

**Northern New England Passenger Rail Authority
2020, 2021, 2022 DBE Goal advertised 7/1/2019**

NNEPRA's DBE goal for 2020, 2021 and 2022 is 0.11% obtained by race neutral participation.

Methodology for DBE

Step 1 – Base Goal

Market Area: The Northern New England Passenger Rail Authority (NNEPRA) has used the State of Maine market area to determine coverage. The Maine Department of Transportation's (MaineDOT) Disadvantaged Business Enterprises Listing (DBE) directory was used as the source for DBE information.

NNEPRA's DBE goal has been calculated using the criteria in 49 CFR 26.45. The 2010 US Census Bureau industry listing filtered for the State of Maine was used to establish the industries and associated firms from which NNEPRA would have the ability and/or intention to request bids and award Federal Transit Administration (FTA) funded contracts.

The contracts that NNEPRA intends to let in for the three-year period are contracting for operations of the Amtrak Downeaster service. NNEPRA contracts with Amtrak to run the service and contracts with a vendor to provide café service on the trains. NNEPRA also contracts for railroad maintenance and repairs. Operation contracts include advertising, auditing services, IT management, insurance, legal and payroll services.

Step 1 - Determine the weight of each type of work by NAICS Code:				
* Enter all the FTA-assisted projects below. Project amounts should be assigned relevant NAICS Code(s).				
	NAICS Code	Project	Amount of DOT funds on project:	% of total DOT funds (weight)
1)	541810	Advertising Agency	\$270,108.00	0.0094
2)	541211	CPA/Other Accounting	\$12,800.00	0.0004
3)	541513	Computer Management	\$16,418.00	0.0006
4)	524210	Insurance Agency	\$42,370.00	0.0015
5)	541110	Legal	\$0.00	0.0000
6)	237990	Railroad Industrial Materials	\$613,939.00	0.0215
7)	237990	Railroad Construction	\$993,698.00	0.0347
8)	237790	RR Maint Project Management	\$0.00	0.0000
9)	561720	Janitorial Service	\$12,446.00	0.0004
10)	541214	Payroll Service	\$0.00	0.0000
11)	722310	Food Service - NET	\$238,329.00	0.0083
12)	541690	Passenger Survey	\$26,481.00	0.0009
13)	485112	Amtrak NET	\$26,377,110.00	0.9222
Total FTA-Assisted Contract Funds			\$28,603,699.00	1.0000

Notes: Contract Supplies were estimated at 60% of the budgeted amount.

BASE GOAL

Step 2 - Determine the relative availability of DBE's by NAICS Code:

Version 1 adjusted for removing DBEs in the Maine UCP that do not perform the function of the NAICS Code.

	NAICS Code	Project	Number of DBEs available to perform this work	Number of all firms available (including DBEs)	Relative Availability	
1)	541810	Advertising Agency	4	39	0.1026	
2)	541211	CPA/Other Accounting	1	211	0.0047	
3)	541513	Computer Management	4	21	0.1905	
4)	524210	Insurance Agency	2	441	0.0045	
5)	541110	Legal	1	653	0.0015	
6)	237990	Railroad Industrial Materials	0	0		
7)	237990	Railroad Construction	0	41	0.0000	
8)	237790	RR Maint Project Management	1	302	0.0033	
9)	561720	Janitorial Service	2	369	0.0054	
10)	541214	Payroll Service	0	30	0.0000	
11)	722310	Food Service - NET	0	105	0.0000	
12)	541690	Passenger Survey	1	73	0.0137	
13)	485112	Amtrak NET	0	0		
Combined Totals			16	2285	0.0070	Overall availability of DBEs

Step 3 is based on Base Goal of Step 2.

Step 3 - (Weight) x (Availability) = Weighted Base Figure

	NAICS Code	Project	Weight	x	Availability	Weighted Base Figure
1)	541810	Advertising Agency	0.0094	x	0.1026	0.0010
2)	541211	CPA/Other Accounting	0.0004	x	0.0047	0.0000
3)	541513	Computer Management	0.0006	x	0.1905	0.0001
4)	524210	Insurance Agency	0.0015	x	0.0045	0.0000
5)	541110	Legal	0.0000	x	0.0015	0.0000
6)	237990	Railroad Industrial Materials	0.0215	x	0.0000	
7)	237990	Railroad Construction	0.0347	x	0.0000	
8)	237790	RR Maint Project Management	0.0000	x	0.0033	0.0000
9)	561720	Janitorial Service	0.0004	x	0.0054	0.0000
10)	541214	Payroll Service	0.0000	x	0.0000	
11)	722310	Food Service - NET	0.0083	x	0.0000	
12)	541690	Passenger Survey	0.0009	x	0.0137	0.0000
13)	485112	Amtrak NET	0.0083	x	0.0000	
					Total	0.0011
					Expressed as a % (*100)	0.11%
					BASE GOAL	0.11%

The Base Goal is 0.11%.

