Federal Transit Administration: DBE Reporting & TEAM

DBE Reporting: Down to Business
Agenda

- Who is expected to Report?
- ARRA Quarterly DBE Reports & Semiannual DBE Reports
- Awards/Commitments this Period
- The Breakdown: Ethnicity/Gender
- Actual Payments on Contracts Completed this Period
- Open Discussion
- Adjourn
The Basics

- Who reports information?
  - Were you required to submit a goal?
    - $250k rule: planning, capital and/or operating assistance
      - § 26.21(2)
    - Sans transit vehicle purchases
      - New procurement from manufacturer?
      - Off the lot purchase of assistance vehicles?
      - Mid to Minor Rehab?
  - Did you use FTA money to:
    - Buy stuff?
    - Build stuff?
    - Plan stuff?
      - EVEN IF NO DBE PARTICIPATION MUST REPORT
“Specifically, a recipient required to have a DBE program may not structure its operations expenditures so that an unreasonable proportion of contracts that could be performed by DBEs are removed from its DBE program.”
Direct Recipients Report to FTA

- Funds directly from FTA?
  - Report to FTA
  - Use TEAM
Sub Recipients report to Direct Recipient

- City A
- Transit Agency
- City B
- City A
- City C
- Transit Agency

- State DOT

- FTA

- MPO
What about you?
How long do I report?

- “You must continue to carry out your program until all funds from DOT financial assistance have been expended” § 26.21(2)(c)

- Look at structure of form:
  - Awards/Commitments made During this Reporting Period
  - Actual Payments on Contracts Completed this Period
    - Award = Beginning
      - Everything in Between (even if all zeroes)
    - Payment = The End
What are we collecting?

Percentage of FTA Dollars Awarded to DBE Firms: FFY 2008 - FFY 2011
Your Input Matters...

- Executive Order
  - Open Gov’t Directive
- Congressional Inquiries
- Public inquiries
- USDOT Leadership
- FTA Leadership

1st Half FFY 2011: Distribution of Awards (in Dollars) to DBEs by Ethnicity

- Black Amer. 39%
- Hispanic Amer. 17%
- Asian-Pacific Amer. 16%
- Subcont. Asian Amer. 2%
- Native Ameri. 2%
- Non-Minority Women 24%
- Other 0%
Two Major Types of Reports

**ARRA Reports**
- Requested by Secretary
- Quarterly Submissions
  - Due 10 days after the quarter
  - Until ARRA funded contracts are complete
- Report in TEAM

**Semiannual Reports**
- Defined by Regulation
- Semiannual Submissions
  - June 1 and December 1
  - Until you report funding is finished
- Report in TEAM
Time Frames...

ARRA DBE Reports

- Four (4) Quarters
  1. Oct. 1\(^{st}\) to Dec. 31\(^{st}\)
  2. Jan. 1\(^{st}\) to Mar. 31\(^{st}\)
  3. Apr. 1\(^{st}\) to June 30\(^{th}\)
  4. July 1\(^{st}\) to Sept. 30\(^{th}\)
- ARRA funds only!
- Due 10 days after period ends...
  - Plus grace period

Semiannual

- Two (2) Halves
  - October 1\(^{st}\) to March 31\(^{st}\)
  - April 1\(^{st}\) to September 30\(^{th}\)
- All funds covered by your goal
- Due June 1\(^{st}\) and December 1\(^{st}\) respectively
Until ARRA funded contracts are complete

We need you!

- 56%* of reports have not been submitted!
- 545 of 642 still on list
  - So many still going?
- 23% fully completed according to TPM

- * expected reporters over $250k ARRA funds

Status of 2nd Quarter FY 2011 Reports:
How do we fix the ARRA list?

- Remove those with all ARRA funds expended
- Remove those who bought new vehicles only
- Adjust list based on the $250k threshold*

* ARRA funds + other eligible funds = eligible/ineligible
Logging into TEAM

TEAM Reporting Basics

- Must have TEAM Account
- Must have Civil Rights
  - Not there?
    - Must have applied.
TEAM Basics Continued...

