

GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT



OVERALL DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOAL ANALYSIS REPORT FEDERAL FISCAL YEARS 2022/2023 – 2024/2025

Contracts Assisted by the Federal Transit Administration

DRAFT REPORT: April 28, 2022

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SUMMARY

The Golden Gate Bridge, Highway and Transportation District (District) has developed a **1.4%** overall Disadvantaged Business Enterprise (DBE) goal applicable to Federal Fiscal Year (FFY) 2022/2023 – 2024/2025 contracting opportunities assisted by the Federal Transit Administration (FTA) in accordance with revisions to 49 Code of Federal Regulations (C.F.R.) Part 26 published in the Federal Register on October 2, 2014.

The goal is applicable to a total of \$21,320,000 of FTA dollars that are budgeted for 8 contracts anticipated to be awarded from October 1, 2022, through September 30, 2025. It is understood that in the event of changed circumstances, the District will evaluate such changes to determine whether the present goal continues to be realistic or whether mid-course adjustments will be necessary.

The overall DBE goal developed for FTA-assisted contracts identify the relative availability of DBEs, based on evidence of ready, willing and able DBEs in relationship to all comparable businesses that are likely to be available to compete for the District's FTA-assisted contracts. The three-year overall goal reflects the District's determination of the level of DBE participation that would be expected absent the effects of discrimination.

The steps taken in the development of the District's goal are in accordance with 49 C.F.R. Part 26. A narrative description accompanied by tables and calculations is contained in this report to provide a clear explanation of how the District developed its DBE goal for FFY 2022/2023 through 2024/2025.

RELEVANT AVAILABLE EVIDENCE

The District examined all evidence in its jurisdiction to determine which sources might be considered for its DBE goal-setting methodology in the step one and step two process:

DATA CONSULTED

➤ ***Census Bureau's County Business Pattern (CBP) Database***

The District used the Census Bureau's County Business Pattern (CBP) database, updated as of April 2022, to obtain the number of all firms (DBEs and non-DBEs) ready, willing and able to bid for the District's FTA-assisted contracts. This data is used in Step One of the goal-setting process.

➤ ***California Unified Certification Program (CUCP) Database***

The District used the old and new CUCP database to determine the number of certified DBEs ready, willing and able to bid for the District's FTA-assisted contracts. This data is used in Step One of the goal-setting process.

➤ ***Actual DBE Participation in Past Race/Gender-Neutral Contracts***

Actual DBE participation in race/gender-neutral contracts in past years as well as other applicable analysis was used to determine whether adjustment to the Step One Base Figure is necessary. This data was used in Step Two of the goal-setting process.

➤ ***Data from Disparity Studies Performed by Other Agencies***

Several Bay Area transit agencies [San Mateo County Transit District (SamTrans)/ Peninsula Corridor Joint Powers Board (Caltrain), Bay Area Rapid Transit District (BART), Santa Clara Valley Transportation Authority (VTA) and the California Department of Transportation (Caltrans)] have completed disparity studies in the past. The local market areas of these agencies do overlap with that of the District. However, the types of contracts (specifically the lack of marine contracts) and the size of contracts let by the aforementioned agencies are not similar to the District and therefore such disparity studies are of limited use to the District's overall goal-setting methodology.

➤ ***Bidders List***

The District maintains a bidders list, as required under 49 C.F.R. Part 26.11, of all bidders (DBEs and non-DBEs) on District contracts. Staff reviewed its list and determined the data was not comprehensive enough to solely determine the relative availability of DBEs in its local market area.

➤ ***Goals of Other U.S. DOT Recipients***

The District did not consider the goals of other U.S. DOT recipients due to the fact other recipients do not have substantially similar contracting opportunities and/or marketplace as the District.

➤ ***Metropolitan Statistical Areas***

The Consolidated Metropolitan Statistical Area (CMSA) applicable to the District's marketplace is San Francisco-Oakland-San Jose. However, this area does not cover all the counties that are in the District's marketplace, and therefore, would be an incomplete source for the District's goal-setting process. The Census Bureau's CBP database is a more appropriate source to obtain data on the specific counties in the District's marketplace as discussed above.

➤ ***Sources from Organizations and Institutions***

The District did not receive information about past discrimination in public contracting; discrimination in private contracting; discrimination in credit, bonding or insurance; data on employment, self-employment, training or union apprenticeship programs; and/or data on firm formation that could be used to make adjustments to the base figure in Step Two of the goal-setting process.

DETERMINING LOCAL MARKET AREA

The following areas were considered in determining the District's local market area: 1) the area in which the substantial majority of the contractors and subcontractors with which the District does business are located, and 2) the area in which the District spends the substantial majority of its contracting dollars.

The District identified the locations of all its contractors and subcontractors by examining its bidders list, which includes business addresses for both successful and unsuccessful bidders. It has been determined that the majority of the contractors and subcontractors with which it does business are located in the counties of Alameda, Contra Costa, Marin, Sacramento, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma.

The District is composed of four divisions: District, Bridge, Bus, and Ferry. Its facilities are located in the counties of San Francisco, Marin, and Sonoma. The District determined that it spends substantial contracting dollars in all facilities.

Based on the above information, it was determined that the boundaries of the District’s local market area include the nine counties of Alameda, Contra Costa, Marin, Sacramento, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma. The District will use these counties to determine the number of DBEs and all firms in its local market area.

