

FY2015  
FY2016  
FY2017

# CARY TRANSIT DBE PROGRAM FY2015-2017



## TOWN OF CARY, NORTH CAROLINA

A Disadvantaged Business Enterprise (DBE) goal of 1.7% was developed for the Town of Cary for FY2015 - 2017. The DBE goal was calculated pursuant to the United States Department of Transportation Financial Assistance Program, 49 CFR Part 26.

Ana Orłowsky  
DBELO Officer  
Town of Cary  
July 1, 2014



**Town of Cary, North Carolina  
Overall Annual Goal Submission Methodology  
For the 3-Year Period FY2015 - 2017**

**Executive Summary Report**

**I. Introduction**

A Disadvantaged Business Enterprise (DBE) goal of **1.7%** was developed for the Town of Cary for the **FY2015 - 2017**. The DBE goal was calculated in accordance with the federal regulations on Participation of DBE in the Department of Transportation Financial Assistance Program, 49 CFR Part 26. A two step process was used in compliance with the goal setting provisions; and included an analysis of the anticipated scope of work and the cost estimates for the projected amount of service contracts and subcontracts that the Town of Cary's primary contractor, MV Transportation, Inc., will need for **FY2015–2017**. **Based on previous actual DBE participation the Town believes that we can meet this goal.**

**II. Disadvantaged Business Enterprise Liaison Officers (“DBELO”)**

The Town of Cary has designated DBE Liaison Officers. The Town's DBELO is responsible for implementing the DBE Program Plan, as it pertains to the Town, and ensures that Town is fully and properly advised concerning DBE Program Plan matters. The DBELO has administrative support: researches, compiles, analyze reports statistical data, and other information as required for DBE goal analysis; including Good Faith Efforts; and the Town's DBE/UCR submittals. Civil Rights Officer's for Region IV has approved the Town having a secondary and primary DBELO's. Contact information, including the name, address, telephone number, fax number, and electronic mail addresses for DBELO officers is listed below.

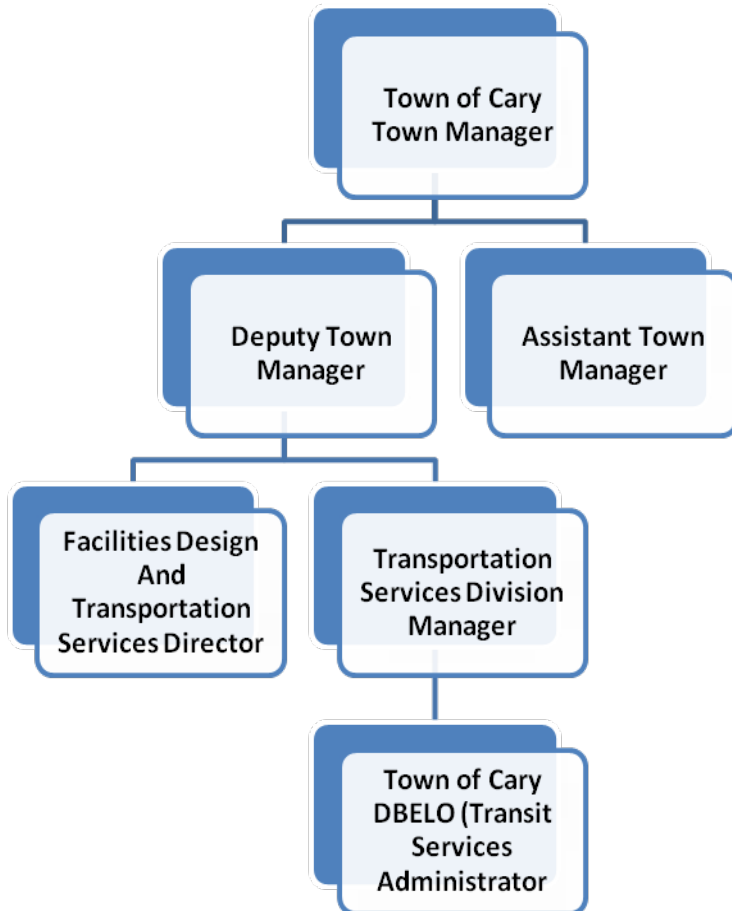
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### III. Town of Cary Organizational Chart



