

PARTA's DBE Goal Setting Process Federal Fiscal Years 2023 - 2025

AGENCY DESCRIPTION

The Portage Area Regional Transportation Authority (PARTA) operates Demand Response, Fixed-Route, and ADA Complementary Paratransit service in Portage County, Ohio, which has a population of 162,476 as of 2020. ADA Complementary Paratransit Service is a service provided to individuals with functional disabilities who are prevented from using Fixed-Route Service and are traveling less than 3/4 of a mile from a Fixed Route. PARTA provided 1,155,993 passenger trips during fiscal year 2019, totaling 1,478,047 vehicle revenue miles. In fiscal years 2020 and 2021 PARTA's passenger trips significantly decreased due to COVID-19. PARTA is considered an essential service and continued to operate during this time. In fiscal year 2022 the number of trips is expected to increase. Under the direction of a 14-member board appointed by Portage County officials, PARTA's 127 employees operated 65 revenue vehicles to provide public transportation Monday through Saturday.

POLICY STATEMENT

PARTA has issued a policy statement that expresses its commitment to use DBEs in all aspects of contracting, as well as fostering small business participation. Various levels of responsibilities and objectives of the program are described in PARTA's DBE Program Document. This document is circulated throughout the organization and to Community Stakeholders including minority, non-minority, women-owned, governmental, non-profit, and business organizations.

STEP 1 – BASE FIGURE

The following is a list of expected federal procurements during Federal Fiscal Years 2023 - 2025 (excluding bus procurements and mechanic wages for Capitalized Maintenance), along with the potential NAICS codes:

POSSIBLE NAICS CODES	PROJECT	AMOUNT	% OF TOTAL
238160, 332722, 336310, 336350, 336390, 441310, 541690, 561710, 561730, 811310	Capitalized Maintenance (excluding labor)	\$ 660,000	94%
238910, 237310	Transit Improvements	\$ 45,000	6%
Total FTA-Assisted Contract Funds		\$ 705,000	

PARTA is located in Portage County, Ohio. The Ohio Unified Certification Program was used to identify DBE companies that are willing and able to contract for our projects. www.yellowbook.com, www.yip.com, U.S. Census Bureau, and our bidders' list were used to determine the total number of firms available. The results are as follows:

PARTA's DBE Goal Setting Process
Federal Fiscal Years 2023 - 2025

STEP 1 – BASE FIGURE (Cont.)

NAICS CODES	PROJECT	# OF DBE's	TOTAL # OF FIRMS	RELATIVE AVAILABILITY
238160, 332722, 336310, 336350, 336390, 441310, 541690, 561710, 561730, 811310	Capitalized Maintenance (excluding labor)	30	7413	0.0040
238910, 237310	Transit Improvements	9	1295	0.0069
Combined Totals		45		

The base figure calculation is:
 $.94(.0040) + .06(.0069) =$
 $0.003789 + 0.00417 = 0.00417 = .42\%$

STEP 2 – BASE FIGURE ADJUSTMENT

Most of the federal funds that *PARTA* receives are used to purchase replacement vehicles, which is excluded from these DBE calculations. 99% of the remaining federal funds are used for Capital Maintenance, and approximately 77% of those funds are used for maintenance wages.

The DBE participation has varied significantly over the past three (3) years due to the timing of capital projects and the COVID-19 pandemic. The planned projects for the next three (3) years are similar to the last three (3) years, with the exception that there are no planned construction projects. Vendors associated with capital maintenance typically do not have many willing and able DBE vendors. It is expected that there will be minimal opportunities for DBE sub-contracting during the next three (3) years.

The participation for the last three (3) years was: 2019 – .4%, 2020 – 0%, 2021 – 1.1%; the median number is .4%, which is the same as the projected number from step 1. Therefore, it is not appropriate to make an historical adjustment to this next goal; the FFY2023 – FFY2025 DBE goal will be .42%.

STEP 3 – CALCULATION OF RN/RC SPLIT

In 2021 *PARTA* procured a contractor to build a mezzanine inside its bus storage facility. In 2020, *PARTA's* DBE participation was 0%; therefore, it was decided to issue a 2% contract goal for this project, so that the overall goal could be met. This contract goal was achieved.

In the past, *PARTA* had small construction projects, which help to facilitate DBE participation using race-neutral methods. *PARTA* has also encouraged prime vendors to use DBE vendors when sub-contracting opportunities were available.