CONTRACTS ASSISTED BY FTA

A total of **\$21,320,000** of FTA dollars is budgeted for 8 contracts to be awarded during Federal Fiscal Year 2022/2023 through 2024/2025. See **Exhibit 1 below**. A two-step process is used to determine the overall goal for these contracts.

Exhibit 1: Contracts subject to overall three-year goal.

A. DESCRIPTION OF CONTRACT	B. FTA DOLLARS
Ferry Division	
Dry Docking and Capital Improvements for M.S. Marin (2024)	\$520,000
Dry Docking and Capital Improvements for M.S. San Francisco (2024)	\$520,000
Dry Docking and Capital Improvements for M.S. Sonoma (2024)	\$520,000
Dry Docking and Capital Improvements for M.V. Del Norte (2024)	\$520,000
Dry Docking and Capital Improvements for M.V. Golden Gate (2024)	\$520,000
Dry Docking and Capital Improvements for M.V. Mendocino (2022)	\$520,000
Dry Docking and Capital Improvements for M.V. Napa (2024)	\$520,000
Gangways & Piers Sausalito Construction	\$17,680,000
FTA \$ GRAND TOTAL	\$21,320,000

Step One. Determining Base Figure

Base figures were calculated for contracts budgeted for award to determine the relative availability of DBEs in specific areas of expertise using the North American Industrial Classification System (NAICS) codes. The District identified 8 NAICS codes as pertinent areas of expertise for these contracts. The NAICS codes and descriptions are identified in **Exhibit 2, Columns A and B on page FTA-5**.

Number of DBEs: To determine the number of DBEs in the District’s nine-county market area, the District searched the CUCP database for DBEs that are certified in the NAICS codes identified for prime contracts and subcontracts. The numbers of DBEs identified are displayed in **Column C of Exhibit 2**.

Number of All Firms (DBEs and non-DBEs): To determine the number of all firms (DBEs and non-DBEs) in the District’s nine-county market area, the District searched the Census Bureau’s most recent CBP database, 2019 data table, for all firms specializing in the NAICS codes identified for prime contracts and subcontracts. Numbers of all firms identified are displayed in **Column D of Exhibit 2**. To ensure percentages reflect “apples to apples”, the District included the number of DBE firms identified in the CUCP data bases (**Column C of Exhibit 2**) in the denominator shown in **Column E of Exhibit 2**. This approach is consistent with materials the DOT provided regarding counting census data.

Relative Availability of DBE Firms: Relative availability is derived by dividing the number of DBEs available in a particular NAICS code by the number of all firms in that NAICS code. **Exhibit 2** shows this equation carried out for the CUCP/CBP databases. The resulting relative availability figures are displayed in **Column F of Exhibit 2**.

Exhibit 2: DBE Availability by NAICS Code

A. NAICS CODE NUMBER	B. NAICS DESCRIPTION	C. CUCP DBEs	D. ALL FIRMS IN LOCAL MARKET AREA	E. ALL FIRMS (INCLUDING DBES)	F. RELATIVE DBE AVAIL.
237990	Other Heavy and Civil Engineering Construction	46	70	116	39.7%
238110	Poured Concrete Foundation and Structure Contractors	41	444	485	8.5%
238120	Structural Steel and Precast Concrete Contractors	23	79	102	22.5%
238210	Electrical Contractors and Other Wiring Installation Contractors	50	2120	2170	2.3%
238220	Plumbing, Heating, and Air-Conditioning Contractors	17	2325	2342	0.7%
336611	Ship Building and Repair	0	3	3	0.0%
488330	Navigational Services to Shipping	1	7	8	12.5%
541370	Surveying and Mapping (except Geophysical) Services	23	105	128	18.0%

FTA Funds to be Expended in Each Specific Area and Calculating Base Figure: 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 3, Column B, in the below table**. Contract dollars of each industry classification were divided by the total contract dollars (\$21,320,000) resulting in percentage of total dollars per contract and classification, called the “weighted” percentage. The result is shown in **Exhibit 3, Column D**.

Exhibit 3: Calculating Weighted FTA Dollars and Base Figures

- **Column C ÷ Total FTA Dollars = Column D, Weighted Percentage**
- **Column D x Column E = Base Figure per NAICS, Column F**

