "Tips for Goal-Setting in the Disadvantaged Business Enterprise (DBE) Program" which states in pertinent part:

*"..an adjustment for past participation is not required if you are developing a DBE program for the first time and do not have any statistics on past DBE participation."*

**B. Evidence from Disparity Studies**  
***Barriers to Entry: Employment, Self Employment, Education and Training, Business Ownership Rates and Access to Capital***

The Owner did not find it feasible to conduct an independent availability/disparity study; however, the Owner identified two disparity studies, inclusive of market areas like the Owner's, to consider whether a Race-Conscious DBE Program should be implemented. The two identified Disparity Studies were the California Department of Transportation (Caltrans) Disparity Study and the Los Angeles County Metropolitan Transportation Authority (Metro) Disparity Study

The first Disparity Study considered was that of Caltrans, completed in 2016, which included review of contracts and availability within the Owner's market area. The Caltrans Disparity Study reviewed Construction and Engineering contracts state-wide between the years January 1, 2011 to December 31, 2014. As the Caltrans' Disparity Study included thousands of contracts from areas outside of the Owner's market area as well as projects that had no relation to the scopes included in the upcoming goal period, the Owner opted to not utilize this Disparity Study to apply an adjustment to their current race-neutral/race-conscious DBE application measures.

The second Disparity Study taken into consideration was Metro's Disparity Study due to the similarities in market area, inclusivity of scopes utilized in the Owner's Overall Goal Methodology and timeliness of the contracts reviewed. The Metro Study focused on Los Angeles County which aligns with the Owner's market area. The Metro Disparity Study was initiated in November 2016 and included a five-year study period (January 1, 2011 through December 31, 2015) to determine any differences between the participation of minority- and woman-owned businesses in relevant contracts and the availability of those businesses to perform that work (referred to as disparities). Disparity analysis results indicated that most racial/ethnic and gender groups showed disparities on contracts where race- and gender-conscious measures were not in place during the study period. As a result, the Disparity Study recommended the use of contract DBE goals.

As Metro's Disparity Study satisfies the legal standards established by the Ninth Circuit Court of Appeals in *Western States Paving Co., Inc. v. Washington State Department of Transportation*, and guidance from the = DOT/FTA concerning the implementation of race-conscious application, the Owner has elected to utilize this study as a basis for implementing a race-conscious component of its Overall DBE goal. The Owner will

ensure that the use of race-conscious goals is narrowly tailored and consistent with other relevant legal standards.

The Owner will continue to review applicable Disparity Studies as they become available and apply the appropriate adjustments to their Race-Neutral/Race-Conscious DBE goal application.

**C. Other Evidence**

The Owner did not receive any anecdotal evidence nor is it aware of any other factors or adverse considerations that would have had a material effect on DBEs availability within the Owner's marketplace, or on DBEs' ability to participate (meeting bonding, insurance and financial requirements) in the Owner's anticipated FTA-assisted contracting programs at this time. However, as part of the Owner's 30-day period public facilitation process, it will request comments/input from industry groups both representing DBEs and non-DBEs to determine whether further consideration in making an adjustment is warranted.

The Overall DBE Goal for FFY 2022/24 goal period for the Owner's FTA-assisted contracts is **16 percent**.

The proposed goal serves to identify the relative availability of DBEs based on evidence of ready, willing, and able DBEs to all comparable firms, which are known to be available to compete for and perform on the Owner's FTA-assisted contracts. The proposed goal reflects a determination of the level of DBE participation, which would be expected absent the effects of discrimination.

**V. RACE-NEUTRAL/RACE-CONSCIOUS APPLICATION**

In accordance with 49 CFR part 26.51, the Owner intends to meet the maximum feasible portion of the overall goal by using race/gender-neutral means of facilitating DBE participation. The Owner reviewed guidance from DOT provided through "Tips for Goal-Setting in the Disadvantaged Business Enterprise (DBE) Program" which includes experience and best practices provided by DOT officials. Specifically, the guidance relevant to determining the Overall Goal Race-Neutral/Race-Conscious Application includes review of the following:

**A. Consideration of the Amount by which the Owner has Exceeded Goals in the Past**

DOT has identified the amount a recipient has exceeded their overall goals in the past years as a useful tool in projecting the race/gender-neutral participation one can expect in future Federal Fiscal Years. As the Owner has not previously received Federal assistance and has not procured a project of a similar scope and size, there is no viable data to determine the amount the Owner has exceeded goals in the past.

**B. Past Participation by DBE Prime Contractors**

DOT has identified that the amount of past participation obtained through the use of DBE primes should be considered achieved race/gender-neutrally and that those attainments can be used as a basis for estimating a similar level of race/gender-neutral participation in the next overall goal period. As the Owner has not previously received Federal assistance and has not procured a project of a similar scope and size, there is no viable data regarding participation by DBE prime contractors.

**C. Consider Past Participation by DBE Subcontractors on Contracts without Goals**

DOT has identified that the amount of past participation obtained through the use of DBE subcontractors on contracts without DBE goals should be considered achieved race/gender-neutrally and that those attainments can be used as a basis for estimating a similar level of race/gender-neutral participation in the next overall goal period. As the Owner has not previously received Federal assistance and has not procured a project of a similar scope and size, there is no viable data regarding participation by DBE subcontractors on race-neutral contracts.

