



COMMONWEALTH of VIRGINIA

Thelma D. Drake
Director

DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION
600 EAST MAIN STREET, SUITE 2102
RICHMOND, VA 23219-2416

(804) 786-4440
FAX (804) 225-3752
VIRGINIA RELAY CENTER
1-800-828-1120 (TDD)

December 13, 2012

Mr. Michael Riess
Regional Civil Rights Officer, Region 3
Federal Transit Administration
1760 Market Street
Suite 500
Philadelphia, Pennsylvania 19103

Dear Mr. Riess:

Enclosed is the Virginia Department of Rail and Public Transportation's (DRPT) Disadvantaged Business Enterprise (DBE) goal for fiscal years 2013-2015. As you are aware, DRPT passes on all of the federal funds to our subrecipients and is responsible only to ensure that they comply with the federal regulations.

We anticipate the overall goal that will accrue to DRPT will be 3%. I have reviewed the goal development process and believe it represents a fair assessment of the potential DBE participation that can be achieved during the triennium. After posting our goal in the public, there was no substantial data to support an allocation to a race conscious measure, therefore; we will attempt to achieve these goals through the race neutral measure. Our public notice and affidavit are also attached for your review. There were no comments to our public notice of goal.

If you have any questions, or need additional information, please feel free to call me at (804) 786-3427.

Sincerely,


Linda I. Maiden

Rail and Transit Programs Analyst

Attachments



NOTICE OF PUBLIC COMMENT

THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION has established an overall goal of 3% for participation of Disadvantaged Business Enterprise (DBE) organizations in Federal Transit Administration Section 5311 fund contracting opportunities during the federal fiscal year beginning October 1, 2012 pursuant to the requirements of 49 CFR Part 26.

Documentation on development of this goal is available for inspection Monday - Friday from 8:30 a.m. -- 4:00 p.m. until August 14, 2012 at this address: Virginia Department of Rail and Public Transportation, 600 E. Main Street, Suite 2102, Richmond, Virginia 23219.

E-mail: drptpr@drpt.virginia.gov.

Phone: 804-786-4440.

Comments on the goal will be received until August 14, 2012 at the above address.

Virginia Department of Rail and Public Transportation - www.drpt.virginia.gov - Windows Internet Explorer provided by Virginia

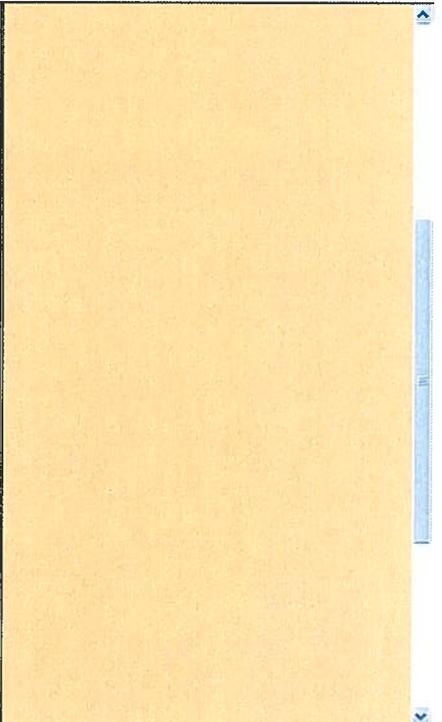
http://www.drpt.virginia.gov

File Edit View Favorites Tools Help

Google Search Share More Sign In

Favorites AOL Mail (119) FTA - Civil Rights Heart In The Sand T-Shirts, ... Legislative Information Syst... Commonwealth of Virginia D... DGS BFM MSC Meeting Rooms

Virginia Department of Rail and Public Transportation - ...