**NOTE: DBELO Primary Officer has direct access to Town Manager to discuss DBE goals, plans, and issues.**

### IV. Overall Goal Setting Methodology (26.45)

The two-step goal setting process required by the regulations has been used to determine the recommended overall goal for FY2015-2017. The two steps for setting overall goal are:

- Establish a base figure for the relative availability of DBE's
- Determine the base figure adjustment, if necessary

The base figure is intended to be a measurement of the current ready, willing, and able DBEs as a percentage of all businesses within the proposed market area(s) and NAICS codes that are used to perform the recipient's anticipated FTA-assisted contracts.

**Determination of the Relative DBE Availability**

In Step One, the Town of Cary determined the number of ready, willing and able number of certified DBE firms in our region in comparison to the total firms on our contractor’s bidders from DBE certified firms identified by NCDOT Unified Certification Program. The number or ready, willing and able firms was then divided by the total number of firms within the NAISC codes that will represent our purchase of contract services potential.

**STEP I: Base Goal Calculation for FY2015, 2016, & 2017**

$$\frac{\text{Total certified DBE firms willing and able:}}{\text{Total of all firms on bidders list:}} = \frac{7}{287} = 2.4\%$$

% DBE

NAICS Codes	Work Activities	ALL FIRMS (Wake County)	DBE FIRMS	%
448190	Uniform Stores	50	1	2.0%
488410	Motor Vehicle Towing	28	1	3.57%
561621	Security Services	12	3	25%
811121	Automotive Paint Shops	106	2	1.96%
	<b>Total</b>	<b>287</b>	<b>7</b>	<b>2.4%</b>

Source: US Census Bureau, 2011 County Business Patterns & 2014 NC DOT UCP - DBE Directory

**V. GOAL SETTING METHODOLOGY (26.45)**

**Step 1. Determination of the Relative DBE Availability**

In Step One, the Town of Cary determined the number of ready, willing and able number of certified DBE firms in our region in comparison to the total firms on our contractor’s bidders list from DBE certified firms identified by NCDOT Unified Certification Program – DBE Directory Listing 2014. The number or ready, willing and able firms was then divided by the total number of firms within the NAICS codes (2010 County Business Patterns, US Census Bureau) that will represent our purchase of contract services potential.

## **Step 2. Adjustment of the Relative DBE Availability**

In Step 2, the Town of Cary has made adjustments based on previous goal setting and utilization process. Cary operates its transit system through the use of a contracted private service operator. MV Transportation, Inc. holds the contract responsibility for C-Tran's operation and maintenance beginning October 1, 2010 thru September 30, 2016. MV owns and maintains the vehicles with in-house mechanics, employs the transit operators, and operates the service. For services outside of their primary contract responsibilities, the Town where there may be DBE opportunities will pay MV Transport, Inc. approximately **\$20,000** in FTA funds for **FY2015-2017** in eligible general public transit service. MV reports that it expects to spend approximately **1.7%** (adjusted baseline figure) of the total contract amount for the purchase of DBE goods and services related to the general public service, the remaining being spent on salaries wages, overhead, profit, et al. The Town of Cary utilized its contract bidder's list and determined the actual number of willing and able DBE certified firms in the region by thorough review of the current NCDOT Unified Certification Program and DBE certified firms.