PARTA's DBE Goal Setting Process Federal Fiscal Years 2023 - 2025

CALCULATION OF RN/RC SPLIT (Cont.)

PARTA maintains relationships with the small business community and works with it regardless of a project's use of federal funds. The following calculations were made to determine the Race-Neutral and Race-Conscious split to the new triennial goal:

Overall Awards for 2019 – 2021 = \$4,789,736

Overall DBE Achievement = \$13,432

RN Attainment = \$7,639

FFY 2022 – 2025 DBE Goal = .42%

1. Relative RN Attainment

RN Attainment / Overall DBE Achievement ($7,639/13,432 = 57\%$)

2. Absolute RN Attainment

Relative RN Attainment * Proposed Goal ($.57 * .0042 = .0024$)

3. RC Split

Proposed Goal – Absolute RN Attainment ($.0042 - .0024 = .0018$)

Therefore, PARTA has determined that race-neutral means will be used to achieve 57% of its .42% goal, or .24%. Race-conscious means will be used to reach the remaining 43% of its goal, or .18%.

PARTA encouraged public participation by hosting the annual regional DBE public meeting on June 15, 2022, via Zoom. This meeting also involved the Akron-Canton Airport, Stark Area Regional Transportation Authority (SARTA), and Akron METRO Regional Transit Authority. The legal notice for this meeting was published in the *Record Courier* on June 1, 2022, and June 8, 2022.

This meeting serves multiple purposes: 1. Informing the community on upcoming capital projects; 2. Explaining the DBE goal and the methodology; 3. Identifying potential DBE vendors; and 4. Encouraging and receiving public comments. At this meeting, PARTA presented its planned capital projects for FFY 2022 through FFY 2025. We explained the methodology for developing the DBE goal. The methodology is available for review and comment on PARTA's website, www.partonline.org/vendors. At this meeting, we also explained the difference between race-neutral and race-conscious means of achieving the DBE goal. In addition, Denise Baba, PARTA's DBELO, has met with several community organization to discuss PARTA's DBE program and proposed goal. At the time, there have been no public comments to incorporate into the DBE goal.

Respectfully Submitted by:

Rebecca Schrader, Director of Finance,

Denise Baba, Communications & Public Advocacy Advisor (DBELO)

DBE CALCULATIONS & ASSUMPTIONS FFY 2023 - 2025:

			0.78	0.22		
	TIP		Wages	DBE Eligible		
Capital Maintenance	\$ 3,000,000	\$ 2,340,000	\$ 660,000	94%	0.99	0.77
2023 LTV	\$ 420,800		\$ -			
Transit Enhancement	\$ 45,000		\$ 45,000	6%	0.01	
Transit Buses	\$ 2,388,506		\$ -		\$ 3,045,000	
2024 LTV	\$ 348,000		\$ -			
DERG	\$ 1,105,747		\$ -			
	\$ 7,308,053					
		Eligible Contracts	\$ 705,000			

Of Ohio Establishment # Of DBE

Capitalized Maintenance:

238160	698	7		
332722	60	1		
336310	51	0		
336350	29	0		
336390	102	0		
441310	1517	1		
541690	3	0	Proprietary (dossier, Teletronics, Trapeze)	
561710	298	1		
561730	3803	15	0.003944255	0.003692
811310	852	5		
	7413	30	0.004046945	0.003789

Paving:

238910	1287	9		
237310	8	0		
	1295	9	0.006949807	0.000444
				0.00417
				0.42%

2019 - 2021 RC/RN

Overall Awards	\$	4,789,736
Overall DBE Achievement	\$	13,432
RN Attainment	\$	7,639
Proposed Goal		0.42%

1. Relative RN Attainment

RN Attainment		<u>7639</u>		
Overall DBE Achievement		13432		57%

2. Absolute RN Attainment

Relative RN Attainment (1)			Proposed Goal		
57%	*		0.42%	0.24%	57%

3. RC Split

Proposed Goal			Absolute RN Attainment		
0.42%	-		0.24%	0.18%	43%

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News & Updates

Route 30 Interurban West bus detour
Posted: June 28, 2022
Starting Tuesday, June 28, West Main Street in Kent will be closed from Water Street to Mantua Street for road work and railroad crossing work. South Water Street will be closed from Main Street to Haymaker Pkwy. The route 30 Interurban West bus will be on detour for the duration of the construction. More details [here](#).