<p>Welcome</p> <p>The Virginia Department of Rail and Public Transportation's mission is to improve the mobility of people and goods while expanding transportation choices in the Commonwealth.</p> <p>DRPT has three primary areas of activity — Rail, Public Transportation, and Commuter Services.</p> <p>SJ297 - Transit Study Committee</p> <p>DRPT Approved STIP - August 3, 2012</p> <p>OLGA4</p> <p>DRPT Organizational Chart</p> <p> View DRPT Expenses</p> <p>Notice of Public Comment</p> <p>Triennial Goal Notice</p> <p>DRPT's Board & Compact</p> <p>Commonwealth Transportation Board</p> <p>VA/NC High Speed Rail Compact</p>	<p>Spotlight</p> <div data-bbox="649 430 1096 672">  </div> <p>In The News</p> <p> 8/30/2012 - Governor McDonnell Announces Amtrak Virginia to Norfolk to Start December 12, 2012.</p> <p> 6/22/2012 - Governor McDonnell Announces \$11.4 Billion in Transportation Improvements.</p> <p>All DRPT News...>></p> <p></p>	
---	--	--

Local intranet 100%

start | Inbo... - Microsoft Out... | Document1 - Microsof... | Virginia Department o... | 3:26 PM

AFFIDAVIT

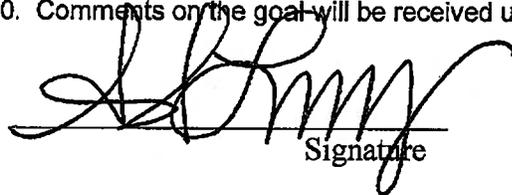
STATE OF VIRGINIA

CITY/COUNTY OF Henrico, to-wit:

I, Adriane Long, Advertising Network Coordinator, hereby certify that the below classified ad notice for Virginia Department of Rail and Public Transportation was submitted to the participating papers in the Virginia Statewide Classified Ad Network for publication during each of the following week:

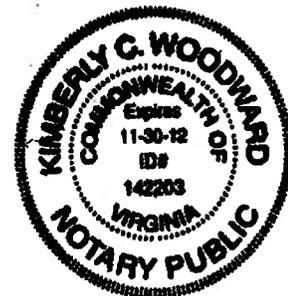
July 1, 2012

THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION has established an overall goal of 3% for participation of Disadvantaged Business Enterprise (DBE) organizations in Federal Transit Administration Section 5311 fund contracting opportunities during the federal fiscal year beginning October 1, 2012 pursuant to the requirements of 49 CFR Part 26. Documentation on development of this goal is available for inspection Monday - Friday from 8:30 a.m. -- 4:00 p.m. until August 14, 2012 at this address: Virginia Department of Rail and Public Transportation, 600 E. Main Street, Suite 2102, Richmond, Virginia 23219. E-mail: drptpr@drpt.virginia.gov. Phone: 804-786-4440. Comments on the goal will be received until August 14, 2012 at the above address.


Signature

Subscribed to and sworn before me this 10 day of October 2012.
My commission expires: 11 /30 /12

Kimberly C Woodward
[Notary Public]





