

Utah Department of Transportation



Disadvantaged Business Enterprise (DBE) Goal

Federal Fiscal Years 2016 through 2018

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Utah Department of Transportation Disadvantaged Business Enterprise (DBE) Goal Submission Federal Fiscal Years 2016 Through 2018

In accordance with the regulations required as part of 49 C.F.R Part 26.45, and following the *Tips for Goal-Setting in the Disadvantaged Business Enterprise (DBE) Program (Tips for Goal Setting)* published by the U.S. Department of Transportation Office of Small and Disadvantaged Business Utilization, UDOT has developed its methodology for determining the DBE goal for the next three Federal Fiscal Years (FFY). The specific timeline is laid out in 49 C.F.R Part 26.45(e)(1) and reads in part, “You should express your overall goal as follows...as a percentage of all Federal-aid highway funds you will expend in FHWA-assisted contracts in the forthcoming three fiscal years.”

UDOT considered many aspects of the DBE process when evaluating for the overall DBE goal and for the race and gender neutral and conscious percentages. The determination reflects a level of participation that UDOT would expect to have in the absence of discrimination or other socio-economic barriers. As defined by 49 C.F.R Part 26.1, the purposes of the DBE program are:

- To ensure nondiscrimination in the award and administration of DOT-assisted contracts in the Department’s highway, transit, and airport financial assistance programs
- To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts
- To ensure that the Department’s DBE program is narrowly tailored in accordance with applicable law
- To ensure that only firms that fully meet eligibility standards are permitted to participate as DBEs
- To help remove barriers to the participation of DBEs in DOT-assisted contracts
- To assist the development of firms that can compete successfully in the marketplace outside the DBE program; and
- To provide appropriate flexibility to recipients of Federal financial assistance in establishing and providing opportunities for DBEs.

1. Market Area Analysis (as required in *Tips for Goal Setting*, II.D)

1.1. The market area is a geographical area that represents where the majority of the contractors are located that UDOT does business with. In evaluating the major market area, UDOT determined that 91.55% of the companies that UDOT has contracted with (based upon dollars spent), over the last three years, are located in the state of Utah. Therefore, UDOT identified Utah as the relevant market area for its 2016-2018 Overall DBE Goal Methodology.

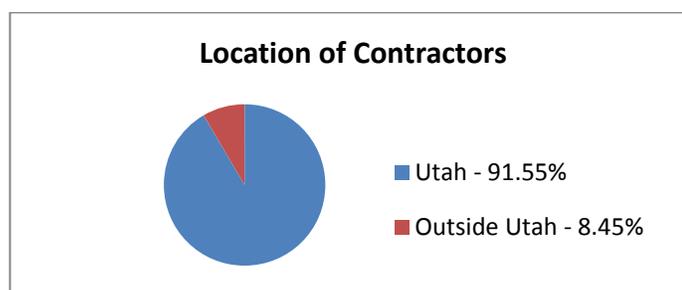


Table 1.1

2. Data Sources

2.1. UDOT's Contractors List

- 2.1.1 UDOT maintains a current list of construction companies that have gone through one of three processes.
- 2.1.2 The first process is registration. Every contractor that wishes to work on any project must register with UDOT. This qualifies them to work on project less than \$3 million.
- 2.1.3 The second process is prequalification. This requisite prequalification process follows Utah Administrative Code R916-2. Prequalification is for contracts over \$3 million, where the contractors must go through prequalification process that involves providing financial documentation submitted along with reference of past projects.
- 2.1.4 The third process is specifically for DBE companies and involves fulfilling the requirements to be certified as a DBE.
- 2.1.5 Once a company has been prequalified or become a certified DBE, it is considered to be ready, willing, and able to bid on UDOT projects. These processes apply to all contractors that desire to bid on projects. UDOT maintains this list of contractors that may bid and include successful and unsuccessful bidders, as well as those that may never bid.
- 2.1.6 When the companies go through the approval process to bid on projects, they must identify which work classifications apply to their company. UDOT internally developed this list of work classifications. These classifications may be adjusted/updated at any time, by the contractor, through the UDOT Construction office.
- 2.1.7 This is a dynamic list of companies that is continually updated.

2.2. UDOT's Project Development Business System (PDBS)

- 2.2.1.PDBS is the integrated software system that allows UDOT to store current information, such as the tracking of bids and construction contracts. It is also the location of the certified payroll that allows UDOT to analyze DBE measures on a real-time basis.

2.3. Historical Data

- 2.3.1 Due to the efficient record keeping, reporting, and ease of data mining methods that UDOT has developed, it is relatively simple to pull up multiple years of data and perform various kinds of analysis on this data. Assumptions do not have to be made because of the quality and timeliness of data.

3. DBE Goal Setting Process

3.1. Step One (49 C.F.R 26.45(c)) “You must begin your goal setting process by determining a Base Figure for the relative availability of DBE’s.”

3.1.1. The Department used the methods defined in *Tips for Goal Setting*, “. . . you are trying to determine what percentage DBEs represent of all firms that are ready, willing, and able to compete for DOT-assisted contracting. This percentage is calculated by dividing the number of DBEs ready, willing, and able to bid for the types of work you will fund this year, by the number of all firms ready, willing, and able to bid for the types of work you will fund this year.”