DBE public comment period open
Posted: June 15, 2022
Public comments will be accepted through Friday, July 29, 2022 on PARTA's proposed three-year Disadvantaged Business Enterprise (DBE) goal for Federal Fiscal years 2023 - 2025. A copy of PARTA's DBE public hearing presentation may [viewed](#) or [downloaded](#) from the PARTA website. Comments may be shared online through the PARTA website, emailed to dba@partaonline.org, or sent by U.S. Postal mail to PARTA, 2000 Summit Rd., Kent, OH 44240.

Route 40 Suburban North bus detour
Posted: June 7, 2022
Starting Tuesday, June 7, Roosevelt Dr. in Kent will be closed between the stadium and Mantua St. for construction. PARTA's Route 40 Suburban North bus will be on detour for the duration of the construction. More details [here](#).

Travel Training



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RIDE PARTA

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BUSINESS
ENTERPRISE
(DBE)

ABOUT PARTA

GETTING IN TOUCH

DOING BUSINESS

KENT CENTRAL GATEWAY

Written DBE programs are required for FTA recipients of planning, capital, and/or operating assistance that will have contracting opportunities (excluding transit vehicle purchases) exceeding \$250,000 with those funds in a federal fiscal year. It is PARTA's policy to maintain an FTA-approved DBE program to ensure compliance with 49 CFR Part 26, "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs." The purpose of PARTA's DBE program is to ensure nondiscrimination in the award and administration of DOT-assisted contracts and to create a level playing field on which DBEs can compete fairly for DOT-assisted contracts.



[VIEW PARTA'S DBE PROGRAM](#)



[VIEW PARTA'S DBE GOAL](#)



[VIEW PARTA'S New DBE Goal Presentation](#)

PARTA's DBE public comment period is open

Public comments will be accepted through Friday, July 29, 2022, on PARTA's proposed three-year Disadvantaged Business Enterprise (DBE) goal for Federal Fiscal years 2023 - 2025. A copy of PARTA's PowerPoint presentation developed for the 2022 DBE public hearing held on Wednesday, June 15, 2022, may be viewed or downloaded from the PARTA website through the link above.

Comments may be shared by completing the online form below, emailed to dbabala@partaonlined.org, or sent by U.S. Postal mail to PARTA, 2000 Summit Rd., Kent, OH 44240.

PARTA's Federal Fiscal Year 2020 through 2022 Triennial DBE goal is .52%, which is required by the Code of Federal Regulations Title 49, Part 26. PARTA's proposed goal for Federal Fiscal Year 2023 - 2025 is .43%.





PARTA 2023 - 2025 DBE Goal Public Comment Form

Comment deadline: **Friday July 29, 2022**

Name:

Email address:

Phone number:

Address:

Please share any comments you may have about PARTA's proposed Federal Fiscal year 2023 - 2025 DBE goal below.

Add answer here

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Public Notice Disadvantaged Business Enterprise (DBE) Public Hearing Notice

The Portage Area Regional Transportation Authority (PARTA) will participate with Akron METRO, Stark Area RTA, and Akron-Canton Airport to hold a public hearing on Wednesday, June 15, 2022, at 10:00 a.m. We will be discussing upcoming federally funded projects that may have the opportunity for certified DBE companies' participation.

This year's meeting will be virtual through Zoom. Please pre-register for the meeting by contacting Rebecca Schrader at Schrader.r38@partaonline.org to receive the Zoom link.

PARTA's Federal Fiscal Year 2020 through 2022 triennial DBE goal is .52%, which is required by the Code of Federal Regulations Title 49, Part 26. Your comments and feedback are important.
2t - 6/1, 6/8/22 (7344555)

