

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



STAFF REPORT

MEETING DATE: 5/12/2021

Staff Report No. 21-225

TO: AC Transit Board of Directors
FROM: Michael A. Hursh, General Manager
SUBJECT: Disadvantaged Business Enterprise Semi-Annual Payment Report

BRIEFING ITEM

RECOMMENDED ACTION(S):

Consider receiving the Disadvantaged Business Enterprise (DBE) Semi-Annual Payment Report for the period of October 1, 2020 through March 31, 2021.

STRATEGIC IMPORTANCE:

Goal - Financial Stability and Resiliency
Initiative - Financial Efficiency and Revenue Maximization

The Federal Transit Administration (FTA) has mandated that AC Transit, as a recipient of DOT-assisted funding, is required to adopt and implement a DBE program. Inclusive in the implementation is the periodic reporting to the FTA on the success and challenges of meeting established triennial DBE goals. Supporting this requirement ensures that the District remains eligible to receive FTA funding.

BUDGETARY/FISCAL IMPACT:

There is no budgetary or fiscal impact associated with this report.

BACKGROUND/RATIONALE:

During this reporting period, the District successfully achieved and exceeded its 10% DBE participation goal. District awards and commitments during this period resulted in 22.1% of federal dollars going to DBE firms. This was solely due to existing contract amendments and change orders.

| | |
|--|-----------|
| Prime Contract Award Dollars | \$240,134 |
| DBE Prime Awards and Subcontract Commitments | \$52,964 |
| DBE Participation (%) | 22.1% |

In addition to new DBE commitments, the FTA looks at ongoing utilization of DBE firms. Currently, there are 37 ongoing contracts and subcontracts awarded prior to the current reporting period resulting in 12.4% DBE utilization, as indicated in the table below:

| Total Federal Dollars Paid | Total Payments to DBEs | DBE Percentage |
|-----------------------------------|-------------------------------|-----------------------|
| \$9,486,650 | \$1,180,785 | 12.4% |

The District's FTA Federal Fiscal Year (FFY) Triennial DBE Goal for FFY2020 - 2022 is 10% annually, reported semi-annually for periods October-thru-March, and April-thru-September. This is the 1st of two required reports for FFY2020-2021.

Although DBE firms have performed on non-federally funded projects during this report period, the FTA DBE utilization calculation is exclusively based upon federally funded contract awards and commitments awarded during the specific semi-annual report period. District staff continually performs electronic monitoring of its prime contractors and their commitment to DBEs and Small Business Enterprises, including prompt payment requirements. Additionally, efforts to increase the use of DBEs have been bolstered by aligning procurement opportunities with Board Policy 460: Disadvantaged Business Enterprise (DBE) Policy, and Board Policy 466: Small and Small Local Business Enterprise Policy. Since the onset of COVID-19 and related gathering restrictions, staff have engaged in online outreach efforts that entail video conferencing webinars and modified "meet the primes" events. Staff continues to work with internal and external partners to focus on innovative solutions to conduct safe DBE and SBE outreach programs including specific opportunities on doing business with AC Transit.

ADVANTAGES/DISADVANTAGES:

This report does not recommend a course of action with notable advantages or disadvantages.

ALTERNATIVES ANALYSIS:

As this report is informational, no alternatives were considered.

PRIOR RELEVANT BOARD ACTION/POLICIES:

SR20-443 Disadvantaged Business Enterprise (DBE) Semi-Annual Payment Report
SR19-199 Disadvantaged Business Enterprise Goal for Fiscal Years 2020-2022
Board Policy 460 Disadvantaged Business Enterprise Policy

ATTACHMENTS:

None

Prepared by:

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Approved/Reviewed by:

Lynette Little, Director of Civil Rights & Compliance