3.1.1.1. Contained in the UDOT Contractors List are all of the contractors, subcontractors, and professional services (hereto referred to as “contractors”) that are registered or DBE certified and are qualified to bid on a project with UDOT. All contractors, regardless of DBE status, (including all subs and primes) that have either gone through our pre-qualifications process or have been included as a sub on any bid (successful or unsuccessful) were included in the base figure. This number did not include any subs or primes that have not been part of UDOT's bidding system or never included on a bid. These bidders have gone through a qualification process that allows them to bid. This process is as simple for DBEs to go through as it is for any other contractor and is not considered a barrier to DBEs being able to bid on UDOT projects. This list may include professional services and procurement firms that have gone through the same required process. Any contractor on the approved list is considered to be ready, willing, and able to participate on DOT-assisted contracts.

3.1.1.2. UDOT refined its Contractors List to ensure it did not include firms twice. The Bidders list identifies contractors or subcontractors based on their work classifications. Professional services are grouped into one of two work classifications, Management and Construction. Many entities are approved to do business in more than one work classification. For purposes of this Step One, the number used was based on unique entities.

The first part of the Base Figure is calculated as follows:

$$\frac{\text{All DBEs for all work classifications}}{\text{All contractors for all work classifications}} \\ (79/715) = 11.05\%$$

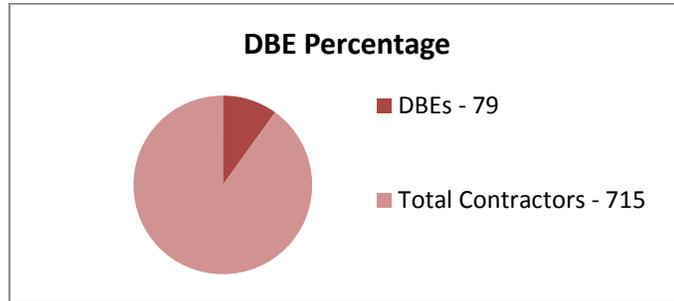


Table 3.1

3.1.2. Weighting based on work classification

3.1.2.1. As recommended in *The Tips for Goal Setting*, weighting has been utilized to help ensure that the Step One Base Figure is as accurate as possible.

3.1.2.2. While weighting is not required by the process, it makes the goal calculation more accurate. By looking at the contracting dollars that will be spent on different work classifications and then apply this to the relative availability of DBE firms within those work classifications, a greater accuracy is achieved.

3.1.2.3. The work classifications have been separated into 43 different classifications. This represents the work classifications that UDOT actively uses. The average funding spent by UDOT over the last 3 years has been broken out into these different work classifications to show a percentage spent by work classification.

3.1.2.4. When weighting based upon contracting award amounts in the work classifications, UDOT applied a ratio of DBEs to all contractors within each work classification. In order to make the final calculation, the percentage of funding spent was applied to the percentage of DBEs within a work classification through the following calculation:

$$\left\{ \left(\frac{\text{Work Classification DBEs}}{\text{Work Classification total firms}} \right) * \text{percentage of work awarded per year for the past 3 years in that Work Classification} \right\}$$

This calculation was applied to all work classifications and the end numbers were totaled to provide the weighted DBE percentage. Below is listed the work classifications and the percentage for each classification that was calculated based off the weighting:

Weighting Calculations by Work Class

Work Class	DBEs	Total Contractors	% of DBEs	% Payment Amount	Weighting
1 . ATMS/ITS Fiber Optic	3	7	42.857%	0.107%	0.046%
2 . Building - Construction	12	288	4.167%	0.000%	0.000%
3 . Building - Demolition	4	171	2.339%	4.082%	0.095%
4 . Building - Painting	1	28	3.571%	0.000%	0.000%
5 . Concrete - Curb, Gutter, Flatwork, Inlet Boxes, Etc.	18	327	5.505%	8.267%	0.455%
6 . Concrete - Structural	10	254	3.937%	2.650%	0.104%
7 . Construction - Miscellaneous & Incidental	34	332	10.241%	6.636%	0.680%
8 . Construction - Proj Mgmt, Quality Control, Public Info, facilitation.	30	202	14.851%	2.616%	0.389%
9 . Consulting Services - Management	47	156	30.128%	0.000%	0.000%
10 . Consulting Services - Construction	37	138	26.812%	0.000%	0.000%
11 . Demolition	4	276	1.449%	4.624%	0.067%
12 . Electrical - Lighting, Traffic Signals	15	127	11.811%	1.034%	0.122%
13 . Excavation	23	446	5.157%	8.559%	0.441%
14 . Fencing	9	149	6.040%	0.924%	0.056%
15 . Freight Transport	6	54	11.111%	0.000%	0.000%
16 . Grading	16	357	4.482%	4.302%	0.193%
17 . Guardrail/Cable Guardrail	4	96	4.167%	2.278%	0.095%
18 . Intelligent Transportation Systems (ITS) Software	5	39	12.821%	0.003%	0.000%
19 . Landscaping & Erosion Control	10	251	3.984%	1.239%	0.049%
20 . Mechanical	3	47	6.383%	0.000%	0.000%
21 . Painting - Highway Striping & Painted Messages	5	52	9.615%	2.654%	0.255%
22 . Painting - Highway Structures	3	40	7.500%	0.031%	0.002%
23 . Paving - Asphalt, Large Quantity/Hi Tech, Highway, Runway, Etc.	4	135	2.963%	11.285%	0.334%
24 . Paving - Concrete	4	150	2.667%	4.788%	0.128%
25 . Paving - Miscellaneous	7	187	3.743%	9.211%	0.345%
26 . Paving - Rotomilling	4	114	3.509%	5.592%	0.196%
27 . Pipe Culverts, Drainage, Sewer & Water	10	289	3.460%	1.870%	0.065%
28 . Planning - Transportation	13	58	22.414%	0.000%	0.000%
29 . Reconstruction - Manholes	2	157	1.274%	0.501%	0.006%
30 . Rental & Sales - Equipment	7	48	14.583%	0.000%	0.000%
31 . Repair - Transportation Vehicle & Equipment	7	23	30.435%	0.000%	0.000%
32 . Sawing & Sealing	2	101	1.980%	0.026%	0.001%
33 . Services - Engineering	40	71	56.338%	0.000%	0.000%
34 . Services - Environmental	17	107	15.888%	0.002%	0.000%
35 . Signal System Design	1	29	3.448%	0.057%	0.002%
36 . Signs - Permanent Signs	11	104	10.577%	0.524%	0.055%
37 . Signs - Temporary Signs & Devices	9	89	10.112%	0.008%	0.001%
38 . Steel - Reinforcing	4	87	4.598%	0.560%	0.026%
39 . Steel - Structural	8	104	7.692%	0.653%	0.050%
40 . Suppliers	22	112	19.643%	0.000%	0.000%
41 . Surveying	5	108	4.630%	0.392%	0.018%
42 . Traffic Control - Maintainer/Flagging/Airport Gate Guard	10	106	9.434%	6.407%	0.604%
43 . Trucking (hauling)	6	60	10.000%	8.117%	0.812%
TOTALS	492	6,076	8.097%	100.000%	5.694%

