

GREATER PORTLAND TRANSIT DISTRICT | METRO PROPOSED TRIENNIAL OVERALL GOAL AND GOALSETTING METHODOLOGY FOR FFY 2025-2027

Proposed DBE Goal: 1.61%

Effective: October 1, 2024 through September 30, 2026

INTRODUCTION

The Greater Portland Transit District (Metro) has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (USDOT).

Pursuant to 49 CFR Part 26 and USDOT official guidance, Metro has determined that its overall annual DBE attainment on Federal Transit Administration (FTA) funded projects for FFY 2025-2027 is 1.61% (the “Overall Goal”). The Overall Goal will be obtained using race- and gender-neutral measures. In establishing its Overall Goal, Metro has actively sought input from women, minorities, and the general contracting community.

This document describes in detail the process used by Metro to establish the Overall Goal.

STEP 1. DETERMINING A BASE FIGURE

As specified in 49 CFR 26.45(c), Metro calculated a percentage base figure reflecting the availability of DBEs relative to all businesses ready, willing, and able to participate on FTA-assisted contracts in its local market area. The base figure reflects a DBE participation level that Metro would expect in the absence of discrimination.

Local Market Area

Metro determined its local market area by reviewing the business locations of the contractors and subcontractors with which Metro does businesses and by considering where Metro spends the substantial majority of its contracting dollars. Based on this information, Metro determined that its local market area encompasses the counties of Cumberland, Androscoggin, and York.

Sources of Data

The number of ready, willing, and able DBEs and the total number of ready, willing, and able businesses in Metro’s market area were determined using the following verifiable sources of data:

- Maine DOT DBE Directory (<https://www.maine.gov/mdot/civilrights/dbe/>). The directory lists the firm’s name, address, phone number, date of most recent certification, and the type of work the firm has been certified to perform as a DBE. In addition, the directory lists each type of work for which a firm is eligible to be certified by using the most NAICS code available to describe each type of work. The directory is housed and updated weekly online. It is searchable by scope of work,

and receives widespread distribution in hard copy at seminars, conferences, trainings, and other networking events. www.maine.gov/mdot/civilrights/dbe/

- Census Bureau County Business Patterns (CBP) database. County Business Patterns provides data on the total number of establishments by detailed industry for all counties in the United States.
- Metro Bidders List. Metro has created and maintained a bidders list based on vendors who routinely seek to work on USDOT-assisted contracts in METRO's local market area.

Calculation

Metro used the Maine DOT DBE Directory and Census Bureau data, supplemented by its bidders list, to calculate a base figure, as shown in Figure 1, attached hereto. Specifically, Metro calculated the relative availability percentage as follows:

1. Metro determined the number of ready, willing, and able DBEs in its local market area from the Maine DOT DBE directory and supplemented this number with any additional DBE vendors on its bidders list who are available to perform USDOT-assisted contracts. Then, using the Census Bureau's CBP database, Metro determined the number of all ready, willing, and able businesses available in its local market area that perform work in the same NAICS codes. (See Figure 1, Columns A-E).
2. Data from the CBP database was filtered for Metro local market area—the counties of Cumberland, Androscoggin and York—and for the NAICS codes categories set forth in Figure 1, Column B, which Metro determined are applicable for contracting opportunities.
3. The CBP database, supplemented by Metro's bidders list, identified a total of 4,795 businesses ready, willing, and able to perform work in the above-described NAICS codes categories in Metro's market area. The most recent Maine DOT DBE directory, supplemented by Metro's bidders list, showed 87 certified DBEs who are ready, willing, and able to perform work in these NAICS codes categories.
4. To ensure that the base figure is as accurate as possible, Metro weighted its calculation of the relative availability of firms. Specifically, Metro calculated the ratio of DBEs to the total number of vendors (see Figure 1, Column F), and then multiplied this ratio by the ratio of contract dollars estimated to be spent on each category of NAICS codes (see Figure 1, Column H), to arrive at a weighted ratio for each category of NAICS codes (see Figure 1, Column I).
5. By adding the weighted ratios for each NAICS codes category and reflecting the total as a percentage, Metro derived a base figure of 4.19% for the relative availability of DBEs in Metro's local market area.

Result

Step 1 Base Figure = 4.19%

STEP 2. DETERMINING IF ADJUSTMENT IS NEEDED

As specified in Section 26.45, once the relative availability of ready, willing, and able DBEs in Metro's local market area has been determined, it is necessary to examine additional evidence and, if appropriate, make adjustments to the base figure, to ensure that the DBE goal truly and accurately reflects the level of DBE participation Metro would expect absent the effects of discrimination. Accordingly, Metro has considered and accounted for other evidence of conditions affecting DBEs, as set forth below, and determined that an adjustment to the Step 1 Base Figure is appropriate.

