

**ATTACHMENT 5**

Section 26.45: Overall DBE Three-Year Goal Methodology

**Name of Recipient:** Recipient owner of City of Eugene/Eugene Airport

**Goal Period:** FY-2018-2019-2020 – October 1, 2017 through September 30, 2020

<b>DOT-assisted contract amount:</b>	FY-2018	<u>\$ 2,029,000</u>
	FY-2019	<u>\$ 6,320,000</u>
	FY-2020	<u>\$ 7,000,000</u>
	<b>Total</b>	<b><u>\$15,349,000</u></b>

**Overall Three-Year Goal:** 4.4%, to be accomplished through 0% RC and 100% RN

**Total dollar amount to be expended on DBE's:** \$675,400

**Describe the Number and Type of Contracts that the airport anticipates awarding:**

Contracts Fiscal Year #1

1. Taxiway Alpha Design (A1-A5) - \$376,000
2. ARFF Vehicle Replacement - \$856,000
3. SRE Deicer Replacement - \$671,000

Contracts Fiscal Year #2

1. Taxiway Alpha Rehab (A1-A5) - \$3,500,000
2. Wetland Fill – EA/Permits - \$113,000
3. Golf Ramp Design - \$470,000

Contracts Fiscal Year #3

1. Golf Ramp Rehab - \$5,210,000
2. Runway 34R Rehab Design - \$470,000

**Market Area:** City of Eugene/Eugene Airport is located just off of the I-5 corridor in the middle of the state of Oregon. We define the market area for DBE participation on construction projects as the area of Lane, Douglas, Linn and Benton Counties. Geographically, this makes sense in that the airport is located in Lane County, with Douglas, Linn, and Benton being the closest adjacent populated areas.

We define the market area for DBE participation on special purpose equipment and engineering/environmental services to be the State of Oregon.

**Step 1. 26.45(c)** Actual relative availability of DBE's

Determine the base figure for the relative availability of DBEs. The base figure for the relative availability was calculated as follows:

NAICS	Type of Work	Total DBE's	Total All Firms
541330	Engineering Services	38	777
541620	Environmental Consulting Services	64	202
237310	Highway, Street, and Bridge Construction	6	34
336211	Special purpose highway vehicle	0	10
Total		108	1,023

Divide the total number of DBE's by the total number of All Firms = base figure for each contract.

Base figure = 10.6% of all firms ready, willing and able.

The data source or demonstrable evidence used to derive the numerator was:

<https://oregon4biz.diversitysoftware.com/FrontEnd/VendorSearchPublic.asp>

The data source or demonstrable evidence used to derive the denominator was:

<https://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>

**Step 2. 26.45(d):** Adjustments to Step 1 base figure.

*After calculating a base figure of the relative availability of DBEs, evidence was examined to determine what adjustment (if any) was needed to the base figure in order to arrive at the overall goal.*

*An examination of the anticipated contracts for each fiscal year, the availability of the DBE firms by trade classification and the volume of work performed by DBE firms over previous years.*

*Fiscal Year #1*

*For FY-2018, we anticipate the award of the following:*

Contract Name	Trade Description	NAICS Description	NAICS	Trade (\$) - E	Census F	Directory G	DBE (%) (=G/F)	DBE (\$) (=E X H)
Taxiway Alpha Design	Civil Engineering	Engineering Services	541330	376,000	777	38	4.9%	18,424
ARFF Vehicle Replacement	Vehicle Manufacturing	Special Purpose Highway Vehicle	336211	856,000	10	0	0	0
SRE Deicer Replacement	Vehicle Manufacturing	Special Purpose Highway Vehicle	336211	671,000	10	0	0	0
Total Contract Year #1				1,903,000	797	38	<b>4.8%</b>	91,344