- All features found in DBE Reporting
  - New
    - First time creating a report
  - Existing
    - Reports you’ve begun
    - Reports “migrated” by FTA
How do I create Semiannual? ARRA reports?

- Use the Reporting Period dropdown!
- Only “Open” Reporting Periods will be available for selection
How do I work with an existing report?

- Choose search parameters to find report
  - Submit to generate a list
- Magnifying glass to view
- Excel export anything (i.e. spreadsheet, single report)
- Pencil icon to edit
Federal Transit Administration: DBE Reporting & TEAM

DBE Reporting: Awards & Ethnicity Breakdown
Prime contracts awarded this period?

- Contract – a legally binding agreement obligating a seller to furnish supplies or services [26.5]
  - Prime contract = Direct agreement for services/supplies
  - Sub contract = Agreement between prime contractor and 2nd tier contractors
Prime Contracts Awarded this Period?

- Notice black mark in Total line?
  - Subs are a part of prime!
    - Therefore Prime & Sub must be from the same period
- Columns A & B are “All contracts columns”
How is participation counted at the award level?

**Extreme example**

Comparisons made to the total amount... the prime contract.

<table>
<thead>
<tr>
<th>Year</th>
<th>Prime Contract $</th>
<th>Prime Contract #</th>
<th>Sub Contracts $</th>
<th>Sub Contracts #</th>
<th>% of $ to DBE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jun-10</td>
<td>$90,000,000</td>
<td>3</td>
<td>$25,000</td>
<td>1</td>
<td>0.03%</td>
</tr>
<tr>
<td>Dec-10</td>
<td>$1,000,000</td>
<td>1</td>
<td>$5,000,000</td>
<td>2</td>
<td>500.00%</td>
</tr>
<tr>
<td>Jun-11</td>
<td>$0</td>
<td>0</td>
<td>$5,000,000</td>
<td>2</td>
<td>0.00%</td>
</tr>
<tr>
<td>Dec-11</td>
<td>$500,000</td>
<td>1</td>
<td>$475,000</td>
<td>1</td>
<td>95.00%</td>
</tr>
<tr>
<td>Jun-12</td>
<td>$12,000,000</td>
<td>2</td>
<td>$35,000,000</td>
<td>5</td>
<td>291.67%</td>
</tr>
<tr>
<td>Dec-12</td>
<td>$3,000,000</td>
<td>1</td>
<td>$1,000,000</td>
<td>1</td>
<td>33.33%</td>
</tr>
<tr>
<td>Total</td>
<td>$106,500,000</td>
<td>8</td>
<td>$46,500,000</td>
<td>12</td>
<td>43.66%</td>
</tr>
</tbody>
</table>

This is intended to be a snapshot of your contracting activity.
### How does your agency frame contracts?

#### Bundled

- 1 Prime Contract
  - $5,000,000
- 4 Sub Contracts
  - $1,925,000
- \(8a = \$5,000,000\)
- \(8b = 1\)
- \(9a = \$1,925,000\)
- \(9b = 4\)

#### Unbundled

- ? Prime Contracts
- Carpentry
- Lighting
- Flooring
- ???
- \(8a = \$5,000,000\)
- \(8b = 5\)
- \(9a = ???\)
- \(9b = ???\)

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*Prime and sub contracts should not be combined to make total funds! Will be more than you were awarded.*
Counting DBE Participation (§ 26.55)

- Only the work actually performed by the DBE
  - Entire amount of construction contract (except supplies & equipment purchased from prime)
  - Entire amount of fees/commissions for professional services
  - Subcontracted part of the work, if subcontracted to another DBE firm
    - On form, translates to two (2) separate entries
  - Sixty (60) percent of supply purchase from “regular dealer”
    - Packagers, brokers, manufacturer’s reps do not count
  - One hundred (100) percent of purchase from manufacturer
## The Big Difference