A. NAICS CODE	B. NAICS DESCRIPTION AND ASSOCIATED CONTRACTS	C. FTA DOLLARS	D. WEIGHTED % OF TOTAL FTA DOLLARS	E. DBE AVAIL.	F. BASE FIGURE
237990	Other Heavy and Civil Engineering Construction				
	Gangway and Pier - Sausalito Construction	\$ 6,640,000	0.3114	39.7%	12.35%
	Gangway and Pier - Sausalito Construction	\$ 2,000,000	0.0938	39.7%	3.72%
238110	Poured Concrete Foundation and Structure Contractors				
	Gangways and Piers - Sausalito Construction	\$ 480,000	0.0225	8.5%	0.19%
238120	Structural Steel and Precast Concrete Contractors				
	Gangways and Piers - Sausalito Construction	\$ 3,200,000	0.1501	22.5%	3.38%
	Gangways and Piers - Sausalito Construction	\$ 400,000	0.0188	22.5%	0.42%
238210	Electrical Contractors and Other Wiring Installation Contractors				
	Dry Docking and Capital Improvements - M.S. Marin (2024)	\$ 12,000	0.0006	2.3%	0.00%
	Dry Docking and Capital Improvements - MS San Francisco (2024)	\$ 12,000	0.0006	2.3%	0.00%
	Dry Docking and Capital Improvements - MS Sonoma (2024)	\$ 12,000	0.0006	2.3%	0.00%
	Dry Docking and Capital Improvements - MV Del Norte	\$ 12,000	0.0006	2.3%	0.00%
	Dry Docking and Capital Improvements - MV Golden Gate	\$ 12,000	0.0006	2.3%	0.00%
	Dry Docking and Capital Improvements - MV Mendocino	\$ 12,000	0.0006	2.3%	0.00%
	Dry Docking and Capital Improvements - MV Napa	\$ 12,000	0.0006	2.3%	0.00%
	Gangway and Pier - Sausalito Construction	\$ 800,000	0.0375	2.3%	0.09%
238220	Plumbing, Heating, and Air-Conditioning Contractors				
	Dry Docking and Capital Improvements - M.S. Marin (2024)	\$ 4,000	0.0002	0.7%	0.00%
	Dry Docking and Capital Improvements - MS San Francisco (2024)	\$ 4,000	0.0002	0.7%	0.00%
	Dry Docking and Capital Improvements - MS Sonoma (2024)	\$ 4,000	0.0002	0.7%	0.00%
	Dry Docking and Capital Improvements - MV Del Norte	\$ 4,000	0.0002	0.7%	0.00%
	Dry Docking and Capital Improvements - MV Golden Gate	\$ 4,000	0.0002	0.7%	0.00%
	Dry Docking and Capital Improvements - MV Mendocino	\$ 4,000	0.0002	0.7%	0.00%
	Dry Docking and Capital Improvements - MV Napa	\$ 4,000	0.0002	0.7%	0.00%
	Gangways and Piers - Sausalito Construction	\$ 3,200,000	0.1501	0.7%	0.11%
336611	Ship Building and Repair				
	Dry Docking and Capital Improvements - M.S. Marin (2024)	\$ 504,000	0.0236	0.0%	0.00%
	Dry Docking and Capital Improvements - MS San Francisco (2024)	\$ 504,000	0.0236	0.0%	0.00%
	Dry Docking and Capital Improvements - MS Sonoma (2024)	\$ 504,000	0.0236	0.0%	0.00%
	Dry Docking and Capital Improvements - MV Del Norte	\$ 504,000	0.0236	0.0%	0.00%
	Dry Docking and Capital Improvements - MV Golden Gate	\$ 504,000	0.0236	0.0%	0.00%
	Dry Docking and Capital Improvements - MV Mendocino	\$ 504,000	0.0236	0.0%	0.00%
	Dry Docking and Capital Improvements - MV Napa	\$ 504,000	0.0236	0.0%	0.00%
488330	Navigational Services to Shipping				
	Gangway and Pier - Sausalito Construction	\$ 800,000	0.0375	12.5%	0.47%
541370	Surveying and Mapping (except Geophysical Services)				
	Gangway and Pier - Sausalito Construction	\$ 160,000	0.0075	18.0%	0.13%
	TOTAL FTA-ASSISTED CONTRACTS	\$ 21,320,000	100%	OVERALL BASE FIGURE	20.9%

Next, Base Figure for the Overall Goal was calculated by multiplying the weighted percentage of funds to be expended for each NAICS (**Exhibit 3, Column D**) by DBE relative availability for each NAICS (carried forward from Exhibit 2 and shown in **Exhibit 3, Column E**). Base Figure per NAICS is shown in **Exhibit 3, Column F**. Finally, Base Figures for all NAICS were totaled, resulting in a **20.9% 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 **Exhibit 2**), and totaled for each contract. See **Exhibit 4** below.

EXHIBIT 4: Base Figure Breakdown Per Individual Contract

Description of Contract	NAICS Code and Description for Prime and Subcontracting Opportunities	% of Individual Contract Dollars	Relative DBE Availability	Base Figure Per Contract
Dry Docking and Capital Improvements for M.S. Marin (2024)	Prime: 336611, Ship Building and Repairing	96.9%	0.0%	0.0%
	Sub: 238210, Electrical Contractors and Other Wiring Installation Contractors	2.3%	2.3%	0.1%
	Sub: 238220, Plumbing, Heating, and Air-Conditioning Contractors	0.8%	0.7%	0.0%
	Contract Total	100%		0.1%
Dry Docking and Capital Improvements for M.S. San Francisco (2024)	Prime: 336611, Ship Building and Repairing	96.9%	0.0%	0.0%
	Sub: 238210, Electrical Contractors and Other Wiring Installation Contractors	2.3%	2.3%	0.1%
	Sub: 238220, Plumbing, Heating, and Air-Conditioning Contractors	0.8%	0.7%	0.0%
	Contract Total	100%		0.1%
Dry Docking and Capital Improvements for M.S. Sonoma (2024)	Prime: 336611, Ship Building and Repairing	96.9%	0.0%	0.0%
	Sub: 238210, Electrical Contractors and Other Wiring Installation Contractors	2.3%	2.3%	0.1%
	Sub: 238220, Plumbing, Heating, and Air-Conditioning Contractors	0.8%	0.7%	0.0%
	Contract Total	100%		0.1%
Dry Docking and Capital Improvements for M.V. Del Norte (2024)	Prime: 336611, Ship Building and Repairing	96.9%	0.0%	0.0%
	Sub: 238210, Electrical Contractors and Other Wiring Installation Contractors	2.3%	2.3%	0.1%
	Sub: 238220, Plumbing, Heating, and Air-Conditioning Contractors	0.8%	0.7%	0.0%
	Contract Total	100%		0.1%
Dry Docking and Capital Improvements for M.V. Golden Gate (2024)	Prime: 336611, Ship Building and Repairing	96.9%	0.0%	0.0%
	Sub: 238210, Electrical Contractors and Other Wiring Installation Contractors	2.3%	2.3%	0.1%
	Sub: 238220, Plumbing, Heating, and Air-Conditioning Contractors	0.8%	0.7%	0.0%
	Contract Total	100%		0.1%