Participating newspapers subject to change - 4/2012

Network Classifieds List

Contact: **Adriane Long**, (804) 521-7585, adrianel@vpa.net

Paper	Day	Circ.	Paper	Day	Circ.
Washington County News, Abingdon	Wednesday	2,534	The Central Virginian, Louisa	Thursday	8,208
The Metro Herald, Alexandria	Thursday	5,050	Nelson County Times, Lovingston	Thursday	2,632
Amelia Bulletin Monitor, Amelia	Thursday	10,237	Page News & Courier, Luray	Thursday	7,568
New Era-Progress, Amherst	Thursday	2,688	The News & Advance, Lynchburg	Tuesday	27,374
Herald-Progress, Ashland	Thursday	4,560	Smyth County News & Messenger, Marion	Wednesday	4,408
The Post, Big Stone Gap	Thursday	2,567	Martinsville Bulletin	Tuesday	14,738
The Bland County Messenger	Wednesday	1,906	The Shenandoah Valley Hit, McGaheysville	Friday	2,100
Cave Spring Connection	Friday	3,500	The Recorder, Monterey	Thursday	5,000
The Caroline Progress	Thursday	3,388	Westmoreland News, Montross	Wednesday	3,315
Bristol Herald Courier	Sunday	30,391	The New Castle Record	Wednesday	1,503
The Daily Progress, Charlottesville	Wednesday	25,406	The Coalfield Progress, Norton	Tuesday	5,600
Charlottesville/Albemarle Tribune	Wednesday	10,000	Virginian Leader, Pearisburg	Wednesday	5,437
The News-Messenger, Christiansburg	Saturday	3,405	The Progress-Index, Petersburg	Tuesday	12,181
The Mecklenburg Sun	Wednesday	5,877	The Prince George Journal	Thursday	1,300
The News-Progress, Chase City	Wednesday	4,104	The Southwest Times, Pulaski	Tuesday	4,697
The News Patriot, Colonial Heights	Thursday	5,000	Radford News Journal	Saturday	1,459
Virginian Review, Covington	Thursday	6,796	Clinch Valley News, Richlands	Wednesday	1,896
Culpeper Star-Exponent	Wednesday	6,132	Richlands News-Press	Wednesday	3,867
Danville Register & Bee	Friday	18,001	Richmond Times-Dispatch	Sunday	167,174
The North Fork Journal, Harrisonburg	Wednesday	12,450	The Richmond Voice	Wednesday	33,895
The Shenandoah Journal, Harrisonburg	Wednesday	10,250	The Roanoke Times	Friday	75,740
The Dickenson Star	Wednesday	3,946	Salem Times-Register	Thursday	3,735
The Monitor, Dinwiddie	Wednesday	4,300	The Smithfield Times	Wednesday	6,345
The Valley Banner, Elkton	Thursday	3,416	Gazette Virginian, South Boston	Wednesday	9,880
Independent-Messenger, Emporia	Wednesday & Sunday	4,788	News & Record, South Boston	Thursday	4,701
The Farmville Herald	Wednesday	7,308	The South Hill Enterprise	Wednesday	5,836
The Fincastle Herald	Wednesday	6,742	Clinch Valley Times, St. Paul	Thursday	1,839
The Floyd Press	Thursday	4,824	The News Leader, Staunton	Wednesday	14,510
Tidewater News, Franklin	Wednesday	3,157	Northern Virginia Daily, Strasburg	Tuesday	13,225
The Free Lance-Star, Fredericksburg	Tuesday	41,824	The Enterprise, Stuart	Wednesday	5,840
The Warren Sentinel, Front Royal	Thursday	3,157	Suffolk News Herald	Tuesday	3,071
The Gazette, Galax	Friday	7,918	Rappahannock Times, Tappahannock	Thursday	5,000
The Virginia Mountaineer, Grundy	Thursday	8,180	Southside Sentinel, Urbanna	Thursday	4,747
Daily News Record, Harrisonburg	Tuesday	27,821	Tazewell County Free Press	Wednesday	13,500
Nuevas Raices, Harrisonburg	Wednesday	14,000	The Vinton Messenger	Thursday	1,140
Rocktown Weekly, Harrisonburg	Thursday	13,977	Sussex-Surry Dispatch, Wakefield	Wednesday	3,325
The Northumberland Echo, Heathsville	Wednesday	2,116	The Northern Neck News, Warsaw	Wednesday	4,896
The Carroll News, Hillsville	Wednesday	5,586	The Washington Times	Sunday	33,792
The Hopewell News	Friday	4,476	The News Virginian, Waynesboro	Sunday	19,375
The Declaration, Independence	Wednesday	1,992	The Winchester Star	Thursday	19,964
The Southside Messenger, Keysville	Thursday	2,006	News & Messenger, Woodbridge	Wednesday	14,078
Rappahannock Record, Kilmarnock	Thursday	7,592	Shenandoah Valley Herald, Woodstock	Thursday	2,905
Brunswick Times-Gazette, Lawrenceville	Wednesday	2,503	Wytheville Enterprise	Tuesday	5,676
The Lebanon News	Wednesday	5,486	York Town Crier/Poquoson Post	Thursday	3,190
The News-Gazette, Lexington	Wednesday	7,637			
Total Circulation					1,128,067

**VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION
TRIENNIAL DBE GOAL SETTING METHODOLOGY
(FY 2013-2015)**

DBE regulations (49 CFR 26.45) require the establishment of an overall goal based on demonstrable evidence of the availability of ready, willing, and able DBEs relative to all businesses who are ready, willing, and able to participate on DOT assisted contracts. This process begins by determining a base figure for the relative availability of DBEs and then, based on evidence, determining whether the base figure requires adjustments to arrive at an overall goal. These requirements are the basis for the Department of Rail and Public Transportation's (DRPT) goal setting methodology.