**Sub = Portion of Prime**

<table>
<thead>
<tr>
<th>A. Total Dollars</th>
<th>B. Total Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>8. Prime Contracts Awarded This Period:</td>
<td></td>
</tr>
<tr>
<td>$155,000</td>
<td>3</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>A. Total Dollars</th>
<th>B. Total Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>9. Subcontracts Awarded/Committed This Period:</td>
<td></td>
</tr>
<tr>
<td>$470,000</td>
<td>4</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>C. Total to DBEs (dollars)</th>
<th>D. Total to DBEs (number)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$130,000</td>
<td>1</td>
</tr>
<tr>
<td>$55,000</td>
<td>1</td>
</tr>
<tr>
<td>$185,000</td>
<td>2</td>
</tr>
</tbody>
</table>

**Only Count DBE work performed**
## Race Conscious versus Race Neutral

<table>
<thead>
<tr>
<th>C. Total to DBEs (dollars)</th>
<th>D. Total to DBEs (number)</th>
<th>E. Total to DBEs/Race Conscious (dollars)</th>
<th>F. Total to DBEs/Race Conscious (number)</th>
<th>G. Total to DBEs/Race Neutral (dollars)</th>
<th>H. Total to DBEs/Race Neutral (number)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$130,000</td>
<td>1</td>
<td>$0</td>
<td>0</td>
<td>$130,000</td>
<td>1</td>
</tr>
<tr>
<td>$55,000</td>
<td>1</td>
<td>$0</td>
<td>0</td>
<td>$55,000</td>
<td>1</td>
</tr>
<tr>
<td>$185,000</td>
<td>2</td>
<td>$0</td>
<td>0</td>
<td>$185,000</td>
<td>2</td>
</tr>
</tbody>
</table>

- Think “contract goals” for DBE participation (RC)
- No contract goals (RN)
  - All those wonderful things you do, to indirectly assist DBEs

In TEAM, you must fill out RC + RN to get totals (columns C & D)
## Example Time:

<table>
<thead>
<tr>
<th>Prime Contractor</th>
<th>Amount ($) of Prime Contract</th>
<th>DBE Status (Y or N)</th>
<th>Non-DBE Sub ($)</th>
<th>DBE Sub ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jefferson</td>
<td>$250,000</td>
<td>Y</td>
<td>$0</td>
<td>$50,000</td>
</tr>
<tr>
<td>Billue’s</td>
<td>$75,000,000</td>
<td>N</td>
<td>$35,000,000</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Davis</td>
<td>$375,000</td>
<td>Y</td>
<td>$175,000</td>
<td>$0</td>
</tr>
<tr>
<td>Microbook</td>
<td>$850,000</td>
<td>N</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>SpriMobile</td>
<td>$1,000,000</td>
<td>N</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Erickson</td>
<td>$12,000,000</td>
<td>Y</td>
<td>$3,000,000</td>
<td>$3,000,000</td>
</tr>
<tr>
<td>Scheffler</td>
<td>$6,500,000</td>
<td>N</td>
<td>$250,000</td>
<td>$1,250,000</td>
</tr>
</tbody>
</table>
The Answers...

### Awards/Commitments Made During This Reporting Period:

<table>
<thead>
<tr>
<th></th>
<th>A. Total Dollars</th>
<th>B. Total Number</th>
<th>C. Total to DBEs (dollars)</th>
<th>D. Total to DBEs (number)</th>
<th>E. Total to DBEs/Race Conscious (dollars)</th>
<th>F. Total to DBEs/Race Conscious (number)</th>
<th>G. Total to DBEs/Race Neutral (dollars)</th>
<th>H. Total to DBEs/Race Neutral (number)</th>
</tr>
</thead>
<tbody>
<tr>
<td>8. Prime Contracts Awarded This Period:</td>
<td>$95975000</td>
<td>7</td>
<td>$6,400,000</td>
<td>3</td>
<td>$0</td>
<td>0</td>
<td>$6400000</td>
<td>3</td>
</tr>
<tr>
<td>9. * Subcontracts Awarded/Committed This Period:</td>
<td>$57725000</td>
<td>8</td>
<td>$19,300,000</td>
<td>4</td>
<td>$19300000</td>
<td>4</td>
<td>$0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td><strong>$25,700,000</strong></td>
<td><strong>7</strong></td>
<td><strong>$19,300,000</strong></td>
<td><strong>4</strong></td>
<td><strong>$19,300,000</strong></td>
<td><strong>4</strong></td>
<td><strong>$6,400,000</strong></td>
<td><strong>3</strong></td>
</tr>
</tbody>
</table>
Questions?
## Ethnicity Breakdown