Dry Docking and Capital Improvements for M.V. Mendocino (2022)	Prime: 336611, Ship Building and Repairing	96.9%	0.0%	0.0%
	Sub: 238210, Electrical Contractors and Other Wiring Installation Contractors	2.3%	2.3%	0.1%
	Sub: 238220, Plumbing, Heating, and Air-Conditioning Contractors	0.8%	0.7%	0.0%
	Contract Total	100%		0.1%
Dry Docking and Capital Improvements for M.V. Napa (2024)	Prime: 336611, Ship Building and Repairing	96.9%	0.0%	0.0%
	Sub: 238210, Electrical Contractors and Other Wiring Installation Contractors	2.3%	2.3%	0.1%
	Sub: 238220, Plumbing, Heating, and Air-Conditioning Contractors	0.8%	0.7%	0.0%
	Contract Total	100%		0.1%
Gangways and Piers - Sausalito Construction	Prime: 237990 Other Heavy and Civil Engineering Construction	37.6%	39.7%	14.9%
	Sub: 237990 Other Heavy and Civil Engineering Construction (Pile Driving)	11.3%	39.7%	4.5%
	Sub: 238110 Poured Concrete Foundation and Structure Contractors	2.7%	8.5%	0.2%
	Sub: 238120 Structural Steel and Precast Concrete Contractors (Mechanical)	18.1%	22.5%	4.1%
	Sub: 238120 Structural Steel and Precast Concrete Contractors (Bar Reinforcing)	2.3%	22.5%	0.5%
	Sub: 238210 Electrical Contractors and Other Wiring Installation Contractors	4.5%	2.3%	0.1%
	Sub: 238220 Plumbing and HVAC Contractors	18.1%	0.7%	0.1%
	Sub: 488330 Navigational Services to Shipping	4.5%	12.5%	0.6%
	Sub: 541370 Surveying and Mapping (except Geophysical) Services	0.9%	18.0%	0.2%
	Contract Total	100%		25.2%

Step Two. Adjusting Step One Base Figure

In adjusting the District's Step One Base Figure of **20.9%**, the District examined past participation as considerable evidence of DBE participation it expects in the absence of discrimination. The District also considered other data that would help better measure the percentage of work that DBEs would be likely to obtain in the absence of discrimination to make the Step One Base Figure as precise as possible.

Past Participation

In accordance with the U.S. DOT's *Tips for Goal-Setting in the DBE Program*, last updated December 22, 2014, the District examined DBE participation (based on awards and commitments) on FTA-assisted projects for FFY 2018/2019 – 2020/2021.

FFY 2018-2019: Awards/Commitments 0.4%
FFY 2019-2020: Awards/Commitments 0.6%
FFY 2020-2021: Awards/Commitments 1.4%

In adjusting the Step One Base Figure, the District determined DBE historical past participation percentage is **10.7%**.

Calculations:

FFY 2022/2023- 2024/2025 Step One Base Figure: 20.9%

Historical Median Past Participation: 0.6%

Adjustment: (base figure 20.9%) + (historical median past participation 0.6%) = $21.5 \div 2 = 10.7\%$.

U.S. DOT's *Tips for Goal-Setting in the DBE Program*, instructs recipients to seriously consider not making an adjustment based on past participation if the types of projects the recipient will let in the upcoming triennial goal period are very different from the types of projects let in recent years because past rates of DBE participation may not be an accurate reflection of DBE capacity for future work. Accordingly, the District determined it is not appropriate to use past participation to adjust the Base Figure because the contracts in FFY 2018-2021 are not similar to the several dry docking and capital improvement projects and the Gangway and Piers – Sausalito Construction project included in FFY 2023-2025. In addition, the District is mindful of the requirement to meet the established overall goal every year of the triennial period. Staff determined further refinements are warranted. Instead of past participation, the District considered other information to make adjustments, discussed below.

Other Considered Information

The District evaluated the specific nature of the contracts budgeted for award in FFY 2022/2023 – 2024/2025, and past participation on marine construction projects, and found that further refinements were warranted to measure actual relative availability and capacity of DBEs to perform the types of work as a prime and/or subcontractor.

After investigating historical data in DBE participation on the District ferry contracts, evidence suggests DBE firms were unlikely to perform as a prime contractor or subcontractor in a few work

areas of the Gangways and Piers – Sausalito Construction project. Staff determined adjustments were necessary to reflect the availability and capacity of DBEs to work on this project due to the type of work required and the fact that this project makes up such a significant portion of the FTA dollars allocated to the District.