Table 3.2

3.1.3. By applying the weighting to each of the work classifications and taking into consideration the amount of funding that UDOT historically spends on each type of work classification, the weighted Base Figure for Step One is : **5.694%**

3.2. Step Two (49 C.F.R 26.45(d)) *“Once you have calculated a Base Figure, you must examine all of the evidence available in your jurisdiction to determine what adjustment, if any, is needed to the Base Figure in order to arrive at your overall goal.”*

3.2.1. Disparity Study – No disparity study was performed as part of the goal determination.

3.2.2. Past Participation (49 C.F.R 26.45(d)(1)(i)) *“The current capacity of DBEs to perform work in your DOT-assisted contracting program, as measured by the volume of work DBEs have performed in recent years.”*

3.2.2.1. UDOT compiled the historical numbers from the past 3 years showing how much DBE participation has occurred on construction projects within the race neutral and race conscious categories. UDOT is using only the last 3 years of data to ensure that the most accurate data is used in determining the base figure. Data prior to this was not under the direction of current management and was not as accurate in its collection methods as it is currently. Enhancements have been made within the last 3 years to the data collection systems to better represent these figures and to provide better transparency. The median of these past 3 years was considered for adjusting the Step One Base Figure. The past 3 years’ numbers are as follows:

Past Participation Data

Year	DBE Participation	Total	DBE %
2012	\$18,842,955.25	\$271,197,532.17	6.948%
2013	\$12,230,671.99	\$276,378,932.79	4.425%
2014	\$13,236,299.19	\$266,899,391.42	4.959%

The Median number for the past 3 years = **4.959%**

Table 3.3

3.3. As recommended in the *Tips for Goal Setting*, the final step is to consider both of these numbers jointly to arrive at the DBE goal percentage. UDOT has kept and recorded detailed data on past DBE participation. This data provides a precise picture of the participation that DBEs have had over the past few years; therefore, UDOT determined that an adjustment would be performed on the Base Figure to better reflect this data.

The adjustment will be made by averaging the two numbers. This is done by adding the Base Figure of 5.694% to the median past participation number of 4.959% and then dividing the result by two.

Based on the above methodology and calculation, UDOT has determined its annual DBE goal for Federal Fiscal Years 2016 through 2018 to be **5.327%** of the total federal financial assistance UDOT will expend on Federal Highway Administration (FHWA) contracts.

3.4. Calculating Race/Gender Neutral and Race/Gender Conscious Goal Split

3.4.1. UDOT tracks all dollars awarded for each contract administered by the Department.

UDOT also tracks dollars awarded to DBEs and even the distribution of those dollars by race/gender neutral and race/gender conscious efforts. According to UDOT records, for the past 3 years, the total DBE Participation has been reached through a combination of race/gender neutral and race/gender conscious efforts. Those percentages break down as follows:

Race Neutral / Race Conscious Goal Split Data

Year	Race/Gender Neutral % of \$ Awarded	\$ Awarded under Race/Gender Neutral	Race/Gender Conscious % of \$ Awarded	\$ Awarded under Race/Gender Conscious
2012	2.40%	\$451,661.66	97.60%	\$18,391,293.59
2013	2.17%	\$264,938.03	97.83%	\$11,965,733.96
2014	0.88%	\$116,271.99	99.12%	\$13,120,027.20
Median	2.17%		97.83%	

Table 3.4

UDOT anticipates, based upon the above percentages, that the 5.327% DBE goal will be met through a combination of 2.17% race/gender neutral and 97.83% race/gender conscious efforts. Effectively, 0.116% of the 5.327% goal will be attained through race/gender neutral efforts and the remaining 5.211% will be attained through race/gender conscious efforts.

3.4.2. UDOT will re-evaluate each time the reports are required to be submitted to see if the DBE goal needs to be adjusted. Per 49 C.F.R 26.45(f)(1)(ii), UDOT is able to make an adjustment to the three year goal in order to reflect changed circumstances. If a determination is made that UDOT should adjust their goal, the appropriate processes will be followed and the amended DBE Methodology will be submitted for review and approval.