DBE/Title VI Board Report for August 2022

Submitted by Denise Baba, DBELO/Title VI

Wednesday, August 17, 2022

Disadvantaged Business Enterprise Report

- *Department of Transportation (DOT) DBE Program implementation modifications*
 - On July 21, the Biden-Harris Administration, and the U.S. Department of Transportation (USDOT) issued a Notice of Proposed Rulemaking (NPRM) to modernize the Disadvantaged Business Enterprise (DBE) and Airport Concession DBE program regulations
 - As DBELO, I registered for and participated in a DOT NPRM Overview webinar held on Friday, July 29, 2022, and plan to participate in the final public hearing webinar to be held on Friday, August 26
 - If implemented some of the proposed rules may impact PARTA's DBE Program
 - The DOT's proposed modifications which would most likely effect PARTA include:
 - **Reporting requirements:** (1) Revision of the Uniform Report to include additional data fields, (2) direct recipients to obtain a standardized set of bidders list data and enter it into a centralized database specified by DOT, and (3) expanded data collection requirements for Moving Ahead for Progress in the 21st Century (MAP-21) data reports.
 - **Monitoring Requirements:** The DOT seeks to clarify (1) § 26.37 by changing the title from "What are a recipient's responsibilities for monitoring the performance of other program participants?" to "What are a recipient's responsibilities for monitoring?" The Department wants to make clear that even DBEs used race-neutrally must be monitored to count toward a recipient's overall goal. (2) A Commercially Useful Function (CUF) review is necessary for every DBE that performs for credit toward a recipient's overall goal and a contract goal. (3) The Department wants to underscore in this revision that each recipient would be required to keep a running tally, or ongoing accounting, of its attainment of its overall DBE goal (including race-neutral DBE participation) and make adjustments, if necessary, as set forth in § 26.51(d).
 - **Prompt Payment and Retainage:** Inclusion of a specific reference to the need for affirmative monitoring of subcontractor prompt payment and return of retainage by the recipient to reinforce the Department's position on the matter. Specifically, relying only on complaints or notifications from subcontractors about a contractor's failure to comply with prompt payment and retainage requirements is not a sufficient mechanism to enforce the requirements of section 26.29.
 - **Good Faith Efforts Procedures for Contracts with DBE goals:** (1) Revise § 26.53(e), to direct recipients requesting proposals for a design-build project to require a design builder to submit a DBE Performance Plan (DPP) with its proposal. The DPP replaces the need to commit to specific DBEs or submit good faith efforts at the time of the proposal or prior to final selection. (2) To clarify that proposed DBE and ACDBE terminations require the prime contractor or prime concessionaire to follow specific actions and provide a DBE or ACDBE an opportunity to respond before a recipient may provide written concurrence or denial for a termination.

- Other proposed modifications address threshold program requirements for FTA recipients (no impact to PARTA), Unified Certification Program (UCP) DBE/ACDBE directories, DBE certification standards, DBE certification procedures, and aligning DBE and ACDBE objectives.
- *PARTA's overall 3-year DBE Goal*
 - PARTA submitted its new overall 3-year DBE goal to the FTA via Trams on Monday, August 1, 2022
 - If approved by the FTA, the new goal will become effective October 1 and will remain in effect for federal fiscal years 2023-2025
 - PARTA's proposed overall 3-year DBE goal for federal fiscal years 2023-2025 is .42%. The new goal is slightly lower than PARTA's current overall DBE 3-year goal of .52%
 - After identifying projects that will be federally assisted, PARTA develops its overall goal based on demonstrable evidence of the availability of ready, willing, and able DBEs relative to all businesses ready, willing, and able to participate on DOT-assisted contracts. The goal reflects our determination of the level of DBE participation expected absent the effects of discrimination.
 - PARTA expects race-neutral means will be used to achieve 57% of its goal and race-conscious means will be used to reach the remaining 43% of its goal.
 - Public participation
 - PARTA's proposed goal was publishing on PARTA's website at www.partaonline.org on June 15, 2022, along with an online form for the community to provide feedback
 - The Disadvantage Business Liaison Officer (DBELO) met with the following stakeholders to discuss PARTA's DBE program and review the transit's proposed 3-year DBE goal:
 - Brad Ehrhart, President, Portage Development Board (7/18/22)
 - Gail Wilson, MCCAP Director, Akron Urban League (7/21/22)
 - Kyle Julien, Community Development Program Officer, Development Fund of the Western Reserve (7/21/22)
 - Renee Romine, President, Portage County NAACP (7/22/22)
 - Patrick O'Mailia, Economic Development Director, City of Streetsboro (7/26/22)
 - Michelle Hartman, Interim Executive Director, Kent Area Chamber of Commerce (7/27/22)
 - Holly Bane, Economic Development Director, City of Aurora (7/28/22)
 - The goal and the rationale for the goal was available at the PARTA administrative office for inspection during normal business hours beginning June 15 and continuing through August 1.
 - No comments were received before the final goal was submitted to the FTA on August 1, 2022.

Title VI

- *No update this period*