GANGWAYS AND PIERS – SAUSALITO CONSTRUCTION PROJECT

The Gangways and Piers - Sausalito Construction project is a large project budgeted at \$17.6 million. Due to the size of this project, the bonding requirements and financial requirements will likely limit the prospective prime contractors for the work to companies that exceed the DBE size standards. Unbundling this contract is not practical and would severely impact the efficiency of the District's transit operations and would result in overly complicated procurement and contract administration activities associated with having multiple construction contracts. In addition, the geographic area will not accommodate independent access for multiple contractors.

The prime work for this project includes, but is not limited to, constructing a temporary steel and timber pier supported on steel piles, removing and relocating an existing 43 foot by 110 foot steel float, installing steel piling for the temporary float, constructing a new 46 foot by 145 foot concrete float, demolishing an existing concrete pier, constructing a new steel pile supported concrete pier, removing numerous existing utility lines, installing new utility lines, installing a new hydraulic lift system and electrical control system, lighting and other associated work. The prime must coordinate multiple suppliers, vendors, fabricators and subcontractors, develop extensive and detailed work plans, traffic control plans, water pollution prevention plans and monitoring plans, and must stage the work during restrictive environmental work windows and local city restrictive work timeframes. The prime must also coordinate all the work and subcontractors to minimize impacts to the District's transit operations. The work will take place primarily on the water requiring specialized marine boats, barges, and equipment. The duration of the project is estimated at approximately 3 years, which will require the prime contractor to have adequate cash flow and resources.

Engineering staff researched available websites for the 46 DBE firms certified in NAICS code 237990, *Other Heavy and Civil Engineering* in the District's local market area to review DBE capabilities to perform as a prime on this project. On April 7, 2022, staff sent e-mails to all 46 firms to inquire if their firm was experienced in marine construction, and their ability to perform prime duties described above. Research findings suggest this type of work was outside the normal scope of work the DBE firms provided and/or bonding requirements would be an issue. Staff did receive feedback from a few DBEs that were interested in teaming with larger firms.

Engineering staff also reviewed the list of 46 DBE firms in the District's local market area certified in NAICS code 237990, for pile driving services and 23 DBE firms certified in NAICS code 238120, *Structural Steel and Precast Concrete Contractors* for pre-cast concrete. Staff determined there were only four (4) possible firms that could perform pile-driving work and no DBE firms with the necessary construction facility or yard to perform pre-cast work of this size, and/or have the experience or qualifications to do large pre-cast concrete work similar to that required for this project. On April 5, 2022, staff reached out to the four (4) DBE firms to inquire if they can perform 24" to 48" diameter steel piling, approximately 100-feet long, driven from a barge into the bay. One DBE firm replied that their firm does not drive piles but drills and sets.

After further discussion with Engineering staff and the project manager, the District determined DBE firms were unlikely to perform as a prime contractor or as subcontractors for pile driving and pre-cast concrete work for this project. Therefore, the District's Step Two adjustment is based on an assessment of DBE availability and capacity solely on selected subcontracting opportunities, and excludes the prime work in NAICS code 237990 for this project.

Step 1: Results from Individual Contract Base Figure Calculation for Gangways and Piers - Sausalito Construction Project (**Exhibit 4**): 25.2%.

Step 2: Removed prime work and subcontracting work for pile driving, and pre-cast concrete from the calculation. Possible subcontracting opportunities available in the adjusted individual contract base figure for the Gangways and Piers - Sausalito Construction project: **1.7%**.

Base Figure Breakdown Per Individual Contract

Description of Contract	NAICS Code and Description for Prime and Subcontracting Opportunities	% of Individual Contract Dollars	Relative DBE Availability	Base Figure Per Contract
Gangways and Piers - Sausalito Construction	Prime: 237990 Other Heavy and Civil Engineering Construction	37.6%	0.0%	0.0%
	Sub: 237990 Other Heavy and Civil Engineering Construction (Pile Driving)	11.3%	0.0%	0.0%
	Sub: 238110 Poured Concrete Foundation and Structure Contractors	2.7%	8.5%	0.2%
	Sub: 238120 Structural Steel and Precast Concrete Contractors (Mechanical)	18.1%	0.0%	0.0%
	Sub: 238120 Structural Steel and Precast Concrete Contractors (Bar Reinforcing)	2.3%	22.5%	0.5%
	Sub: 238210 Electrical Contractors and Other Wiring Installation Contractors	4.5%	2.3%	0.1%
	Sub: 238220 Plumbing and HVAC Contractors	18.1%	0.7%	0.1%
	Sub: 488330 Navigational Services to Shipping	4.5%	12.5%	0.6%
	Sub: 541370 Surveying and Mapping (except Geophysical) Services	0.9%	18.0%	0.2%
		Contract Total	100%	

Overall Goal

To determine FTA dollars projected for DBEs on each contract, the FTA dollars budgeted for each contract (from **Exhibit 1, Column B**) was multiplied 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 **1.4%** overall goal. See **Exhibit 5 below**.