After establishing the base figure, Metro considered available information of conditions affecting DBEs to determine whether any adjustment to the base figure would be needed to establish its new overall DBE goal for FTA-funded contracts.

Factors Considered

Past and Future Contracting Activity

Metro examined the nature of contracting work anticipated for FFY 2025-2027. The two primary areas of expected NAICS spending are construction related to bus stop improvements and architecture and engineering services related to a facility rebuild project in the CIP. Otherwise, the activity and market conditions in Metro's local market area have not substantially changed.

Metro also reviewed this in relation to the prior triennial activity and DBE percentages, as shown in the table below. As a small agency, one contract with a high DBE amount can significantly impact the percentage for that period, and the table shows that result.

In periods where the percentage is much higher than the goal, it is often driven by a capital contract and not by consistent operating activity. One of the prior periods includes a contract for Transit Signal Priority project, which included a certified DBE subcontractor, with a federal share of over \$80,000. For the purposes of calculating an obtainable goal, Metro has removed this reporting period from the historical median calculation.

Additionally, Metro contracts with an outdoor advertising agency, who is also a certified DBE, for bus and shelter advertising. However, the majority of the expenses incurred with this vendor are attributed to a revenue sharing contract, which is not allowable activity towards meeting the overall DBE goal. Therefore, expenses to this vendor as part of the revenue sharing agreement have been excluded from the goal calculation.

Metro's ability to meet DBE goals is attributable in large part to three DBE vendors that have consistent operating expense activity. Metro's actual DBE participation may be affected if the activity with these three consistent vendors changes, or if there is a change of scope, timing or funding for other major one-time projects.

Prospective DBE Participation

For many years, MDOT has hired Eastern Maine Development Corporation (EMDC), a community development and small business development agency, to administer its DBE Supportive Services Program. Metro contacted the EMDC about their training and outreach programs and to determine any changes in the availability of DBE vendors who could likely provide the goods and services Metro uses in the course of its business. EMDC training and events, which result in any new certified DBEs, are listed on the MDOT site that is updated weekly and is referenced by Metro. Also, during the prior triennial period, Metro staff encouraged two businesses it contracted with to become certified as DBE. One was women owned and another was women-minority owned. However, neither opted to go through the certification process, at least yet.

Metro has determined that no additional data exists that would help to better measure the percentage of work that DBEs would be likely to obtain. Metro has concluded that an adjustment to the base figure is appropriate, and the Adjusted Figure below more accurately represents a level of DBE participation that Metro would expect absent discrimination.

Calculation

Metro determined that an adjustment based upon past and expected participation was appropriate, mitigated by the factors contributing to significant spikes. Metro followed the guidance set forth in USDOT’s Tips for Goal-Setting to average the Step 1 Base Figure with a figure which represents Metro’s median past participation, as follows:

1. Metro determined the median past participation percentage based on the actual DBE participation during the two most recent DBE goal setting periods:
2. Metro then averaged the historical median of 0.09% and 0.54% and the Step 1 Base Figure of 4.19% to arrive at an adjusted figure of 1.61%, representing a 1.31% increase over the last triennial period.

HISTORICAL MEDIAN: 2018 Program		
DBE Report Period	Metro Race-Neutral Goal	Actual DBE Participation
Oct 2018 – March 2019	2%	1.06%
April 2019 – Sept 2019	2%	0.07%
Oct 2019– March 2020	2%	12.39%
April 2020 – Sept 2020	2%	0.10%
Oct 2020 – March 2021	2%	0.08%
HISTORICAL MEDIAN:		0.10%
HISTORICAL MEDIAN W/O OUTLIER:		0.09%

HISTORICAL MEDIAN: 2022 Program		
DBE Report Period	METRO Race-Neutral Goal	Actual DBE Participation
Oct 2021 – March 2022	0.30%	0.73%
April 2022 – Sept 2022	0.30%	19.47%
Oct 2022– March 2023	0.30%	0.34%
April 2023 – Sept 2023	0.30%	7.91%
Oct 2023 – March 2024	0.30%	0.07%
HISTORICAL MEDIAN:		0.73%
HISTORICAL MEDIAN W/O OUTLIER:		0.54%

Result

Adjusted Figure = 1.61%

RACE-/GENDER-NEUTRAL AND RACE-/GENDER-CONSCIOUS SPLIT

In accordance with federal regulations and USDOT guidance, Metro will strive to meet the maximum feasible portion of its proposed overall DBE goal by using race- and gender-neutral measures.