4. Public Outreach / Published Notice / Comments

4.1. Per 49 C.F.R 26.47(g)(2), UDOT provided a published notice announcing the proposed overall goal, informed the public that the proposed goal and its rationale were available for inspection

during normal business hours at the principal office for 30 days following the date of the notice, and informed the public that UDOT would accept comments on the goals for 30 days from the date of the notice. The notice included addresses to which comments may be sent, and was published in general circulation media and available minority-focused media and trade association publications.

4.2. The notice read:

UDOT is currently developing the Disadvantaged Business Enterprise (DBE) goal for the next three Federal fiscal years. The proposed DBE goal can be found on the UDOT website at www.udot.utah.gov/go/dbegoal. Comments may be provided to UDOT by following the directions on the website. The document will be available for review from **May 15 through June 15, 2015** and comments will be accepted through **June 22, 2015**. Only comments related specifically to the DBE goal and the development of the goal will be accepted. All other UDOT or DBE-program related comments should be directed to the appropriate contact provided on the main UDOT website.

4.3. The notice went out to all certified DBEs that UDOT currently has email addresses for.

4.4. The Associated General Contractors (AGC) of Utah provided the notice directly to their members for comments.

4.5. Notice was sent to all of the currently approved contractors with UDOT utilizing the contractor listserver.

4.6. UDOT advertised the DBE goal through the following mediums: (See Appendix A)

- UDOT Website
- UDOT Twitter
- UDOT Facebook
- UDOT Blog
- Utahlegals.com
- Asian Association UT, Refugee & Immigration Center
- Women in Transportation – Northern Utah Chapter
- Utah Hispanic Chamber of Commerce (SLC Chapter)
- Indian Training & Education Center
- Utah Division of Indian Affairs
- Consulate of Mexico
- Utah Office of Multicultural Affairs
- Utah Cultural Celebration Center
- Moab Valley Multicultural Center
- Utah Pacific Islander Chamber of Commerce
- Utah African-American Chamber of Commerce

- Salt Lake Chamber of Commerce – Women’s Business Center
- Salt Lake Chamber of Commerce – Women’s Leadership Institute

UDOT posted the DBE Methodology and Goal to the DBE website within www.udot.utah.gov along with a notice on other areas of UDOT’s website to make the public aware of the DBE goal. This location provided directions on how to provide comments to UDOT.

4.7. DBE Methodology Public Meeting

4.7.1.UDOT held a DBE Methodology Public Meeting on **Monday, June 1, 2015 at 12:00 p.m.**

The meeting was held at the UDOT Calvin Rampton Complex at 4501 South 2700 West, Salt Lake City.

4.7.2.Public Notices were sent out to the same above listed publications notifying of the meeting. A sign in sheet was provided at the meeting. See Appendices B and C.

4.7.3.A presentation was given as part of the meeting that showed the reason for the DBE goal setting and also how the goal is calculated. Questions about the Methodology were answered. See Appendix D for a copy of the presentation.

5. DBE Goal Setting on Projects

5.1.1.In order to meet the DBE goal for the year, UDOT follows a process for setting DBE goals on projects. In determining the project specific DBE goal the UDOT Civil Rights Department takes several key factors into consideration.

5.1.1.1. The Civil Rights division makes their determination by looking at the Engineer’s Estimate to determine the specific bid items that will be bid on. Analysis is done by looking at the specific bid items, and their associated work classifications, to determine the probability that DBEs could be included for those items. This allows them to arrive at preliminary percentage that may be possible for DBE work. There are some bid items have many DBEs that could be utilized whereas other bid items may have very few or no DBEs that could perform that work. Likewise there are some projects that include those types of bid items and others that do not. The Civil Rights division also takes into consideration the past participation of DBEs on each bid items as well as the current capacity of DBEs in each bid item work classification.

5.1.1.2. This calculation could result in certain types of projects having higher DBE goals while other projects have significantly lower goals or even no goal at all.

5.1.1.3. The current performance of DBEs on projects will be evaluated. If UDOT is falling short of meeting its DBE goal or exceeding it, then changes will be made on the goals being set on projects in order to bring the DBE performance in line with the current goal.

Appendix A

Advertising of DBE Goal Methodology

Notification to DBE Companies



Stacy Frandsen <sfrandsen@utah.gov>

Disadvantaged Business Enterprise (DBE) Program & Goal Methodology - Notification