**D. Consider MBE/WBE/DBE Participation Pursuant to Race/Gender-Neutral State or Local Programs.**

The Owner does not currently track MBE/WBE/DBE participation on Race/Gender-Neutral or Local Programs. The Owner will consider methods of tracking this information in the future for use in considering the proper race/gender-neutral application.

**E. Consider Concrete Plans to Implement New Race-Neutral Methods**

The Owner is considering including Small Business aspirational goals on Design-Build projects in addition to applying a DBE contract goal. The purpose of this would be to encourage utilization of Small and Disadvantaged businesses, inclusive of minority, woman, and veteran-owned businesses, and increase their likelihood of successfully participating.

Potential bidders/offerors would submit Small Business utilization data relevant to the firms they are proposing. This information will be utilized by the Owner to track current small business utilization within its contracting program and identify impactful supportive services that could aid in optimizing Small and Disadvantaged business communities' success in the program but ability to meet the goal would not be a condition of award.

**F. Past History of Inability to Achieve Goals**

DOT has identified that a recipient's past inability to meet their goals in the past years as a powerful indicator that the recipient may be justified in applying race-/gender-conscious measures to achieve their goals in future FFY.

As the Owner has not previously received Federal assistance and has not procured a project of a similar scope and size, there is no viable attainment data to determine what percent of the 16% Overall DBE Goal can be met race-neutrally. The Owner then considered attainment data on ATS/ATM Projects with a similar scope and/or market area:

ATS/APM Projects			
Project Name	Market Area	Attainment	Notes
LAX Automated People Mover	Los Angeles	35% Small and Local Business	SBE goal, goal not developed based on available DBE firms. Goal on O&M not available
Oakland Airport Connector	Northern California	Civil Construction & Trucking Goal = 20.21% Professional Services = 33.1%	Goal on O&M not available. CA market area, but northern.
Phoenix Sky Harbor International Airport (PHX) Automated People Mover (Sky Train)	Phoenix, Arizona	15%	Goal based strictly on O&M. Arizona is within region 9 but out of CA.
O'Hare International Airport's Automated Transit System (ATS) – the People Mover	Chicago	19% goal but attainment data not available	Outside of market area

In review of these four (4) ATS/APM projects, the Owner found that none of the projects included DBE attainment data for projects within the market area that included both the infrastructure construction, operations and maintenance that could be utilized to support that a percentage of the overall DBE goal could be met race-neutrally.

Consistent with the FTA guidance provided and the reasons delineated above, the Owner has found it advisable to implement a 16% race-conscious component and 0% race-neutral breakout to meet the proposed Overall DBE Goal of 16% in accordance with 49 CFR Part 26.51.

The Owner will use contract goals, for all groups, to meet any portion of the overall goal the Owner does not project being able to meet using race-neutral means. DBE contract goals will be a condition of award. Contract goals will be established so that, over the period to which the overall goal applies, contract goals will cumulatively result in meeting any portion of the Owner's overall goal that is not projected to be met through the use of race-neutral means.

**F. Monitor DBE Participation to Determine Whether an Adjustment to the Use of Race/Gender-Conscious Measures is Necessary**

The Owner will continue to monitor its DBE participation during the overall goal period to determine whether the application of the Owner's race-neutral/race-conscious measures to meet the proposed Overall DBE Goal of 16% remains on target. The Owner will adjust the application of race/gender-neutral and race/gender-conscious measures as necessary to ensure the Owner meets the maximum feasible portion of the overall goal by using race/gender-neutral means of facilitating DBE participation.

## **VI. PUBLIC PARTICIPATION AND FACILITATION**

In accordance with Public Participation Regulatory Requirements of Title 49 CFR Part 26, minority, women, local business chambers, and community organizations within the Owner's market area will be consulted and provided an opportunity to review the Owner's goal analysis and provide input.

The Owner issued a Public Notice, publishing the Owner's Proposed Overall Goal for the FFYs 2022/24. The Notice informed the public that the proposed goal and rationale were available for inspection at the Owner's website for 30 days following the date of the Public Notice and that the Owner will accept comments on the goal analysis for 30 days from the date of the Public Notice.

Furthermore, the Owner consults and will continue to consult with minority groups and organizations (inclusive of virtual and in-person events and consultations) regarding input they have on DBE opportunities and any real and/or perceived barriers to DBE participation.

Staff has initiated the public participation process. This includes the following: 1) sending the proposed goal and methodology to local/ethnic chambers of commerce and other business/community organizations in the Owner's market area; 2) advertising the goal (via a public notice) on the Owner's website and 3) including, in the public notice, instructions for viewing and/or providing feedback on the proposed goal and methodology.

To further support the public participation process, the Owner will also be hosting a virtual Public Consultation Meeting. This meeting is designed to facilitate receiving input from the Owner's contracting community, stakeholders, which include minority and women business groups, community organizations, trade associations and other officials or organizations that may have information concerning the availability of disadvantaged businesses and comments on the Owner's proposed DBE overall goal and corresponding methodology.

After completion of the public participation process, staff will consider any feedback as a factor in making a further adjustment to the goal. If the goal percentage changes from the proposed 16%, staff will return to the Owner for approval of the adjusted goal, post the updated goal to its website and will then submit the goal and methodology to the FTA.