**DBE Awards/Commitments**

### Breakdown By Ethnicity & Gender:

<table>
<thead>
<tr>
<th>Ethnicity</th>
<th>Number of Contracts</th>
<th>Dollar Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Black American</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>B. Hispanic American</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>C. Native American</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>D. Subcont. Asian American</td>
<td>1</td>
<td>$130000</td>
</tr>
<tr>
<td>E. Asian-Pacific American</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>F. Non-Minority Women</td>
<td>1</td>
<td>$55000</td>
</tr>
<tr>
<td>G. Other</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td><strong>H. Total (number)</strong></td>
<td>2</td>
<td><strong>$185,000</strong></td>
</tr>
</tbody>
</table>

- **This Reporting Period!**
  - Means it matches values from above.
- **DBE Awards...**
  - Means matches to DBE award values
- **# of Contracts not # of Firms**

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32
Do I have to? How?

- Race Neutral not an excuse!
- Contact your member UCP
- No guessing!
- UCP uses definitions in § 26.5 to categorize
What does your UCP Offer?

Find A Certified DBE Firm

The Disadvantaged Business Enterprise (DBE) Database contains information on certified DBE firms, and is updated daily. To ensure that the database has the most current DBE's contact information, should there be a need to update these records, please email the Office of Business and Economic Opportunity, Certification Office at DBE_Certification@dot.ca.gov.

Use the following Query Form to find certified DBE firms to meet your contracting requirements, or download the Unified Certification Program (UCP) Database and perform your own search.

- [Click here to Access the DBE Query Form](#) (Export options: CSV | Excel | XML | PDF)
- [DBE Query Form Instructions / Tutorial](#)
- [Click Here to Download the DBE Database in Excel](#)

(The excel file may take a while to load. Please save this file to your Desktop)

- NEW: The Excel spreadsheet now has Work Codes indicating types of work DBE firms are certified to perform. Please note the NAICS Code listed for a DBE is its primary NAICS Code only, and the firm may have been assigned several other NAICS Codes. Use Work Codes as your primary search criteria when determining additional types of work DBE Firm is certified to perform.
- The spreadsheet should be used to meet contract goals as stipulated in 49 CFR part 26, Appendix A (D)(1).
- To identify all relevant DBEs the excel spreadsheet can be sorted by: 1) work code, 2) Caltrans district, and 3) minority type. The relevant DBEs who should be solicited are those that are designated by the work codes corresponding to an adequate amount of work made available by the bidder who are available to work in the Caltrans district where the project is located plus those available to work in district code "0" (statewide). For example, if Painting Asphalt work is available in District 4, filter the spreadsheet in the following manner: Add filters to the spreadsheet (see below for details), Select Work Code C3910, Select District 4 from District, and then select Minority Type. Once you have saved the resulting list, change District to "0" to get a second listing of certified firms that have indicated they can work statewide.
- You can add filters to the excel spreadsheet to refine your search.
- To add filters, do the following:
They have good stuff...you want good stuff!
Other is not “Unknown”

Before trainings...

**FFYs 2009 - 2010 Distribution of Awards (in Dollars) to DBEs by Ethnicity**

- Non-Minority Women: 27%
- Black Amer.: 26%
- Hispanic Amer.: 18%
- Asian-Pacific Amer.: 11%
- Subcont. Asian Amer.: 10%
- Native Amer.: 4%
- Other: 4%

After training...