Based on information regarding awards and commitments to DBEs, certified DBEs received a median of 0.13% of the dollars on Metro’s FTA-funded contracts in FFY 2019-2021.

Metro did not apply contract goals or any other race- or gender-conscious measures to any FTA-funded contracts that Metro or subrecipients awarded during that timeframe; thus, 100% of DBE contractors and subcontractors were used on contracts without DBE goals.

Metro currently has a broad range of race- and gender-neutral measures to encourage and facilitate DBE participation in its contracts, including:

- Maintaining one-stop DBE certification with Maine DOT;
- Publicizing EMDC’s web site and services to support Maine DBE businesses;
- Utilizing Metro’s website and paid advertisements in newspapers and trade publications to encourage increased DBE participation;
- Using pre-bid meetings in construction contracts;
- Maintaining a policy on race-neutral measures, and training Metro staff with respect to implementation;
- Continuing administrative enforcement of prompt payments between prime contractors and subcontractors;
- Providing consistent and accurate data collection of DBE participation;
- Continuing to maintain Metro’s bidders list;

- Providing timely updates to current DBEs on all bidding and subcontracting opportunities; and
- Continuing to search Metro’s active vendor base for prospective new DBE participants and direct them to Maine DOT/EMDC resources and information in efforts to persuade them to become certified as DBEs.

Although the DBE vendor base applicable to transit is small in Metro’s local market area, Metro continues to review the Maine DOT DBE registry and conduct outreach with individuals and organizations with direct contact with the DBE community for possible additions to its vendor base.

Based on its levels and trends of past participation and its race- and gender-neutral measures, Metro projects that Metro will be able to meet 100% of its new overall DBE goal through race- and gender-neutral measures. Accordingly, Metro projects that it will not need to utilize any race-conscious or gender-conscious measures to meet its proposed Overall Goal.

ADDITIONAL INFORMATION

For additional information about this document or Metro’s DBE Program, please contact:

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Figure 1. GPTD Goal Setting Methodology: Step 1 Base Figure Calculation