1 message

Stacy Frandsen <sfrandsen@utah.gov>

Wed, May 13, 2015 at 1:32 PM

Bcc: contact@stellar4.com, Alisa Acosta <Alisa.Acosta@aracosta.com>, Sara Ofahengauge <sara@aaabarricade.com>, Devo Bavishi <devo@acetaxi.com>, william@affordablemetal.com, annf@airprojects.net, kathy@gotoatg.com, rich@airexpresso.com, cd@airportlighting.com, Kawkeb Said <ksaid@alnaifconsulting.com>, All Star Excavating <allstarexcavating@gmail.com>, dawnboivin@alltrafficdata.net, Leslie Abrahamson <leslie@allianceairportadvertising.com>, allstarcooling@hotmail.com, emelena@alphaconstinc.com, cindy@interstatebarricades.com, atslc@beyondbb.com, Martin Patane <amtconstruction@comcast.net>, info@apexdesignpc.com, iris@airportwireless.com, amandresourcegroup@msn.com, suzie@aspindustries.com, raven@aviationalliance.com, lbeckman@avsec.biz, brandiolsen@bandk.usa, bcoleman@br-pm.com, jared_gallegos@yahoo.com, barwill@hotmail.com, baselinesupply@gmail.com, Joan Benson <joan.bensontrucking@gmail.com>, Alfonso Betts <al@bestwayservices.com>, gben-ami@bgstllc.com, Lindsey Field <bigsteptrucking@gmail.com>, Robin Benton <bluetrucking@hotmail.com>, blue_link@comcast.net, nsuan@cwo.com, brink1427@aol.com, robertbruce05@msn.com, c_bstripping@yahoo.com, Cyndy Hood <cj.hood@sbcglobal.net>, bcknowsallconcrete@msn.com, tran801@yahoo.com, gcarlisle@qwestoffice.net, cindy@ccenttcs.com, centennialtrucking@gmail.com, michael@chnix.com, darren@cei-inc.net, cas@casprograms.com, trista Carras <trista5600@gmail.com>, cgowder@connico.com, bpmcenany@comcast.net, frevorr@cmrinc.com, herbf@coopercm.com, carolcoover-clark@coover-clark.com, cordovadesign@comcast.net, cowboyredtransport@gmail.com, lynn@lynncreelman.com, cpc52551@q.com, smithdmx@msn.com, drbarela@sisna.com, danielpaintingi@qwest.net, yvonne.drc@gmail.com, davisfrt@verizon.net, Deb Harper <deb@harperconcrete.com>, catherine@design-dox.com, susan@dieselectricalequipment.com, info@dlrdistributors.com, lile@dsb-construction.com, mlarsen@eaglerocktimber.com, lisa@elittedgeemgomeers.com, ray.gonzalez@epvgroup.com, steve@espenterprisesinc.com, wag_green@hotmail.com, evergreenspray@aol.com, Traci@ets-atianta.com, alfredgallego@hotmail.com, danielm@falconelectricllc.com, faye@fayestewarttrans.com, bkarra@lumenorconsulting.com, Anita Leopold <anita_L@bellsouth.net>, sandi@gearyconstruction.com, tonyat@geostrata-llc.com, marykhamill@global-5.com, John Doe <Sandeep.Sharma@gci-usa.com>, "jgonzales@gccguardrail.com" <jgonzales@gccguardrail.com>, pnuthal@aol.com, h_teresa52@hotmail.com, humberto.friede@hafcoservices.com, t7134@erols.com, Ruben Herrera <herrerasc.concrete@gmail.com>, huina@hhyassoc.com, April Hickman <ajhickman@qwestoffice.net>, ruby luke <hojeij@mindspring.com>, mmazzolini@infinitiescale.com, kim@integritywire.com, imtesting@qwest.net, Joannmikul@aol.com, andrew@jamanning.com, office@jackettasweeping.com, gaylenejacobson@msn.com, Carin Henriksen <carin@ja-today.com>, jklconstinc@gmail.com, ktopolovec@msn.com, cbryant@kbenv.com, Kellie Kendrick <kellie@keltrucking.com>, support@kli-inc.com, dkuzelka@kso.com, ruthann.w@ksueconstruction.com, kwexcavationinc@hotmail.com, irondues1@gmail.com, lsgallegos@lsgallegos.com, fg2507@yahoo.com, vl Larson101@yahoo.com, browdon@lsmi.com, connie@jcsupply.us, lkgcmc@lkgcmc.com, jami@longhouseinventorysolutions.com, Lynda_friesmartin@lfprinc.com, elaine@marconid.com, mdpalmer@marcres.com, Beth Bair <martinsmachine@comporium.net>, malynch316@aol.com, steve@millcreekcoffee.com, molealc@aol.com, cindy@moncreteinc.com, monty.gettys@mcgi-us.com, mvdrivers@netzero.com, stephanie@mwprecast.com, Dannakai@aol.com, jc@nicinsure.com, nnageli@navjoyinc.com, nezhoni@comcast.net, josephc@nolanmorrisongroup.com, chris@nolandconstruction.com, northwestern@northwesternelec.com, arch@chimsco.com, mcniiles@aol.com, ray@pr-paving.com, Sam Tadesse <stadesse@pacificparkonline.com>, Connie Valadez <conniev@paradiserebar.com>, kaystev@peachteetelecom.com, perchesland@att.net, letizia@perigeecivil.com, swphoenixconstruction@gmail.com, evans@pinyon-env.com, masse@ptg.com, lisa@premierstripping.net, kumarb@primeeng.com, ED Romero <ed@procastmarble.com>, dherrera_pn@yahoo.com, lryan@progressivepii.com, chad@protechcoatings.net, palu@psaonline.com, q3telecom@aol.com, Renee Hoekstra <rthpartnering@earthlink.net>, ralph@rvstripping.com, traci@wfsutah.com, Mark.Farris@red-plains.com, "tyler@redcon.com" <tyler@redcon.com>, scolosimo@rileytraffic.com, jwirth@riversquest.com, ivan romero <romero1654@msn.com>, rick.rodriquez10@gmail.com, deere@etv.net, lgoldner@sage-env.com, sage@smartfella.com, Jennifer Bastian <satcom84701@gmail.com>, sdritenour@comcast.net, frank@seaich.com,