**1st Half FFY 2011: Distribution of Awards (in Dollars) to DBEs by Ethnicity**

- Non-Minority Women: 24%
- Black Amer.: 39%
- Asian-Pacific Amer.: 16%
- Subcont. Asian Amer.: 17%
- Native Amer.: 2%
- Other: 0%
- Hispanic Amer.: 4%
Questions?
Federal Transit Administration: DBE Reporting & TEAM

DBE Reporting: Actual Payments on Contracts Completed
RC & RN Again !?!?!

- **Line 12:** If contract goal set
- **Line 13:** No contract goals

<table>
<thead>
<tr>
<th>11. Total Dollar Value:</th>
<th>$0</th>
<th>$0</th>
<th>$0</th>
<th>$130,000</th>
<th>$0</th>
<th>$55,000</th>
<th>$0</th>
<th>$185,000</th>
</tr>
</thead>
</table>

**Actual Payments on Contracts Completed This Reporting Period:**

<table>
<thead>
<tr>
<th>A. Number of Prime Contracts Completed</th>
<th>B. Total Dollar Value of Prime Contracts Completed</th>
<th>C. DBE Participation Needed to Meet Goal (dollars)</th>
<th>D. Total DBE Participation (dollars)</th>
<th>E. Percentage of Total DBE Participation</th>
</tr>
</thead>
<tbody>
<tr>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>0%</td>
</tr>
<tr>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>0%</td>
</tr>
<tr>
<td>Totals: 0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0%</td>
</tr>
</tbody>
</table>
Participation Needed to Meet Goal: Return of the Black Field?

- RN or Total?
  - No!
  - Because values may come from multiple periods, may be irreconcilable
- RC yes!
  - Read form literally

(Note: The image shows a form for entering participation needed to meet the goal in dollars.)
DBE Participation Needed to Meet Goal

+ $6,000
+ $50,000
+ $100,000
= $156,000

C. DBE Participation Needed to Meet Goal (dollars)
<table>
<thead>
<tr>
<th>Contract</th>
<th>Amount</th>
<th>Contract Goal?</th>
<th>Status</th>
<th>Payments to DBEs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transit Ctr Construct</td>
<td>$5,500,000</td>
<td>10%</td>
<td>Complete</td>
<td>$450,000</td>
</tr>
<tr>
<td>Engineer Support</td>
<td>$560,000</td>
<td>None</td>
<td>Complete</td>
<td>$35,000</td>
</tr>
<tr>
<td>Transit Vehicle Purchase</td>
<td>$3,000,000</td>
<td>None</td>
<td>Complete</td>
<td>Unknown</td>
</tr>
<tr>
<td>Planning Study</td>
<td>$420,000</td>
<td>6%</td>
<td>In Progress</td>
<td>$10,000</td>
</tr>
</tbody>
</table>
Finally! 2 Steps to Save/Submit

**Saving**
- All fields (except grant #)
- Select status from dropdown
  - New/Draft
- Press the Save button at the bottom

**Submitting**
- All fields (except grant #)
- Select status from dropdown
  - Ready for Regional Review
- Press the Save button at the bottom
How do you know it worked?

- Returned to View Screen
- Status Update at the Bottom!
Finished!

- On the web:
  - Federal Transit Administration’s DBE Page
    - [www.fta.dot.gov/dbe](http://www.fta.dot.gov/dbe)
    - [FTADBEtraining@dot.gov](mailto:FTADBEtraining@dot.gov)
  - Office of Small & Disadvantaged Business Utilization
    - [www.osdbu.dot.gov](http://www.osdbu.dot.gov)
  - TEAM Help Desk
    - 888-443-5305
    - [Team.HelpDesk@DOT.GOV](mailto:Team.HelpDesk@DOT.GOV)
- Call your Regional Civil Rights Officer!