Step Two – Adjustments to Base Goal

NNEPRA is not adjusting the calculated Base Goal of 0.11%.

Goal attainment during the 2017 through 2019 was unusually higher than past attainment and the goal of 0.15% set for the 2017 through 2019 period.

Future procurements will be similar to the procurements in the prior goal period, however, NNEPRA anticipates lower DBE participation in the future goal period.

Measures of DBE attainment – Race Neutral Measures

NNEPRA's DBE goal for 2017, 2018 and 2019 is 0.11% obtained by race neutral participation.

NNEPRA will be able to meet the Race Neutral goal of 0.11% without race conscious goals.

NNEPRA will use the means as outlined in CFR 26.51 to facilitate Race Neutral DBE participation to include but not limited to:

Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate participation by DBEs and other small businesses and by making contracts more accessible to small businesses, by means such as those provided under CFR § 26.39.

Carrying out information and communications programs on contracting procedures and specific contract opportunities (e.g., ensuring the inclusion of DBEs, and other small businesses, on recipient mailing lists for bidders; ensuring the dissemination to bidders on prime contracts of lists of potential subcontractors; provision of information in languages other than English, where appropriate).

NNEPRA will continuously monitor DBE participation to determine if the DBE goal will be met on an annual basis and apply Race Neutral and Race Conscious goals accordingly.

Future Participation

Requirement: Evidence from disparity studies conducted anywhere within your jurisdiction, to the extent it is not already accounted for in your base figure; and

There have been no known disparity studies.

NNEPRA is committed to, and has a history of, prompt payment for all vendors, including DBE vendors. Payment is typically forwarded within thirty days. If the need should arise where a DBE contractor could not fund a particularly large material purchase, NNEPRA would work with that vendor to acquire a loan, better terms or take on the material procurement through NNEPRA's resources.

Requirement: If available, you must consider evidence from related fields that affect the opportunities for DBEs to form, grow and compete. These include, but are not limited to:

(i) Statistical disparities in the ability of DBEs to get the financing, bonding and insurance required to participate in your program;

This data is not available as stated above.

Requirement: Data on employment, self-employment, education, training and union apprenticeship programs, to the extent you can relate it to the opportunities for DBEs to perform in your program.

This data has not been collected related to transit contracts. NNEPRA continually searches for opportunities to have current vendors apply for DBE certification and to reach out to New Hampshire and Massachusetts DBEs to become certified in Maine.

Requirement: If you attempt to make an adjustment to your base figure to account for the continuing effects of past discrimination (often called the "but for" factor) or the effects of an ongoing DBE program, the adjustment must be based on demonstrable evidence that is logically and directly related to the effect for which the adjustment is sought.

NNEPRA will not attempt to adjust the base figure based upon the effects of the DBE program.

Public Participation

In addition, the goal methodology was sent to all the Maine certified DBEs.

The notice of this Goal was published on the NNEPRA website: www.nnepra.com.

NNEPRA reached out to the New Hampshire and Massachusetts DBEs as well.

NNEPRA's goal methodology was shared with Eastern Maine Development Corporation (EMDC), which contracts with MaineDOT to implement their DBE Supportive Service Program. MaineDOT is responsible for certifying all Maine DBEs.

No comments were received therefore, no changes have been made to the goal.

Continuing DBE Outreach Activity:

1. Attend and participate in all DBE training webinars and on-site workshops;
2. Continue to participate in business outreach through Chambers of Commerce, Rotary and other organizations that NNEPRA belongs to and participate in;
3. Continue to electronically notify the Maine DBE directory of bidding opportunities;
4. Collaborate with Maine DOT and other Maine transportation providers to encourage DBE Participation;
5. Investigate and collaborate with New Hampshire DOT and Massachusetts DOT to encourage DBEs relevant to NNEPRA's projects to register in Maine;
6. Utilize and solicit more DBE business support services, i.e., advertisements, temporary help, janitorial services, printing services, courier services, etc.; and
7. Reinforce the training of NNEPRA staff of the DBE Program and Goals.

Assurance 26.13 is used in all NNEPRA contracts and subcontracts.