A	B	C	D	E	F	G	H	I	J
Contract Type	2017 NAICS code	NAICS Code Label	Number		DBE %	Est		Weighted DBE %	Est DBE Expenditure
			of Vendors	# DBE Vendors		Expenditures 2025-2027	% of Est Exp		
Electricity	221122	Electric power distribution	15	-	0.0%	\$ 456,000	2.85%	0.00%	\$ -
Bus Fuel/Heat	221210	Natural gas distribution	4	-	0.0%	\$ 930,000	5.81%	0.00%	\$ -
Bus Stop Improvements	237310	Highway, street, and bridge construction	40	17	42.5%	\$ 997,358	6.23%	2.65%	\$ 423,877
Bus Stop Improvements	238110	Poured concrete foundation and structure contractors	112	4	3.6%	\$ 2,327,168	14.54%	0.52%	\$ 83,113
HVAC	238220	Plumbing, heating, and air-conditioning contractors	744	2	0.3%	\$ 105,000	0.66%	0.00%	\$ 282
Promotional Materials	323111	Commercial printing (except screen and books)	68	1	1.5%	\$ 52,500	0.33%	0.00%	\$ 772
Service Vehicle Replacement/Lease	441228	Motorcycle, ATV, and all other motor vehicle dealers	124	-	0.0%	\$ 133,600	0.83%	0.00%	\$ -
Parts	441310	Automotive parts and accessories stores	161	-	0.0%	\$ 952,500	5.95%	0.00%	\$ -
Building Maint	444130	Hardware stores	111	-	0.0%	\$ 96,000	0.60%	0.00%	\$ -
Building Maint	444190	Other building material dealers	191	2	1.0%	\$ 105,000	0.66%	0.01%	\$ 1,099
Employee Appreciation	445110	Supermarkets and other grocery (except convenience) stores	279	-	0.0%	\$ 45,000	0.28%	0.00%	\$ -
Uniforms	448190	Other clothing stores	233	-	0.0%	\$ 111,600	0.70%	0.00%	\$ -
Office Supplies	453210	Office supplies and stationery stores	4	-	0.0%	\$ 94,800	0.59%	0.00%	\$ -
Fuel	454310	Fuel dealers	170	-	0.0%	\$ 2,295,000	14.34%	0.00%	\$ -
ADA Paratransit	485991	Special needs transportation	11	-	0.0%	\$ 1,522,206	9.51%	0.00%	\$ -
Bus Maintenance	488410	Motor vehicle towing	39	-	0.0%	\$ 6,000	0.04%	0.00%	\$ -
Marketing/Public Svc	511110	Newspaper publishers	29	-	0.0%	\$ 13,500	0.08%	0.00%	\$ -
Bus WiFi/Internet/Phones/Email	517919	All other telecommunications	208	1	0.5%	\$ 212,328	1.33%	0.01%	\$ 1,021
Website Hosting	518210	Data processing, hosting, and related services	63	1	1.6%	\$ 5,898	0.04%	0.00%	\$ 94
Depository Banking	522110	Commercial banking	255	-	0.0%	\$ 2,700	0.02%	0.00%	\$ -
Liability and Workers Comp	524210	Insurance agencies and brokerages	442	1	0.2%	\$ 1,204,875	7.53%	0.02%	\$ 2,726
Legal Services	541110	Offices of lawyers	685	1	0.1%	\$ 135,000	0.84%	0.00%	\$ 197
Annual Audit	541211	Offices of certified public accountants	231	-	0.0%	\$ 90,000	0.56%	0.00%	\$ -
Facility	541310	Architectural services	158	4	2.5%	\$ 1,007,500	6.29%	0.16%	\$ 25,506
Facility/Bus Stop Improv	541330	Engineering services	359	26	7.2%	\$ 1,007,500	6.29%	0.46%	\$ 72,967
Facility	541350	Building inspection services	43	4	9.3%	\$ 33,975	0.21%	0.02%	\$ 3,160
Marketing/Public Svc	541430	Graphic design services	87	6	6.9%	\$ 19,500	0.12%	0.01%	\$ 1,345
Network Security	541519	Other computer related services	13	3	23.1%	\$ 21,600	0.13%	0.03%	\$ 4,985
Marketing/Public Svc	541613	Marketing consulting services	196	14	7.1%	\$ 76,000	0.47%	0.03%	\$ 5,429
Marketing/Public Svc	541890	Other services related to advertising	38	2	5.3%	\$ 110,000	0.69%	0.04%	\$ 5,789
Marketing/Public Svc	541910	Marketing research and public opinion polling	18	5	27.8%	\$ 20,000	0.12%	0.03%	\$ 5,556
Marketing/Public Svc	541922	Commercial photography	39	2	5.1%	\$ 10,500	0.07%	0.00%	\$ 538
Marketing/Public Svc	541930	Translation and interpretation services	13	1	7.7%	\$ 19,500	0.12%	0.01%	\$ 1,500
Recruitment/Staffing	561320	Temporary help services	136	7	5.1%	\$ 15,000	0.09%	0.00%	\$ 772
Bldg Security/Camera Replacement	561621	Security systems services (except locksmiths)	11	-	0.0%	\$ 4,320	0.03%	0.00%	\$ -
Cleaning Services	561720	Janitorial services	430	4	0.9%	\$ 145,500	0.91%	0.01%	\$ 1,353
Building Maint	562111	Solid waste collection	55	1	1.8%	\$ 12,960	0.08%	0.00%	\$ 236
Building Maint	562211	Hazardous waste treatment and disposal	3	-	0.0%	\$ 5,400	0.03%	0.00%	\$ -
Staffing/Drug Testing	621511	Medical laboratories	3	-	0.0%	\$ 43,500	0.27%	0.00%	\$ -
Bus Maintenance	811113	Automotive transmission repair	6	-	0.0%	\$ 1,140,000	7.12%	0.00%	\$ -
Bus Maintenance	811121	Automotive body, paint, and interior repair and maintenance	116	-	0.0%	\$ 202,500	1.27%	0.00%	\$ -
Bus Maintenance	811198	All other automotive repair and maintenance	7	1	14.3%	\$ 201,000	1.26%	0.18%	\$ 28,714
Air Compressor Maint	811310	Commercial and industrial machinery and equipment (except automotive and electronic) repair and maintenance	113	1	0.9%	\$ 15,000	0.09%	0.00%	\$ 133
Total			4,795	87		\$ 16,005,288	100%	4.19%	\$ 671,165

PUBLIC PARTICIPATION AND OUTREACH

Metro is a small agency with limited resources, and as such Metro works in cooperation with MaineDOT's efforts for public participation in establishing DBE goals. As Maine's only Unified Certification Program entity, MDOT has done extensive public outreach to ensure that eligible businesses are aware of the DBE Program. Information on MDOT's DBE program can be found at <https://www.maine.gov/mdot/civilrights/dbe/>