contactus@securanceconsulting.com, info@sentryfencecompany.com, funmi.ojo@shalomincorp.com, sarahb@simplexsupplies.com, Suzanne Somers <suzanne@somers-jaramillo.com>, jeff@birdsolutions.com, cheever@straightstripe.com, gp@terminal.com, annie@terrawurs.us, Mary Ortega-Itsell <mary@genesis-aviation.com>, gebwell@aol.com, anna@thesolisgroup.com, marcy.stehney@thetransportgroup.com, joy@thomasengr.com, tsprinkler@qwestoffice.net, Daniel Fatai <tklconst@msn.com>, jtoole@tooledesign.com, cjhaveri@traceconsulting.us, susan@tra-inc.com, lisam.miller@dot.vi.gov, jim@trinityofutah.com, tbconcrete@live.com, venturajiji@q.com, alexis.juarez@triunityeng.com, marjorie@twohundred.com, tony.tyler@tylercommunications.com, jvillalobos@vaengineering.com, valley@zipcon.com, kim@v-i-a-consulting.com, Virginkar.arun@va-inc.com, "rsvoltiac@comcast.net" <rsvoltiac@comcast.net>, cathy@wallace.cm.com, Julie Kilgore <jk@wasatch-environmental.com>, David Casados <d_casados@msn.com>, whayne1@aol.com, heidijex@workabilitycenters.com, heidi@workzonets.com, zpsco@hotmail.com, Tori Berry <tberry@utah.gov>, Aaron Watson <aaronwatson@utah.gov>, Michael Butler <michaelbutler@utah.gov>, Richard Thom <rthom@agc-utah.org>, Stacy Frandsen <sfrandsen@utah.gov>

All,

UDOT is currently developing the Disadvantaged Business Enterprise (DBE) goal for the next three Federal fiscal years. The draft DBE Goal and Methodology Report can be found on the UDOT website at <https://www.udot.utah.gov/go/dbegoal>. Comments may be provided to UDOT by following the directions on the website. The document will be available for review and comment from May 11 to June 10, 2015. Only comments related specifically to the DBE goal and the development of the goal will be accepted. All other UDOT or DBE-program related comments should be directed to the appropriate contact provided on the main UDOT website.

A public meeting / webinar will be held on June 1, 2015 at 12:00 PM at UDOT's central headquarters, 4501 S 2700 W, Salt Lake City, UT 84114. At this meeting the DBE Goal and Methodology will be reviewed and staff will be available for questions/discussion on this and other DBE topics including:

- DBE certification / application
- Project explorer / project advertising
- Project bidding
- Subcontracting
- Certified Payroll

The webinar part of this meeting can be accessed at the following link.

<http://connect.udot.utah.gov/dbe/>

Conference Call # - 1-877-820-7831

Participant: 237093

UDOT Central Civil Rights Office staff:

Stacy Frandsen: DBE Goal and Methodology, project explorer, advertising and bidding

Tori Berry: DBE Goal and Methodology, DBE certification / application, subcontracting, certified payroll

Judy Romrell: DBE certification / application

Sheri Uffens: Certified payroll

Aaron Watson: DBE Goal and Methodology, project explorer, advertising, subcontracting

Michael Butler: DBE Goal and Methodology

Thank you.

Stacy L. Frandsen
Contracts, Compliance & Certification Manager

Notification to all Contractors (listserver)



udotlistserverupdate SR <udotlistserverupdate@utah.gov>

Disadvantaged Business Enterprise (DBE) Program & Goal Methodology - Notification

1 message

udotlistserverupdate SR <udotlistserverupdate@utah.gov>

Wed, May 13, 2015 at 1:40 PM

Bcc: bid_notices@listserv.dot.state.ut.us, Bid Notice Listserver <bid_notices@list.utah.gov>, Tori Berry <tgagon@utah.gov>, Michael Butler <michaelbutler@utah.gov>, Aaron Watson <aaronwatson@utah.gov>

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Judy Romrell: DBE certification / application

Sheri Uffens: Certified payroll

Aaron Watson: DBE Goal and Methodology, project explorer, advertising, subcontracting

Michael Butler: DBE Goal and Methodology

Thank you.

Stacy L. Frandsen
Contracts, Compliance & Certification Manager

Notification to Minority and Female Groups



Stacy Frandsen <sfrandsen@utah.gov>

Disadvantaged Business Enterprise (DBE) Program & Goal Methodology - Notification

1 message

Stacy Frandsen <sfrandsen@utah.gov>

Wed, May 13, 2015 at 12:47 PM

Bcc: aau@aau-slc.org, jpearson@mbakerintl.com, itecenter@qwestoffice.net, ssliversmith@utah.gov, consuladoslc@consulmexslc.org, cnakano@utah.gov, moabmulticultural@gmail.com, bev@pacificislanderchamber.org, info@uaacc.org.com, athompson@slchamber.com, thatch@wliut.com, ucccevents@wvc-ut.gov, info@utahhcc.com, Aaron Watson <aaronwatson@utah.gov>, Michael Butler <michaelbutler@utah.gov>, Tori Bery <tberry@utah.gov>

Dear Recipient,

The following is a notification from the Utah Department of Transportation regarding their efforts to provide ongoing opportunities for minority and female owned companies to participate in the highway construction industry.

Please share this notification with your group by whatever means you use to distribute information (email, newsletter, internet, newspaper, etc.). When you distribute this information, please email us at civilrights@utah.gov describing what method you used and where it is located (newspaper name, internet site name, etc.) so we can also share this with our other recipients.

UDOT is currently developing the Disadvantaged Business Enterprise (DBE) goal for the next three Federal fiscal years. The draft DBE Goal and Methodology Report can be found on the UDOT website at <https://www.udot.utah.gov/go/dbegoal>. Comments may be provided to UDOT by following the directions on the website. The document will be available for review and comment from May 11 to June 10, 2015. Only comments related specifically to the DBE goal and the development of the goal will be accepted. All other UDOT or DBE-program related comments should be directed to the appropriate contact provided on the main UDOT website.