*Fiscal Year #2*

*For FY-2019, we anticipate the award of the following:*

Contract Name	Trade Description	NAICS Description	NAICS	Trade (\$) - E	Census F	Directory G	DBE (%) (=G/F)	DBE (\$) (=E X H)
Taxiway Alpha Rehab	Asphalt, Dust Control, Painting	Highway & Street Construction	237310	3,500,000	34	6	17.6%	616,000
Wetland Fill for Runway Safety	Environmental Assessment and Permits	Environmental Consulting Services	541620	113,000	202	64	31.7%	35,821
Golf Ramp Design	Civil Engineering	Engineering Services	541330	470,000	777	38	4.9%	23,030
Total Contract Year #2				4,083,000	1013	108	<b>10.7%</b>	436,881

*Fiscal Year #3*

*For FY-2020, we anticipate the award of the following:*

Contract Name	Trade Description	NAICS Description	NAICS	Trade (\$) - E	Census F	Directory G	DBE (%) (=G/F)	DBE (\$) (=E X H)
Golf Ramp Rehab	Asphalt, Dust Control, Painting	Highway & Street Construction	237310	5,210,000	34	6	17.6%	916,960
Runway 34R Design	Civil Engineering	Engineering Services	541330	470,000	777	38	4.9%	23,030
Total Contract Year #3				5,680,000	811	44	<b>5.4%</b>	306,720

**Past History Participation**

*Other data used to determine the adjustment to the base figure was the average historical DBE accomplishments as follows:*

FY	Total Grant \$ Amount	DBE Goals			Accomplishments			Type of work
		RC	RN	Total	RC	RN	Total	
FY 14	7926480	0%	2.8%	2.8%	0%	0%	0%	Building Construction
FY 15	3,047,216	0%	3.6%	3.6%	0%	0%	0%	Building Construction
FY 16	375,554	0%	3.6%	3.6%	0%	5.5%	5.5%	Master Plan Consulting

*Using this historical data, (0%, 0%, 5.5%) the average is 1.8%.*

*The proposed Overall DBE Goals are adjusted as follows:*

- *Fiscal Year #1 – (4.8 + 1.8)/2 = **3.3%***
- *Fiscal Year #2 = (10.7+1.8)/2 = **6.25%***
- *Fiscal Year #3 = (5.4+1.8)/2 = **3.6%***

*Our proposed overall three year goal will be reflected as an average of the three years.*

- **Year 1 Goal = 3.3%**
- **Year 2 Goal = 6.25%**
- **Year 3 Goal = 3.6%**
  
- **Average of the three years  $(3.3+6.25+3.6)/3 = 4.4\%$**

*To arrive at an overall goal, we added computed the base DBE participation by year based on the planned projects, adjusted the yearly participation based on prior DBE participation and then averaged the total arriving at an overall goal of 4.4%. We feel this adjusted goal figure will accurately reflect DBE participation that can be achieved for the type of work being awarded during this three-year period.*

*Further, there are no applicable disparity studies for the local market area or recent legal case information available from the State of Oregon Business Oregon Commission to show any evidence of barriers to entry or competitiveness of DBEs in Benton, Douglas, Lane and Linn counties.*

**Breakout of Estimated “Race and Gender Neutral” (RN) and “Race and Gender Conscious” (RC) Participation. 26.51(b) (1-9)**

The recipient will meet the maximum feasible portion of its overall goal by using RN means of facilitating DBE participation. *[Use all the applicable RN measures that the recipient will use to increase DBE participation:]*

1. *Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitates DBE, and other small businesses, participation;*
2. *Providing technical assistance and other services;*
3. *Carrying out information and communications programs on contracting procedures and specific contract opportunities;*
4. *Ensuring distribution of DBE directory, through print and electronic means, to the widest feasible universe of potential prime contractors;*
5. *Assist DBE’s and other small businesses, to develop their capability to utilize emerging technology and conduct business through electronic media; and*

The recipient estimates that in meeting its overall goal 4.4%, it will obtain 100% from RN participation and 0% through RC measures.

*This breakout is based on:*

Due to the Ninth Circuit Court of Appeals decision in the Western States Paving vs. WSDOT, EUG will meet its overall goal by using only race-neutral means of facilitating DBE participation.

The City of Eugene/Eugene Airport will adjust the estimated breakout of RN and RC DBE participation as needed to reflect actual DBE participation (see Section 26.51(f)) and track and report RN and RC participation separately. For reporting purposes, RN 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.