Overall Goals (49 CFR 26.45)

Amount of goal

DRPT's overall DBE goal for FY 2013-15 is 3% of the federal financial assistance we receive. This goal excludes FTA funds to be used for the purchase of transit vehicles.

Method

The following is a summary of the method DRPT used to calculate this goal:

The method used to calculate the relative availability of DBEs "base figure" for Step 1 of the process was taken from Example 1 of 49 CFR 26.45, which suggests the use of DBE Directories and Census Bureau Data.

- DRPT determined the number of statewide ready, willing and able DBEs from the State's DBE Directory.
- DRPT examined lists of other Minority Business Enterprise/Women Business Enterprise (MBE/WBE/SWAM) organizations throughout the state to determine the availability of additional firms who may be interested in becoming certified as ready, willing and able DBEs if they were alerted to the benefits of the program. In making this determination, DRPT considered two scenarios. The first one assumed that 3% of those potential DBEs would be eligible or qualify for Virginia's DBE certification. The second one took all of the listed MBE/WBE/SWAMs as potential DBEs.
- Using County Business Patterns (CBP) data, DRPT determined the number of businesses available in the regional market that could provide the goods and services that DRPT and its subrecipients project for use in FY 2013-15.

- A base figure for each scenario was derived by dividing the number of DBEs and potential DBEs by the number of all regional businesses. To tailor the data to DRPT's contracting program for FY2013-15, the relative availability of DBEs was weighted, giving more weight to the categories of work in which DRPT projects expending more money.

Attachment 1

DRPT DBE Goal Setting Methodology

Step 1: Determining a Base Figure for the Overall Goal

In the final rule making, section 26.45 of 49 CFR Part 26 suggested five methodologies and provided examples for recipients to use as guidelines to set overall goals. DRPT opted to use method number one. This method allows the use of DBE Directories and Census Bureau Data and makes use of the following formula:

$$\text{Step One Base Figure} = \frac{\text{Ready, willing and able DBEs}}{\text{All firms ready, willing and able (including DBEs and non-DBEs)}}$$

This tabulation produced a base figure as follows:

Ready, Willing and Able DBEs for DRPT Business	53	
-----		= 2.2%
All Firms	2939	

DRPT addressed the issue of determining a percentage as accurately as possible by using the same scope of businesses for both the numerator and the denominator. Taking into consideration the CBP data available, DRPT used data encompassing the entire state.

NAICS Codes used:

424120 (Office Supplies) 4
485113 (Bus and other motor vehicle transit systems)2
485119 (Other urban transit systems) 1
485210 (Interurban and Rural Bus Transportation)0
485991 (Special needs transportation) 2
485999 (All other transit and ground passenger transportation) 2
488490 (Other support activities for road transportation) 26
488999 (All other support activities for transportation) 4
811212 (Computer and office machine repair and maintenance) 10
812930 (Parking lots and garages) 2
Total DBE's certified for DRPT/subrecipient work: 53

The Numerator

To determine the number of ready, willing and able DBEs, DRPT used the Virginia Department of Minority Business Development's (DMBE) DBE

Directory (DMBE is the DBE certifying agent for the Commonwealth of Virginia and DRPT utilizes this DBE Directory as its own directory). As suggested in the tips for Goal Setting released by the Office of Small and Disadvantage Business Utilization (OSDBU), DRPT consulted relevant data sources to supplement the data with potential DBEs for the purpose of goal setting only. In doing so, the following Minority Business Enterprise/Women Business Enterprise (SWAM) directory was examined: *VA Department of Minority Business Enterprise (MBE) Directory (SWAM)*. As DRPT was making use of the Statewide directory maintained by another agency, the data was filtered for firms most likely to provide services for DRPT and its subrecipients for FY 2013-15.

DRPT considered a test scenario. With this test scenario the number of potential DBEs ready, willing and able to become certified was filtered, considering that not all of the firms included in the DMBE directory would qualify or be eligible for DBE certification. DRPT assumed that approximately 3% of the regional MBE/WBE/SWAM could qualify for the DBE program. Under the second scenario, all of the MBE/WBE/SWAM certified in Virginia were considered as potential DBEs. The resulting number of DBEs (the 3% resulting number of potential DBEs) became the numerator of this formula.