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Participant: 237093

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Judy Romrell: DBE certification / application

Sheri Uffens: Certified payroll

Aaron Watson: DBE Goal and Methodology, project explorer, advertising, subcontracting

Michael Butler: DBE Goal and Methodology

Thank you.

Stacy L. Frandsen
Contracts, Compliance & Certification Manager

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Udot Dbe Program And Goal Methodology (05/13/2015 - 06/11/2015)

UDOT

UDOT is currently developing the Disadvantaged Business Enterprise (DBE) goal for the next three Federal fiscal years. The draft DBE Goal and Methodology Report can be found on the UDOT website at <https://www.udot.utah.gov/go/dbegoal>. Comments may be provided to UDOT by following the directions on the website. The document will be available for review and comment from May 11 to June 10, 2015. Only comments related specifically to the DBE goal and the development of the goal will be accepted. All other UDOT or DBE-program related comments should be directed to the appropriate con... [READ MORE](#)

Posted May 13, 2015 13:52 pm

Udot Notice To Contractors (05/09/2015 - 05/16/2015)

UDOT

UDOT NOTICE TO CONTRACTORS: The Utah Department of Transportation is publishing this INVITATION TO BID. To view a listing of bids posted, please visit our website at www.udot.utah.gov/go/bidonprojects or register with our automated email bid distribution list service at www.udot.utah.gov/go/gettingstarted. A list may also be obtained from UDOT Central Construction Division, P.O. Box 148220, 4th Floor Construction Desk, SLC, UT 84114-8220, 801-965-4346, Monday through Thursday 7:00 am to 6:00 pm. List of projects advertising this week are: F-0018(55)36, F-1215(177)11

Posted May 09, 2015 9:11 am

Udot Notice To Contractors (05/02/2015 - 05/09/2015)

UDOT

UDOT NOTICE TO CONTRACTORS: The Utah Department of Transportation is publishing this INVITATION TO BID. To view a listing of bids posted, please visit our website at www.udot.utah.gov/go/bidonprojects or register with our automated email bid distribution list service at www.udot.utah.gov/go/gettingstarted. A list may also be obtained from UDOT Central Construction Division, P.O. Box 148220, 4th Floor Construction Desk, SLC, UT 84114-8220, 801-965-4346, Monday through Thursday 7:00 am to 6:00 pm. List of projects advertising this week are: F-115-6(226)258, F-R499(242)

Posted May 02, 2015 8:27 am

Udot Notice To Contractors (04/25/2015 - 05/02/2015)

UDOT

UDOT NOTICE TO CONTRACTORS: The Utah Department of Transportation is publishing this INVITATION TO BID. To view a listing of bids posted, please visit our website at www.udot.utah.gov/go/bidonprojects or register with our automated email bid distribution list service at www.udot.utah.gov/go/gettingstarted. A list may also be obtained from UDOT Central Construction Division, P.O. Box 148220, 4th Floor Construction Desk, SLC, UT 84114-8220, 801-965-4346, Monday through Thursday 7:00 am to 6:00 pm. List of projects advertising this week are: S-R199(171), F-LC07(12), F-LC35(234), F-180-1... [READ MORE](#)

Posted April 25, 2015 1:00 pm

Udot Notice To Contractors (04/18/2015 - 04/25/2015)

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UDOT DBE Program and Goal Methodology

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Conference Call # - 1-877-820-7831

Participant: 237093

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Judy Romrell: DBE certification / application

Sheri Uffens: Certified payroll

Aaron Watson: DBE Goal and Methodology, project explorer, advertising, subcontracting

Michael Bütler: DBE Goal and Methodology

Thank you.

Appendix B

DBE Methodology Public Meeting Sign In Sheet

DBE Goal Methodology Meeting
 Monday June 1, 2015
 12:00 p.m. - 2:00 p.m.

Calvin Rampton Complex First Floor, John Njord Conference Room

The Utah Transportation Department monitors attendance to ensure equal opportunity. We appreciate you providing this information. This information will only be used to monitor attendance at public meetings and for affirmative action purposes, as specified by regulation (CFR 42.21.9).

Name (Please print or write clearly)	Title/Representing	Email Address	Address (City, State and Zip)	Phone	Checking the appropriate boxes is optional & voluntary
Nate Brandi Harris	Elite Traffic Data collection LLC	elitetrafficdata@hotm ail.com	223 E. 1350 N Lehi, UT 84043	801 473 9058	<input type="checkbox"/> Male <input checked="" type="checkbox"/> Female <input type="checkbox"/> Person with Disability <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input checked="" type="checkbox"/> White <input type="checkbox"/> Other
CHARIS NOLAN	PROJECT MANSION WASATCH ENV.	CNOLAN@WASATCHENV.COM	2410 W. CALIFORNIA AVE SUG. UT 84043	801 298-2401	<input type="checkbox"/> Male <input checked="" type="checkbox"/> Female <input type="checkbox"/> Person with Disability <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input checked="" type="checkbox"/> White <input type="checkbox"/> Other
Tom Hani	REDCON, Inc	tom@redcon.com	150 N. Main Suite 101 Bountiful UT	801 656-4181	<input type="checkbox"/> Male <input checked="" type="checkbox"/> Female <input type="checkbox"/> Person with Disability <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input checked="" type="checkbox"/> White <input type="checkbox"/> Other
Brittney Peterson	AAA Barricade	brittney@aaaarricade.com	336 N 1200 S Lehi, UT 84043	601-427-7337	<input type="checkbox"/> Male <input checked="" type="checkbox"/> Female <input type="checkbox"/> Person with Disability <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input checked="" type="checkbox"/> White <input type="checkbox"/> Other
Sara Ofahengau	AAA Barricade	Sara@adabarricade.com	130W. Main St Lehi UT 84043		<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Person with Disability <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> White <input type="checkbox"/> Other
					<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Person with Disability <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> White <input type="checkbox"/> Other
					<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Person with Disability <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> White <input type="checkbox"/> Other
					<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Person with Disability <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> White <input type="checkbox"/> Other

Sign in sheet will become part of the public record for this project.