## PUBLIC PARTICIPATION

**Consultation:** Section 26.45(g)(1).

In establishing the overall goal, the City of Eugene/Eugene Airport provided for consultation and publication. This included consultation with minority, women's and general contractor groups, community organizations, and other officials or organizations which could be expected to have information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and the City of Eugene/Eugene Airport's efforts to establish a level playing field for the participation of DBEs. The consultation included a scheduled, direct, interactive exchange (e.g., a face-to-face meeting, video conference, teleconference) with as many interested stakeholders as possible focused on obtaining information relevant to the City of Eugene/Eugene Airport's goal setting process, and it occurred before we were required to submit our goal methodology to the operating administration for review pursuant to paragraph (f) of this section. Notwithstanding paragraph (f)(4) of this section, we will not implement our proposed goal until we have complied with this requirement.

*The City of Eugene/Eugene Airport submits its overall DBE three-year goal to DOT on August 1 as required by the set schedule.*

*Before establishing the overall goal, the City of Eugene/Eugene Airport consulted with Lane Small Business Development Center, Business Oregon Certification Office for Business Inclusion & Diversity, Oregon Procurement and Technical Assistance Center (GCAP), and City of Eugene Equity in Contracting Office, without limiting consultation to these persons or groups, to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and the City of Eugene/Eugene Airport's efforts to establish a level playing field for the participation of DBEs.*

*Organizations and groups were invited directly by email and the meeting was posted on the Airport's Website at [www.flyeug.com](http://www.flyeug.com).*

*A face-to-face consultation meeting was held on June 15, 2017 at the Eugene Airport Administration Office located at 28855 Lockheed Dr., Eugene Oregon. The following groups were in attendance either in person or via teleconference: City of Eugene Equity in Contracting Office.*

*The following groups responded to the invitation but were unable to attend: Oregon Procurement and Technical Assistance Center (GCAP), Business Oregon Certification Office for Business Inclusion & Diversity. These groups were sent copies of the proposed projects and were provided opportunity to provide comments on the overall goal setting methodology.*

*Following the consultation, we published a notice in the Register Guard on June 19, 2017 of the proposed overall goal, informing the public that the proposed goal and its rationale are available for inspection during normal business hours at the airport administration building for 30 days following the date of the notice, and informing the public that the City of Eugene/Eugene Airport and DOT will accept comments on the goals for 30 days from the date of the notice.*

*No comments have been received.*

## PUBLIC NOTICE

The City of Eugene/Eugene Airport hereby announces its federal fiscal years 2018 through 2020 goal of 4.4% for Disadvantaged Business Enterprise (DBE) airport construction Contracts. The proposed goals and rationale is available for inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday at Eugene Airport Administration located at 28855 Lockheed Dr., Eugene Oregon for 30 days from the date of this publication.

Comments on the DBE goal will be accepted for 30 days from the date of this publication and can be sent to the following:

David Barbero  
Director of Finance and Administration  
28855 Lockheed Dr., Eugene OR 97402  
Or to [david@flyeug.com](mailto:david@flyeug.com)

AND

*Federal Aviation Administration  
Office of Civil Rights Staff  
Sonja G. Cruz  
[Sonja.curz@faa.gov](mailto:Sonja.curz@faa.gov)*

### **Contract Goals**

The City of Eugene/Eugene Airport will use contract goals to meet any portion of the overall goal that the recipient does not project being able to meet using RN means. Contract goals are established so that, over the period to which the overall goal applies, they will cumulatively result in meeting any portion of the recipient's overall goal that is not projected to be met through the use of RN means.

The City of Eugene/Eugene Airport will establish contract goals only on those DOT-assisted contracts that have subcontracting possibilities. It need not establish a contract goal on every such contract, and the size of the contract goals will be adapted to the circumstances of each such contract (e.g., type and location of work and availability of DBE's to perform the particular type of work).

We will express our contract goals as a percentage *of the total amount of a DOT-assisted contract.*