This tabulation produced a base figure as follows:

$$\frac{\begin{array}{r} 3\% \text{ of All Firms} \quad 66 \\ \hline \text{All Firms} \quad 2393 \end{array}}{\quad} = 2.8\%$$

Based on most accurate data, we reject this scenario and DRPT will adopt the first methodology.

The Denominator

DRPT derived the denominator from the Census Bureau’s County Business Pattern (CBP) database. Again, the CBP database was sorted to reflect only those fields in which DRPT intends to contract during FY2013-15. To do this NAICS codes were carefully examined and matched with the categories of work determined to most likely occur in DRPT’s or its subrecipient’s federal contracting program for FY2013-15.

Weighting

To tailor the data to DRPT’s contracting program for FY2013-15, the relative availability of DBEs was weighted, giving more weight to the categories of work in which DRPT projects expending more money.

In performing this weighting, DRPT staff accounted for the total projected federal expenditures for FY2013-15, and then calculated percentages to be spent per project. These percentages were applied to the ratios obtained when comparing the number of DBEs and potential DBEs to the availability of CBP businesses in each of the business sectors.

Rounded Weighted Base Figure is 4.6%.

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)	488999	DRPT Planning & Studies	\$636,579.00	0.1028
2)	485210	AACS/Four County Transit Capital Program	\$48,327.00	0.0078
3)	485210	Green County Transit Capital Program	\$9,200.00	0.0015
4)	485210	JAUNT, Inc. Capital Program	\$441,500.00	0.0713
5)	485210	Bay Aging Capital Program	\$3,313,235.00	0.5351
6)	485210	STAR Transit Capital Program	\$141,800.00	0.0229
7)	485210	Town of Altavista Capital Program	\$24,000.00	0.0039
8)	485210	RADAR Capital Program	\$55,000.00	0.0089
9)	485210	VRT Culpeper, Loudoun, Staunton Capital Program	\$1,522,530.00	0.2459
10)				0.0000
	Total FTA-Assisted Contract Funds		\$6,192,171.00	1

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

* Use DBE Directory, census data and/or a bidders list to enter the number of available DBE firms and the number of available firms.

	NAICS Code	Project	Number of DBEs available to perform this work	Number of all firms available (including DBEs)	Relative Availability
1)	488999	DRPT Planning & Studies	4	9	0.4444
2)	485210	AACS/Four County Transit Capital Program	0	209	0.0000
3)	485210	Green County Transit Capital Program	0	209	0.0000
4)	485210	JAUNT, Inc. Capital Program	0	209	0.0000
5)	485210	Bay Aging Capital Program	0	209	0.0000
6)	485210	STAR Transit Capital Program	0	209	0.0000
7)	485210	Town of Altavista Capital Program	0	209	0.0000
8)	485210	RADAR Capital Program	0	209	0.0000
9)	485210	VRT Culpeper, Loudoun, Staunton Capital Program	0	209	0.0000
10)	0	0			
	Combined Totals			1681	0.0024
					Overall availability of DBEs

(Weight) x (Availability) = Weighted Base Figure

NAICS Code	Project	Weight	x	Availability	Weighted Base Figure
1) 488999	DRPT Planning & Studies	0.10280	x	0.44444	0.0457
2) 485210	AACS/Four County Transit Capital Program	0.00780	x	0.00000	
3) 485210	Green County Transit Capital Program	0.00149	x	0.00000	
4) 485210	JAUNT, Inc. Capital Program	0.07130	x	0.00000	
5) 485210	Bay Aging Capital Program	0.53507	x	0.00000	
6) 485210	STAR Transit Capital Program	0.02290	x	0.00000	
7) 485210	Town of Altavista Capital Program	0.00388	x	0.00000	
8) 485210	RADAR Capital Program	0.00888	x	0.00000	
9) 485210	VRT Culpeper, Loudoun, Staunton Capital Program	0.24588	x	0.00000	
10) 0	0	0.00000	x	0.00000	
Total					0.0457
Expressed as a % (*100)					4.57%
Rounded, Weighted Base Figure:					4.6%

Step 2: Adjusting the Base Figure

Justification

In accordance with the guidance on DBE goal setting, adjustment to the Step 1 Base Figure must be considered, but not required, in order to make it as precise as possible. To determine whether this adjustment is needed or not, DRPT examined the similarity between projects this year to projects in recent years. The types of projects for FY2013-15 are similar to the types of projects in FY11 and FY12 to some extent. This leads to the assumption that our previous rate of DBE participation is an accurate reflection of DBE capacity in the type of work for FY2013-15 and, under this scenario, the adjustment for past participation is warranted.