As part of the public meeting, UDOT conducted a webinar and the following is a list of participants.

Bryce Wadsworth (Dry Creek Structures)

Eric Mason

Granite Construction

Hugh Christianson

Jeff Wilson

Suresh Parvatoja

Joe Perrin

Stephanie Loud

Tom Stanley

Appendix C

DBE Methodology Public
Meeting/Webinar
Presentation

Disadvantaged Business Enterprise Program and Goal Methodology

Federal Fiscal Years 2016 through 2018



June 1, 2015

Background

- **Requirements:**

By Code of Federal Regulation (CFR) Title 49 Part 26 to receive USDOT's Federal Highway Administration (FHWA), Federal Transit Administration (FTA) and Federal Aviation Administration (FAA) financial assistance:

"If you are a recipient of any of the following types of funds, this part applies to you: (1) Federal-aid highway funds authorized under Titles I (other than Part B) and V of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), Pub. L. 102-240, 105 Stat. 1914, or Titles I, III, and V of the Transportation Equity Act for the 21st Century (TEA-21), Pub. L. 105-178, 112 Stat. 107. (2) Federal transit funds authorized by Titles I, III, V and VI of ISTEA, Pub. L. 102-240 or by Federal transit laws in Title 49, U.S. Code, or Titles I, III, and V of the TEA-21, Pub. L. 105-178. (3) Airport funds authorized by 49 U.S.C. 47101, et seq..."

49 CFR § 26.3



Background

- **Purpose of the DBE Program**

Consistent with requirements of 49 CFR part 26, it is the policy of UDOT to ensure that DBEs have equal opportunities to receive and participate in U.S. DOT-assisted contracts. As defined in 49 CFR part 26, the purpose of the DBE program is to:

1. Ensure nondiscrimination in the award and administration of U.S. DOT-assisted contracts
2. Create a level playing field on which DBEs can compete fairly for U.S. DOT-assisted contracts
3. Ensure that the DBE program is narrowly-tailored in accordance with applicable laws
4. Ensure that only firms, fully meeting the eligibility standards of 49 CFR part 26, are permitted to participate as DBEs
5. Help remove barriers to the participation of DBEs in U.S. DOT-assisted contracts
6. Assist in the development of DBE firms, enabling them to successfully compete outside the DBE program
7. Provide appropriate flexibility to recipients of Federal financial assistance in establishing and providing opportunities for DBEs

49 CFR § 26.1



Background

- **What is an Overall DBE Goal?**

The percentage of ready, willing and able DBEs relative to all businesses ready, willing, and able to participate on DOT-assisted contracts. For example, if the FHWA Overall DBE Goal is 10%; it can be ascertained that 10% of firms ready, willing and able to participate in USDOT assisted contracts are DBEs.

Calculating the Goal

- **Step One - Calculation:**

Determine the Base Figure following the guidance in “Tips for Goal Setting” provided by the USDOT.

- ✓ Local Market Area (UTAH)
- ✓ Contractors List information
- Disparity Study data
- ✓ Use the most refined data available (3 year)
- ✓ Consider decertified firms
- Consider alternative methods

-Tips for Goal Setting



Calculating the Goal

- **Step One Includes the Use of Two Ratios**

“Divide the number of DBEs ready, willing, and able to bid for the types of work you will fund this year, by the number of all firms (DBEs and non-DBEs) ready, willing, and able to bid for the types of work you will fund this year.”

$$\text{Step One Base Figure} = \frac{\text{Ready, willing, and able DBEs}}{\text{All firms ready, willing, and able (including DBEs and non-DBEs)}}$$

“Weighting can help ensure that your Step One Base Figure is as accurate as possible. While weighting is not required by the rule, it will make your goal calculation more accurate. For instance, if 90% of your contract dollars will be spent on heavy construction and 10% on trucking, you should weight your calculation of the relative availability of firms by the same percentages.”

$$\left[.9 \left(\frac{\# \text{ heavy construction DBEs}}{\# \text{ heavy construction firms}} \right) + .1 \left(\frac{\# \text{ trucking DBEs}}{\# \text{ all trucking firms}} \right) \right] \times 100 = \text{Step One Base Figure, weighted by type of work to be performed}$$

-Tips for Goal Setting



Calculating the Goal

- **Step Two - Adjustment:**

Following the guidance in “Tips for Goal Setting” provided by the USDOT, determine what adjustment, if any, is needed in order to arrive at the most accurate goal.

- ✓ Past Participation (FHWA prefers payment data versus commitment data)
- Disparity Study data
- Statistical disparities illustrating DBEs ability to get financing, bonding and insurance
- Data on employment, self-employment, education, training and union apprenticeship programs
- Consider alternative methods

-Tips for Goal Setting



UDOT Goal

- **2016 through 2018**

Based on the discussed methodology and calculations, UDOT has determined its annual DBE goal for Federal Fiscal Years 2016 through 2018 as **5.277%** of the total federal financial assistance the UDOT will expend on Federal Highway Administration (FHWA) contracts.



**Questions
Related to the
DBE Goal
Methodology
Document?**

