

BRISTOL TENNESSEE TRANSIT

DISADVANTAGE BUSINESS ENTERPRISE (DBE) PROGRAM FFY 2011-2012 DBE GOAL AND METHODOLOGY

It is the policy of Bristol Tennessee Transit (a department of the City of Bristol, Tennessee) to afford Disadvantaged Business Enterprises (DBE), as defined in 49 CFR Part 26, the maximum opportunity to participate in the performance of contracts financed in whole or in part with federal funds. A DBE is a for-profit small business that is at least 51 percent owned and controlled by one or more individuals who are both socially and economically disadvantaged. For additional information on the DBE program and certification process, please contact Bristol Tennessee Transit or the Civil Rights Office of the Tennessee Department of Transportation at www.tdot.state.tn.us.

OVERALL GOAL

Bristol Tennessee Transit's (BTT) total overall goal for FY 2011 through FY 2012 is 3% of the Federal Financial assistance we will expend in DOT-assisted contracts, exclusive of FTA funds to be used for the purchase of transit vehicles. Bristol Tennessee Transit's entire 3% goal will be obtained through race-neutral means.

The overall goal is based on demonstrable evidence of the availability of ready, willing and able DBEs relative to all business available to participate in Bristol Tennessee Transit's DOT-assisted contracts. It reflects the level of DBE participation that BTT would expect absent the effects of discrimination.

METHODOLOGY USED TO CALCULATE OVERALL GOAL

Step 1 (Part 26.45(c)) - Base Figure

To determine the base figure for the relative availability of DBEs in the Bristol Tennessee Transit market area, BTT is following Part 25.45 (c) of the regulations and relying on the Tennessee Department of Transportation (TDOT) state-wide Unified Certification Program (UCP) Directory indentifying Certified Disadvantaged Business Enterprise listings, and the U.S. Census Bureau County Business Pattern data for the Metropolitan Statistical Area (MSA) where a substantial majority of the contractors which BTT does business with would be located. The total number of DBE firms in the TDOT database for Region 1 (were BTT is located) was divided by the total number of all firms in the MSA listed in the 2008 Census County Business Pattern (most current available) for NAICS codes that provide goods and services utilized by BTT for transit needs.

This calculation resulted in 67 DBEs (TDOT Region 1 DBE Directory) divided by 2,496 MSA businesses = 2.7% base figure

$$\text{Base figure} = \frac{67 \text{ Ready, willing, and able DBEs}}{2,496 \text{ All firms ready, willing and able}} = 2.7\%$$

Step 2: 26.45(d) - Adjustment to the Base Figure

BTT has examined all of the evidence available in the Bristol region to determine what adjustment, if any, is needed to the base figure in order to arrive at the overall goal. As this represents the first program year for Bristol Tennessee Transit to participate in establishing a DBE goal, no data for past participation is available for review. In addition, no disparity studies are available; however, based on knowledge of the area contracting market, and information on opportunities for DBEs to form and compete in this area (such as self-employment, education and training), BTT has determined that the base goal of 2.7% will be adjusted up to 3%. As a result, ***Bristol Tennessee Transit's total overall goal for FY 2011 through FY 2012 is 3%.***

Weighting

The over goal is not weighted by contracting categories, as all BTT contracting opportunities with federal funds will be treated equally in efforts for DBE participation. The large majority of Bristol Tennessee Transit contracting will be done in small purchasing contracts for goods and services, which allow for facilitating DBE vendors to participate.

BREAKOUT OF ESTIMATED RACE-NEUTRAL & RACE CONSCIOUS PARTICIPATION

Bristol Tennessee Transit will meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating DBE participation. We estimate that, in meeting our overall goal of 3%, we will obtain 3% from race-neutral participation and 0% through race-conscious measures.

The estimated breakout of race-neutral and race-conscious DBE participation is based on the limited number of potential DOT assisted contracts with subcontracting possibilities. Bristol Tennessee Transit is a small urban transit system (less than 200,000) with limited opportunities for large contracting/subcontracting proposals (no such contracts are programmed for the fiscal year). As a result, *Bristol Tennessee Transit* anticipates meeting its DBE goal entirely through race-neutral measures, which include but are not limited to the following:

- Arranging all possible aspects of solicitations, including delivery schedules, in ways that facilitate DBE participation;
- Unbundling of contracts;
- Reducing bonding requirements when possible;
- Providing guidance on obtaining business assistance in areas such as business management, record keeping, and technical assistance;
- Upon request, provisions of information to bidders in languages other than English;
- Ensuring inclusion of DBEs on mailing lists to bidders;

- Providing guidance on obtaining assistance for start-up businesses; and
- Ensuring the widest possible distribution of the DBE directory to potential prime contractors.

PUBLIC PARTICIPATION

Bristol Tennessee Transit's proposed DBE goal was published in the *Bristol Herald Courier* on February 9, 2011 which allowed a 45-day comment period prior to submission of the annual goals to FTA. The proposed goal was also made available to the public on the BTT website.

In addition to the public notices, BTT requested consultation from area officials or organizations which might have information concerning the availability of disadvantaged and non-disadvantaged businesses; the effects of discrimination on opportunities for DBEs; and Bristol Tennessee Transit's efforts to establish a level playing field for the participation of DBEs.

No additional input or comments have been received to date.