Exhibit 5: Overall Triennial DBE Goal

Division	A. DESCRIPTION OF CONTRACT	B. FTA DOLLARS	C. DBE AVAILABILITY PER CONTRACT	FTA \$ Projected for DBEs
	Anticipated for award in FFY 2023 -2025			
Ferry	Dry Docking and Capital Improvements for M.S. Marin (2024)	\$520,000	0.1%	\$520
Ferry	Dry Docking and Capital Improvements for M.S. San Francisco (2024)	\$520,000	0.1%	\$520
Ferry	Dry Docking and Capital Improvements for M.S. Sonoma (2024)	\$520,000	0.1%	\$520
Ferry	Dry Docking and Capital Improvements for M.V. Del Norte (2024)	\$520,000	0.1%	\$520
Ferry	Dry Docking and Capital Improvements for M.V. Golden Gate (2024)	\$520,000	0.1%	\$520
Ferry	Dry Docking and Capital Improvements for M.V. Mendocino (2022)	\$520,000	0.1%	\$520
Ferry	Dry Docking and Capital Improvements for M.V. Napa (2024)	\$520,000	0.1%	\$520
Ferry	Gangways & Piers Sausalito Construction	\$17,680,000	1.7%	\$300,560
	Total FTA Funds:	\$21,320,000		\$304,200
	Step Two Adjustment Overall DBE Goal:	1.43%		

Race/Gender-Neutral Measures

Summary of Race-Neutral Methods of Achieving DBE Participation

U.S. DOT regulations require that the maximum feasible portion of the overall 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. Overall, the District has had success in meeting DBE participation goals on FTA-assisted contracts using race-neutral measures; however, the COVID-19 pandemic severely impacted the District's ability to achieve or exceed DBE participation goals in recent years. See **Table 1** for DBE achievement from 2000 to current.

Table 1: Goals and DBE Achievement 2000 through Current:

Fiscal Year	Overall Goal	Achievement	% of Goal Achieved
2000-2001	7%	8%	114%
2001-2002	8%	10%	125%
2002-2003	3%	4%	133%
2003-2004	4%	6%	150%
2004-2005	5%	8%	160%
2005-2006	7%	7%	100%
2006-2007	1%	1%	100%
2007-2008	4%	.5%	12%
2008-2009	4.5%	.3%	7%
2009-2010	3.4%	8.4%	247%
2010-2011*	3.1%	1.9%	61%
2011-2012	3.1%	5.9%	190%
2012-2013	3.1%	4.9%	158%
2013-2014	5.9%	11.4%	193%
2014-2015*	5.9%	.4%	7%
2015-2016*	5.9%	1.1%	19%
2016-2017	3.3%	5.4%	167%
2017-2018	3.3%	5.3%	161%
2018-2019*	3.3%	0.4%	12%
2019-2020*	3.2%	0.6%	13%
2020-2021*	3.2%	1.4%	44%
2021-2022	3.2%	TBD	TBD

* Shortfall Analysis and Corrective Action plan completed.
TBD = To be determined.

The District continues to expand its race/gender-neutral efforts to introduce small businesses to District contracting and procurement opportunities. As an effort to increase DBE participation, the District has published a *Doing Business Guide* on its website. In addition, the District's procurement portal allows vendors to register and build their firm's profile and to identify their firm as a certified DBE and/or small, minority, local or women-owned business. District staff utilizes the portal to seek DBE firms registered with the applicable NAICS code to announce solicitations. The District also utilizes its Small Business Enterprise (SBE) program to set SBE contract-specific goals on FTA-assisted contracts to foster disadvantaged and small business participation. The District's SBE program has been successful in obtaining DBE/SBE participation on Bridge and Bus division construction and professional services contacts.

Extensive outreach is another race/gender-neutral measure the District's conducts through participation in the "Business Outreach Committee" (BOC), a consortium of 26 Bay Area transit and transportation agencies formed in an effort to maximize outreach efforts. The District's DBE Program Administrator currently holds the chair position of this committee. The BOC agencies include the following: Alameda-Contra Costa Transit District, Alameda County Transportation Commission, Bay Area Rapid Transit, California Department of Transportation, California High Speed Rail Authority, Central Contra Costa Transit Authority, City of Rio Vista, City of Santa

Rosa, Golden Gate Bridge, Highway and Transportation District, Livermore Amador Valley Transit Authority, Marin Transit, Metropolitan Transportation Commission, Napa Valley Transportation Authority, Peninsula Corridor Joint Powers Board, San Francisco Bay Area Water Emergency Transit Authority, San Francisco County Transportation Authority, San Francisco Municipal Transportation Agency, San Mateo County Transit District, Santa Clara Valley Transportation Authority, Santa Cruz Metropolitan Transit District, Solano County Transit, Sonoma County Department of Transportation and Public Works, Sonoma-Marín Area Rail Transit District, Transbay Joint Powers Authority, Tri Delta Transit, and Western Contra Costa Transit Authority.

Through the BOC, the District conducts outreach events with the primary purpose of introducing District opportunities to a wide array of construction and engineering firms, as well as product suppliers and manufacturers. The following is a sampling of BOC outreach events the District has participated or hosted in past federal fiscal years:

- DBE certification webinars presented by certifying CUCP agencies;
- SBE certification webinar presented by the California Department of General Services;
- Virtual Meet the Buyers Procurement Forum;
- Virtual Meet the Primes – Professional Services;
- How to do Business with Public Transportation Agencies;
- Small Business Administration Loan Programs Information Session; and
- Current Issues in Contracting Diversity Programs Proposition 16 & Legal Trends Webinar presented by Colette Holt and Associates

The BOC also collaborates with Norcal Procurement Technical Assistance Center (PTAC), Caltrans Mentor Protégé program for Architectural and Engineering firms, and SCORE San Francisco Chapter. The following is a sample of events the District has participated in:

- Caltrans Quarterly Joint Professional Liaison Meeting and Networking and Matchmaking events;
- Norcal PTAC Women in Construction Webinar Series;
- Norcal PTAC How to Find Construction Bid Opportunities; and
- SCORE San Francisco Chapter Meetings

In addition to outreach events, the BOC also issues a quarterly newsletter that features various agencies' contracting opportunities, contact information, announcement of Bay Area public meetings and events, and any other pertinent information that is beneficial to the disadvantaged and small business community. Forty-nine (49) issues have been published to date. The District will continue to publish its contracting opportunities in every BOC newsletter issued.

