

# FTA

FEDERAL TRANSIT ADMINISTRATION

## Targeting Common Deficiencies September 13, 2012



U.S. Department of Transportation  
Federal Transit Administration

# FY2013 DBE Goal: Common Deficiencies

This session will address the following deficiencies:

- Step 2 Adjustments
- Race Conscious/Race Neutral Breakdown
- Consultation

COMPLIANCE  
Checkup





## Step 2 Adjustments

### What is Required:

1. Consider any additional information that may cause your DBE goal to differ from your calculated projections (upwards or downwards)
2. Based on this information, determine if an adjustment is needed
3. If an adjustment is warranted, provide the methodology used to adjust your goal (i.e. an explanation of how and why you adjusted your goal)
4. If no adjustment is warranted, explain why

# Step 2 Adjustments

## Option A: Past Participation Historical Median

### STEP 1: Determine the historical median

Your goal setting process will be more accurate if you use the median (instead of the mean) of your past participation because using the median excludes all outliers (abnormally high or abnormally low) past participation percentages.

Example:

- a. The best way to determine the median is to first arrange the values in a list from low to high. For example, the numbers 3, 6, and 1 arranged from low to high is: 1, 3, 6.
- b. If you have an odd number of values from which to determine the median, just take the number which falls in the middle. For example, 3 is the median of 1, 3, and 6.
- c. If you have an even number of values, then you should average the two numbers which fall in the middle. For example, if you have the numbers 1, 3, 6 and 8, the median would be the average of 3 and 6 or 4.5.

If you only have two numbers, simply average those two numbers together.

# Step 2 Adjustments

## Option A: Past Participation Historical Median

STEP 2: Take the average of your Base Figure and the Historical Median  
(Base Figure + Historical Median)  $\div$  2

# Step 2 Adjustments

## Option A: Past Participation Historical Median

It is important to remember if all past DBE goals seem to differ vastly from the current base-goal because past goals were not calculated with the same “expertise” as was the current goal, Past Participation may not be an appropriate adjustment option.

The goal is to create a narrowly tailored goal that is as accurate as possible!

# Historical Median Example

## Data

- Base Figure: 15%
- Participation:
  - FFY2010: 7%
  - FFY2011: 22%
  - FFY2012: 11%

## Calculation

$$15\% + 11\% = 26\%$$

$$26\% \div 2 = 13\%$$

Adjusted Goal: 13%

# Step 2 Adjustments

## Option B: Utilize Additional Evidence

- Must be clear and rational relationship between the evidence and the goal adjustment
- Include a description of the evidence and illustrate its rational relationship to your DBE goal

# **Race Conscious/Race Neutral Breakdown**

## **What is Required:**

1. Determine what percentage of overall goal will be met using race neutral and race conscious measures
2. Provide the methodology used to determine this percentage
3. If you have a 100% race neutral Program, no methodology is required
4. Provide a detailed description of the race neutral measures used to meet your DBE goal

# **Race Conscious/Race Neutral Breakdown**

- **Consider the Amount by Which You Exceeded Your Goals in the Past**
- **Consider Past History of Inability to Achieve Goals**

# Public Participation

## What is Required:

- 1. Consultation** with minority, women and general contractor groups with knowledge of availability of DBEs
- 2. Summarize and submit the comments received**
- 3. Publish** your proposed goal in a general circulation media and minority-focused and trade-focused publications
4. Submit all comments received

# Consultation



## Conduct Public Participation/Engagement

- Attend the FTA Opening DOORS (“Developing Opportunities, Outreach, and Resources for Success”) events or similar public engagement events
  - Upcoming FTA Opening DOORS event:
    - September 25, 2012 in Indianapolis, IN
    - Visit <http://ftaopeningdoors.com> to register **(Registration is FREE!)**
- Contact transit agencies’ Civil Rights/Diversity Officers and identify what resources they use to locate small businesses and DBEs. This is especially true in urban areas where transit agencies have developed effective partnerships with local organizations

# Useful Sources

## Useful Guidance

- [DBE Goal Guidance](#)
- [CFR Link](#)

## Step 2 Adjustments

- 49 C.F.R. 26.45(d)

## Race Conscious/Race Neutral Breakdown

- 49 C.F.R. 26.51

## Consultation

- 49 C.F. R. 26.45(g)(1)



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