



VIRGINIA RAILWAY EXPRESS
OPERATIONS BOARD

Item 6-E
June 7, 2018
PRTC Regular Meeting

Agenda Item 10-A
Information Item

To: Chairman Nohe and the VRE Operations Board

From: Doug Allen

Date: May 18, 2018

**Re: Publication of Proposed Disadvantaged Business Enterprise
Overall Annual Goal for Federal Fiscal Years 2019 - 2021**

Summary:

At their meeting on May 3, 2018, the PRTC Board authorized the publication of the proposed Disadvantaged Business Enterprise (DBE) goal of 11.3 percent for Federal Fiscal Years (FFY) 2019 - 2021 and provisionally adopted the goal for FTA-assisted contracts.

Background:

PRTC and VRE have established a DBE program in accordance with Regulations of the United States Department of Transportation (DOT), 49 CFR Part 26 ("the Regulations"). The DBE program intends to provide contracting opportunities to small businesses owned and controlled by socially and economically disadvantaged individuals. The goal of the program is to "level the playing field" on which DBE businesses compete for contracts and subcontracts in the transportation industry.

The Regulations specify that DOT grantees must establish an overall triennial goal for DBE participation in federally assisted contracts, and prescribe implementation methods for achieving this goal. The methodology for determining the triennial goal is attached.



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The FTA requires all agencies with a DBE program to advertise their proposed goal for the upcoming fiscal years through various media (e.g. local newspapers and industry publications) for a period of 30 days and seek public comment for 45 days from the date of publication. A copy of the public notice is attached.

In addition to advertising the proposed goal, PRTC and VRE are required to provide for consultation with minority, women's and general contractor groups, which could be expected to provide information concerning the availability of disadvantaged and non-disadvantaged businesses. The consultation must include a scheduled, direct, interactive exchange with as many stakeholders as possible.

The proposed FFY 2019 - 2021 DBE goal of 11.3 percent for FTA-assisted contracts is based on an assessment of projected expenditures for FFY 2019 – 2021; a review of U.S. Census and other sources concerning the availability of DBE companies in the industries and geographic markets relevant to PRTC and VRE; and consideration of PRTC's and VRE's historical utilization of DBE companies. Management believes this goal is a reasonable projection of overall DBE participation for the upcoming fiscal years.

At their meeting on May 3, 2018, the PRTC Board authorized the publication of the proposed FFY 2019 - 2021 goal and provisionally adopted the goal, subject to the condition that the public inspection and consultation process does not result in any public comments that necessitate reconsideration or modification of the proposed goal. If reconsideration is needed, the Commission will be asked to review and adopt the final FFY 2019 - 2021 goal after completion of the consultative process and the public comment period. PRTC is required to submit the proposed FFY 2019 - 2021 DBE overall goal to the FTA by August 1, 2018. The goal, once adopted, will be posted on the PRTC and VRE websites and included in relevant procurement documents involving FTA-assisted contracting opportunities.