### **Past DBE Goal Accomplishments from FY2003-2014**

<b>Historic DBE Usage</b>	<b>Past DBE Goal Accomplishments</b>
FY 2003	5.30%
FY 2004	4.30%
FY 2005	10%
FY 2006	5%
FY 2007	5%
FY 2008	5%
FY 2009	5%
FY 2010	5%
FY 2011	2%
<b>FY 2012</b>	<b>1%</b>
<b>FY2013</b>	<b>1%</b>
<b>FY2014</b>	<b>1%</b>
TOTAL	49.60
<b>Average</b>	<b>4.13%</b>

From the above analysis, we determined that the historical average DBE commitment was **4.13%** of the Federal program. This exceeds the base figure of **2.4%** calculated in Step 1 by **1.73%**. Adjustment to the base figure is as follows.

**Step 2. Adjustment to Step 1 Base Figure**

Past 3-year participation: FY2012, FY2013, & FY2014

FY 2012	1%
FY2013	1%
FY2014	1%
<b>Total</b>	<b>3% / 3</b>
<b>Average</b>	<b>1%</b>

2.4% (Step I Base Figure) + 1.0% (Past 3-year Average) = 3.4% / 2 = **1.7%**

The historical median is 1%

The average is 3%

Rounded Weighted Base Figure 2.4%

Historical Median 1%

Sum 3.4%

Divided by 2 = 1.7% **Adjusted Base Figure**

**Projected Contracting Values  
FY2015-2017**

NAICS Codes	Work Description	Total	DBE Counting Multiplier	Net Total
448190	Uniform Stores	\$ 13000.00	2.0%	\$ 260.00
488410	Motor Vehicle Towing	\$ 2500.00	3.57%	\$ 89.25
561622	Locksmiths - Security Service	\$ 1000.00	25%	\$ 250.00
811121	Automotive Paint Shops	\$ 3500.00	1.96%	\$ 68.60
	<b>TOTAL</b>	<b>\$20000.00</b>		<b>\$ 667.85</b>

**Explanation of the chart above:** Anticipated DBE participation in federally assisted contracts for FY2015-2017

value possible to let to DBEs	\$ 667.85
<hr/>	
projected contracting opportunities	\$ 20000.00

MV Transportation, Inc. is projected to oversee all purchased transportation services in FY2015-2017. This is an entirely race neutral goal. As in past years, the Town of Cary has not had any problems meeting its goals utilizing neutral means; so therefore, we do not see the need to specify race conscious goals.

### **Town of Cary's DBE Community Outreach Plans**

Town of Cary's DBELO officers will ensure our contractor, MV Transit, continues to maximize our annual DBE participation, specifically, through these following proposed measures:

- 1. Develop relationships with DBE firms within our market area and work activities**
- 2. Identify what resources can be provided to DBE firms**
- 3. Continuously conduct DBE outreach and formulate community initiatives**
- 4. Utilizing the NC DOT DBE Unified Certification Program to look for ready, willing, and able DBE certified firms under the following NAICS codes:  
448190 Uniform Stores; 488410 Towing Companies; 561622 Locksmiths/Security Services; and 811121 Automotive Paint Shops.**

As in the past, our contractor, MV Transportation identifies work items that might otherwise perform within our own forces and those items that have been broken down into economically feasible units to facilitate DBE participation: 448190, 488410, 561622, and 811121. We will ensure sufficient work will be performed to meet the goal that was made available to DBE firms and reported accordingly to FTA.

Lastly, there will be an ad publication on Cary News July 1<sup>st</sup> 2014 to advertise projected DBE Goal for FY2015-2017. The ad will be available for public input for a period of 45 days from its initial posting date and contact information for the DBELO officers will be made available. Accordingly, Town of Cary DBELO Officers will respond to public feedback in a timely and orderly fashion.

## **VI. GOAL SETTING AND ACCOUNTABILITY (26.47)**

If the awards and commitments shown on the Town's Uniform Report of Awards or Commitments and Payments at the end of any fiscal year are less than the overall applicable to that fiscal year, we will:

1. Analyze in detail the reason for the difference between the overall goal and the actual awards/commitments;
2. Establish specific steps and milestones to correct the problems identified in the analysis; and,
3. The Town will conduct an annual analysis on whether or not it is meeting its DBE goal. This information will be kept for review should FTA request it during its triennial review.
4. Analyze in detail the reason for the difference between the overall goal and the actual awards/commitments;
5. Establish specific steps and milestones to correct the problems identified in the analysis; and,
6. The Town will conduct an annual analysis on whether or not it is meeting its DBE goal. This information will be kept for review should FTA request it during its triennial review.