For many years, MDOT has hired Eastern Maine Development Corporation (EMDC), a community development and small business development agency, to administer its DBE Supportive Services Program. EMDC has developed a website of resources and information to support women and minority owned businesses. EMDC maintains a calendar of events to connect DBE business to local government work, and interested businesses to become DBE certified. <https://www.mainedbe.com/>
<https://www.emdc.org/connect/events/>

Metro has solicited input about its Overall Goal and goalsetting methodology by supplying this draft to its most recent DBE vendors/subcontractors to receive feedback. These vendors are:

1. ATA Outdoor Advertising
2. Schumacher Design
3. Casco Bay Cleaning

No comments were received.

Metro also solicited input from the EMDC to obtain their perspective on future DBE availability and to learn how they communicate with potential businesses about opportunities. However, Metro has not received a response to this request.

Finally, Metro has solicited input about its Overall Goal and goalsetting methodology by supplying this draft to its regional partners to receive feedback. These contacts included:

1. Biddeford Saco Old Orchard Beach Transit
2. Casco Bay Lines
3. Greater Portland Council of Governments

In addition to this active consultation, GTPD's Overall Goal and goalsetting methodology was posted on Metro's website starting on May 15, 2024, along with a notice informing the public that the proposed goal and its rationale was available for viewing, and that Metro was accepting comments on the goal and rationale for 30 days from the date of the notice. Metro also advertised the notice in a newspaper of general circulation in its market area. (See Appendix A) Comments were accepted via email, phone, or in writing by regular mail.

No comments were received.

Finally, Metro's Overall Goal will be posted on its website for the three-year term.

APPENDIX A

PUBLIC NOTICE AND OUTREACH – PROPOSED GOAL AND GOALSETTING METHODOLOGY

Newspaper Legal Ad

NOTICE OF PUBLIC COMMENT PERIOD GREATER PORTLAND TRANSIT DISTRICT

DBE Methodology and Goal for Federal Fiscal Years 2025 through 2027

Greater Portland Transit District is updating its Disadvantaged Business Enterprise (DBE) Program and Goal for its Federal Transit Administration (FTA) funded projects for the prospective federal fiscal years 2025 through 2027, with a goal of 1.61%.

Please review and provide any comments or input within the next 30 calendar days, or until June 20, 2024. Public comments will be taken via email, phone or regular mail, as detailed below. The Document can be found on the GPTD website, www.gpmetro.org under Inside Metro, DBE Program and Goal.

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Greater Portland Transit District
Shelly Brooks, Chief Financial Officer
114 Valley Street
Portland, Maine, 04102

The screenshot shows a web browser window with the URL gpmetro.org/182/DBE-Program-and-Goal. The page title is "DBE PROGRAM AND GOAL". The left sidebar contains a navigation menu with items: "Bids & Requests for Proposal", "Board of Directors & By-Laws", "Financial Information", "Committee Meetings", "Job Opportunities", "DBE Program and Goal", "Equal Opportunity Policy", "Policies", "Public Meetings & Public Notices", "Surveillance Cameras", "Performance Statistics", "Battery Electric Buses", "Metro Projects and Initiatives", and "Yield to Bus". The main content area includes the following text:

Greater Portland Metro Disadvantaged Business Enterprise (DBE) Program and Goal -- [LINK](#)

June 2023 Updated DBE Goal -- [LINK](#)

The Maine Department of Transportation, in partnership with the Eastern Maine Development Corporation, administers a certification program for DBE vendors.

If you would like more information about how to become a certified DBE vendor, please visit the EMDC website at <https://www.mainedbe.com/become-certified/>

Notice of Public Comment Period

Greater Portland Transit District is updating its Disadvantaged Business Enterprise (DBE) Program and Goal for its Federal Transit Administration (FTA) funded projects for the prospective federal fiscal years 2025 through 2027, with a goal of 1.61%.

Please review and provide any comments of input within the next 30 calendar days, or until June 20, 2024. Public comments will be taken via email, phone or regular mail, as detailed below.

A link to the document is provided [HERE](#).

To submit public comment, use one of the methods below:

email: info@gpmetro.org, use "DBE Program and Goal" in the subject line
Phone: 207-517-3020 or 207-517-3022
Mail: Greater Portland Transit District, ATTN: Shelly Brooks, 114 Valley Street, Portland, ME 04102