Upcoming BOC outreach events planned for the remainder of 2022 include a DBE Certification webinar, Virtual Meet the Primes – Construction Contractors, and several technical assistance webinars for construction and professional services.

The District will continue its regular race/gender-neutral activities, including:

- Ensuring that bidding and contract requirements facilitate participation by DBEs and other small businesses by including DBE language throughout District bid documents:
 - ✓ The District'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 the District's program.
 - ✓ A section that provides the DBE certification standards.
 - ✓ A section providing areas for possible subcontracting, and of the availability of ready, willing and able subcontractors, including DBE firms, to perform such work.
- 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.
- Advertising contracts in the *Small Business Exchange*, a minority-owned small business-focused publication.
- At pre-bid conferences, providing prospective contractors/consultants with the following:
 - ✓ Applicable small business/DBE requirements.
 - ✓ Areas for possible subcontracting opportunities.
 - ✓ A helpful guide to navigate through the CUCP database (old and new) to create lists of the ready, willing and able small businesses, including DBE firms, to perform such work.
 - ✓ Bidder's request for small business/DBE assistance form.
 - ✓ Small business/DBE database websites.
- Providing the link to the District procurement portal and encouraging all firms to register as vendors to be informed of newly-posted contracting opportunities that match their products/services.
- Regularly notifying certified DBEs and non DBEs about networking events and newly posted contracting opportunities on the District procurement portal.
- Encouraging DBEs and non-DBEs to sign up on the "Interest in Subcontracting" list for applicable solicitations and download the planholders list to market their firm to potential bidders or proposers.
- On a quarterly basis, reminding and encouraging officers, division managers, department heads, purchasers and buyers to utilize DBE firms.

Public Participation

Consultation with Various Groups, Organizations and Officials

Member agencies of the BOC conducted a virtual Consultation meeting held on the Cisco Webex platform on April 11, 2022 at 9:30 a.m. Pacific Standard, and two separate Public Participation meetings held on April 11, 2022, at 11:30 a.m. and on April 26, 2022, at 10:00 a.m. The District presented on its proposed goal at all three of these BOC meetings. The Consultation meeting was dedicated to various trade groups, minority, women's and general contractor groups, community organizations, and other officials and organizations. On March 8, 2022, an electronic invitation letter to Community Based Organizations (CBOs) was sent to ninety (90) e-mails. The invitation was also distributed via U.S. Postal mail on March 10, 2022, by BOC member agency Tri Delta Transit. Various trade groups, minority, women's and general contractor groups, community organizations, and technical resource groups from the San Francisco Bay Area were invited such as the African American, Asian, Black, Hispanic, Filipino, Japanese, American Indian Chambers of Commerce; the Bay Area Builders Exchange, the San Francisco Builders Exchange and the Sacramento Builders Exchange; the U.S. Small Business Administration; National Association of Women Business Owners San Francisco Bay Area Chapter and Silicon Valley Chapter; Marin Builders Association; Veterans Business Outreach Center; National Organization of Minority Architects San Francisco Chapter; Women in Consulting San Francisco Chapter; Department of General Services Office of Small Business Certification and Resources; National Association of Women in Construction; American Subcontractors Association; Minority Business Development Agency U.S. Department of Commerce; SCORE San Francisco Chapter; Small Business Development Centers; and Norcal PTAC. Out of the four (4) organizations that registered for the consultation session, two organizations attended. Representation from Norcal PTAC and the U.S. Small Business Administration were the only organizations that provided comments and feedback.

During the first half of the meeting, the BOC gave an overview of the committee, presented on the overall goal-setting process and agencies' proposed projected overall DBE goals, and shared upcoming contracting opportunities for various agencies. The second half of the meeting was an open forum. The BOC provided the following questions to kick off the discussion to receive feedback on issues within the DBE/SBE community, challenges to the DBE program, and improvements for agencies to better assist DBEs/SBEs:

- 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 moving forward with conducting a disparity study. It was noted that a disparity study is a challenge as it costs approximately \$1.5 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.

Public Participation Meetings

The Public Participation meetings were open to the public to receive comments and questions on the overall goal setting process, discuss the proposed projected DBE goals from each participating agency, and answer any questions or concerns. The BOC distributed an electronic invitation and event flyer to approximately 9354 businesses. The flyer was advertised in the Small Business Exchange on March 31, 2022 and April 7, 2022, and was promoted on Norcal PTAC’s event calendar and website at: <https://www.norcalptac.org/events/business-outreach-committee-boc-public-participation-meeting>. The meeting on April 11, 2022 received 57 registrations from firms/agencies; however only 41 attended (21 firms from the public and 20 BOC member representatives).