Based on estimates on contract awards for construction projects our total estimated expenditures for FY2013 are as follows:

FY13 Estimated Construction Projects = \$5,563,892

FY13 Other Contracts using Federal Funding = \$636,576

Base Figure(s) Adjustment

DRPT calculated the adjustment by averaging the figures obtained in Step One with a figure that represented DRPT's DBE past participation (median past participation). In utilizing this method, we obtained a more precise outcome by being able to include a number of years' worth of past participation.

Based on most accurate data, we reject this scenario and DRPT will adopt the first methodology.

The first component is to determine the "median" past participation percentages.

DRPT's FY 12 DBE Participation Rate = 3%

DRPT's FY 11 DBE Participation Rate = 3%

DRPT's FY 10 DBE Participation Rate = 3%

Median Participation = 3%

The second component in adjusting the Step One Base Figure for past participation is to use this median past participation percentage (3%) to adjust the Step One Base Figures (2.2% and 4.6%). This adjustment is done through averages as shown below.

Using the weighted figure of 4.6%, DRPT averaged this with our past 3 year participation and reached a goal of 3.8%. However, based on the previous 3 years where DRPT consistently reached a DBE goal of 3%, we feel this is a much more accurate representation of businesses which are DBE certified and willing, ready, and able to do business in the Commonwealth, we will adjust **DRPT's DBE goal for FY2013-15 to 3%**.

Average

$4.6\% + 3\% = 7.6\% = 3.8\%$ average

Attachment 2

Breakout of Estimated Race-Neutral and Race-Conscious Participation

DRPT estimates that, in meeting its overall goal of 3%, it 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: (1) DRPT's previous years' DBE goal achievement and (2) DRPT's past participation of DBE subcontractors. Additionally, DRPT has taken into consideration the contracting opportunities projected for the new federal fiscal year.

Following is the analysis for the estimated breakout:

Step 1. DRPT staff reviewed the previous years' DBE goal achievement. DRPT did not exceed its annual DBE goal achievement in FY11 and FY12. As we have been able to meet our goal using the Race Neutral means, DRPT does not include specific DBE goal percentage language in its contracts. Therefore, for FY2013-15, DRPT will not seek to increase its percentage of race conscious means. DRPT's race conscious goal will remain 0%.

Step 2. DRPT staff reviewed the past participation of DBE subcontractors. The achievement of race conscious measures for FY12 was 0% and the race neutral measures achievement was 3%. The total DBE achievement was 3%. Race conscious measures attainment is a result of participation of DBE subcontractors on contracts containing DBE goals.

DRPT expects to see the same DBE subcontractor participation in some of its construction projects projected for the next three years.

Step 3. For FY2013-15, DRPT is proposing an overall goal of 3 % using race neutral measures.

Recommendation

In accordance with §26.45, DRPT recommends:

FY2013-15 goal: 3% race-neutral means and 0% race-conscious means.

DRPT will adjust the estimated breakout of race-neutral and race-conscious participation as needed to reflect actual DBE participation and will track and report race-neutral and race-conscious participation separately. For reporting purposes, race-neutral DBE participation includes, but is not necessarily limited

to, the following: DBE participation through a prime contract obtained through customary competitive procurement procedures; DBE participation through a subcontract on a prime contract that does not carry a DBE goal; DBE participation on a prime contract exceeding a contract goal; and DBE participation through a subcontract from a prime contractor that did not consider a firm's DBE status in making the award.

DRPT uses the following race-neutral means to increase DBE participation:

1. Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate DBE and other small businesses participation;
2. Ensuring availability of the State's DBE directory (DRPT's DBE Directory) both internally and to interested parties.

All DRPT subrecipients that meet the threshold requirements will adopt this goal.