## ATTACHMENT I. Town of Cary DBE Policy Statement



### DBE Program Policy Statement

Town of Cary shall not discriminate in any manner on the basis of race, color, sex or national origin, and shall take all reasonable steps to ensure that certified Disadvantaged Business Enterprises (DBE's) have the maximum opportunity to participate in the performance of contracts financed, in whole or in part, with financial assistance from the United States Department of Transportation (DOT), acting through such agencies as the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA). Town of Cary shall implement this DBE Program in accordance with Part 26 of Title 49 of the Code of Federal Regulations entitled "Participation by Disadvantaged Business Enterprises in Department of Transportation Programs."

The objectives of Town of Cary's DBE Program are:

- To ensure nondiscrimination in the award and administration of DOT-assisted contracts;
- To ensure that the DBE program is narrowly tailored in accordance with applicable federal, state and local laws;
- To ensure that only firms fully meeting the eligibility requirements of the DBE program are permitted to participate;
- To help create a level playing field on which DBEs can fairly compete for DOT-assisted contracts;
- To help remove barriers to the participation of DBEs in DOT-assisted contracts;
- To help and assist in the development of firms that can compete successfully in the marketplace outside of the DBE program; and
- To provide appropriate flexibility to establish and provide DBEs opportunities to participate in DOT-assisted contracts in accordance with applicable federal, state and local laws.

These objectives will be implemented through Town of Cary's DBE Program utilizing race-neutral measures to the maximum extent feasible.

## **Federal Fiscal Year 2015-2017 DBE Goal**

Town of Cary announces a proposed overall goal of **1.7%** for the participation of Disadvantaged Business Enterprises (DBE) in U.S. Department of Transportation assisted contracts until the end of the federal FY2015-2017 (July 1, 2014-June 30, 2017).

Town of Cary's next DBE goal submission is due to the FTA on August 1, 2017, and will cover federal fiscal years 2018, 2019, and, 2020.

## **Contact**

All questions and/or comments about Town of Cary's DBE Program and persons or firms interested in becoming certified as a DBE should contact Ana Tenorio, DBE Liaison Officer for the Town of Cary at (919) 469-4086 or by Email [ana.orlowsky@townofcary.org](mailto:ana.orlowsky@townofcary.org).

## ATTACHMENT II. DBE AD



### NOTICE OF ANNUAL DBE GOAL FOR CARY TRANSIT SYSTEM

Public Participation Notice of Proposed Overall Annual Disadvantaged Business Enterprise (DBE) Goal for FY2015-2017

The Town of Cary intends to propose an Overall Annual DBE Goal, applicable to contracting opportunities in the Town's federally-assisted transit system, C-Tran, funded in part by the U.S. Department of Transportation's (USDOT) Federal Transit Administration for Fiscal Year (FY)15-17. The overall total DBE goal for FY15-17 is 1.7 percent.

The Town of Cary's C-Tran Overall Annual Goal and its rationale were developed pursuant to USDOT's New DBE Program Final Rule (49 CFR 26). A statement regarding this proposed goal and how it was established is available for inspection until August 15, 2014 (45 days from the date of this Notice), from 8a.m. to 4 p.m., Monday through Friday in our Transportation & Facilities Department located at Town of Cary, Town Hall Campus, Second Floor, 316 N. Academy St., Cary, NC 27513.

Written comments regarding the proposed DBE goal and the manner it was established will be accepted until 45 days from the date of this Notice. Comments can be forwarded to: Ana Orlowsky, DBE Liaison Officer for the Town of Cary, Transportation & Facilities Department, PO Box 8005, 316 N. Academy St., Cary, NC, 27513.