The BOC presented on the background of the DBE Program, recipients role, goal-setting process, goal-setting example, agencies’ proposed projected overall DBE goals, various agencies’ upcoming contracting opportunities, various agencies’ DBE goals and attainment for FFY 2018/19, 2019/20, and 2020/21, and concluded the meeting with an open forum. Members of the BOC provided responses to the following questions and comments:

Questions and 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 members 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 and capacity of DBEs to perform on 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.
- One commenter stated that she appreciated agencies setting goals for DBEs. Very often, DBEs would not otherwise have an opportunity to participate on projects. The requirements open the doors for DBEs.
- One attendee encouraged 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 agencies need to continue to support the DBE firms that are working for our agencies.
- One attendee thanked the BOC for the opportunity to learn about the goal-setting process.
- It was suggested that agencies focus on technical support service programs to build DBE success.
- Work with the Ethnic Chambers And Trade Associations on a Training/Education & Development Accelerator Partnering Program
- Networking with the Primes is the Key!

The Public Participation meeting held on April 26, 2022, received 37 registrations from firms/agencies; however, only 29 attended (10 firms from the public and 19 BOC member representatives).

The BOC repeated the presentation on April 11. Members of the BOC provided responses to the following questions and comments:

Questions and 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 could 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-bid/proposal conferences to network with prime contractors to assist in meeting goals.

- It was stated that many businesses are not government procurement savvy and benefit from business development programs. BOC members 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 organizations 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.

The registration and attendee lists, presentations, and recordings for the above-mentioned meetings are posted to the District's website at <https://www.goldengate.org/district/doing-business/business-outreach-committee/>.

The Metropolitan Transportation Commission and various other agencies are hosting another virtual Public Participation meeting scheduled on June 7, 2022, at 10:00 a.m., via Zoom that the District will attend as another opportunity to present its proposed goal and receive feedback/comments.

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

Since the comments received at the public participation sessions do not specifically address the District's contracting opportunities or proposed goal projected for FFY 2022/2023 through 2024/2025, no additional adjustments will be made to the DBE availability figures. The District will focus on areas of concern received from the public in an effort to improve its race-neutral measures. This includes working closely with prime contractors/consultants to encourage the use of new DBEs to work on projects, providing additional technical assistance trainings, and providing additional resources to DBEs and SBEs. The BOC plans to address the concerns expressed in future BOC outreach events.

Publication of Goal

On May 23, 2022, the District published its proposed 1.4% overall goal and a draft of its goal methodology, accompanied by an electronic comment card, on its official website at www.goldengate.org (see **Appendix A**). As an additional source to inform the public of its proposed goal, the District published its proposed goal in the Small Business Exchange on May 26, and June 2, 2022.

Per modifications to 49 C.F.R. Part 26.45, effective November 3, 2014, the District has elected to allow the 30-day comment period; however, information on the development of the proposed goal

and rationale are only available on the District's website for review. In the event significant comments are made on the District's proposed goal, the District will consider making any adjustments or modifications before August 1, 2022.

Conclusion

The overall DBE goal for FTA-assisted contracts for FFY 2023-2025 is 0% Race Conscious / **1.4%** Race-Neutral.

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APPENDIX A

Proof of Proposed Goal Posted to Official Website

The screenshot shows the website header with navigation links: PAY A TOLL, BUS FARE TABLES, FERRY FARE TABLES, BIKE INCIDENT FORM, DOING BUSINESS, CONTACT, CAREERS, a language selector, and SERVICE ALERTS. The main navigation bar includes BRIDGE, BUS, FERRY, and DISTRICT. The content area features a notice titled "Notice of Proposed Overall DBE Goal for Federal Fiscal Years 2022/2023 through 2024/2025". The notice text states: "The District's Board of Directors announces a proposed 1.4% overall goal for the participation of Disadvantaged Business Enterprises for Federal Transit Administration (FTA)-assisted contracts only, (excluding transit vehicle purchases) spanning over the next three federal fiscal years beginning October 1, 2022, through September 30, 2025. Stakeholders may view the District's DBE Goal Methodology and provide comments by June 23, 2022." Below the notice are three links: "Notice of Proposed Overall DBE Goal for FFY 2023-2025", "Overall DBE Goal Methodology for FFY 2022/2023 through FFY 2024/2025", and "Overall DBE Goal for FFY 2023-2025 Comment Form". A section titled "Past DBE Goal Methodology" includes a link for "DBE Goal Methodology for FFY 2019/2020 through FFY 2021/2022".

PUBLIC NOTICE

GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT PROPOSED DISADVANTAGED BUSINESS ENTERPRISE TRIENNIAL GOAL FOR FEDERAL FISCAL YEARS 2022/2023 THROUGH 2024/2025

The Board of Directors of the Golden Gate Bridge, Highway and Transportation District announces a proposed 1.4% overall triennial goal for the participation of Disadvantaged Business Enterprises applicable to contracting opportunities that are budgeted to receive federal financial assistance from the U.S. Department of Transportation, as administered by the Federal Transit Administration, for the period beginning October 1, 2022 and ending September 30, 2025.

Information on the development of the proposed goal and its rationale is available on the District's website at <https://www.goldengate.org/district/doing-business/dbe-sbe/>.

The District will accept comments on this proposed goal for thirty (30) days from the date of this Notice. Comments will be received electronically accessible at <https://forms.office.com/r/JfK9q8LaH5>. Information on the District's website is available in over 100 languages. If you need additional translation services, contact 415-455-2000.

/s/Amorette Ko-Wong, Secretary of the District. Dated: May 23, 2022