

**Fiscal Years 2022-2024  
Overall Goal for  
Disadvantaged Business Enterprise  
Participation in Federal Transit Administration  
Assisted Programs  
(Including Goal Setting Methodology)**

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Adopted by  
GET Board of Directors  
August 17, 2021

Submitted to  
U.S. Department of Transportation  
Federal Transit Administration  
San Francisco, California  
**August 1, 2021**

**GOLDEN EMPIRE TRANSIT DISTRICT**  
**OVERALL DBE GOAL FOR FFYS 2022-2024**

**I. EXECUTIVE SUMMARY**

The U.S. Department of Transportation (DOT) prescribes its Disadvantaged Business Enterprise (DBE) program and requirements for recipients of Federal funds from DOT in the Code of Federal Regulations (CFR) Title 49, Part 26 (Regulations). Specific instructions are found in Section 26.45 entitled "How do recipients set overall goals."

As a recipient of DOT financial assistance via the Federal Transit Administration (FTA), Golden Empire Transit District (GETD) has established a recommended overall DBE goal for FYs 2022-2024 of 2.12% based on all FTA-assisted contracting funds anticipated to be awarded between October 1 - September 30.

The goal is based on demonstrable evidence of the availability of ready, willing and able DBE's relative to all businesses ready, willing and able to participate in our FTA-assisted contracts. The overall goal reflects GETD's determination of the level of DBE participation expected to be achieved absent the effects of discrimination. GETD intends to meet this goal to the maximum extent feasible through race-neutral measures and does not intend to establish specific goals for any contracts unless needed.

**II. DBE GOAL FOR FY 2022-2024**

The proposed **overall DBE Goal for FY 22-24 is 2.12%**. The goal applies to FTA-funded contracts awarded by GETD from October 2021 through September 30, 2024. The analysis described herein indicated the proposed goal of 2.12% could be achieved entirely through race and gender neutral measures. In accordance with the decision by the U.S. Court of Appeals, USDOT recipients in the Ninth Circuit in *Western States Paving Company v. United States and Washington State Department of Transportation*, USDOT recipients in the Ninth Circuit, which includes California, cannot consider the use of race or gender conscious goals unless a finding of statistically significant disparity (disparity study) has been made for the ethnic and gender groups to be included in the race or gender conscious goal. GETD has not conducted a disparity study and, therefore, did not consider the use of a race or gender conscious goal as part of the overall goal. However, based on the results of the analysis described in sections IV and V of this report, GETD believes it can achieve the weighted goal figure calculated in Step One entirely through race and gender neutral measures. A summary of disparity studies conducted by Caltrans and the Los Angeles County Metropolitan Transportation Authority is provided in section V of this report.

### **III. METHODOLOGY FOR SETTING THE OVERALL DBE GOAL**

As noted in Section I (Executive Summary), the DBE goal was calculated using the two-step process described in the “Tips for Goal Setting” guidance provided by USDOT. The two-step process for calculating the overall DBE goal is to:

- Step 1: Calculate a base figure to determine the relative availability of DBE’s and
- Step 2: Adjust the base figure if necessary.

The DBE Directory and Census Data method was used to calculate the base figure of the relative availability of DBEs to perform the types of contracts that GETD intends to do. A detailed description of the methodology used in Step One and associated calculations and assumptions are provided in Section IV. In Step Two, past DBE participation and projects from previous years in relation to projects proposed in FYs 22-24 was utilized to determine if the base figure should be adjusted. A description of this analysis conducted for Step Two is provided in Section V.

#### **Determination of Local Market Area**

Bakersfield is located in California’s 23 Congressional District, which is represented by Kevin McCarthy. Bakersfield is a significant hub for both agriculture and oil production. Industries included in this area are natural gas and other energy extraction Aerospace, mining petroleum refining and food processing. Although the region hosts abundant green and leafy vegetation due to the hydrology of the Tulare Basin, Bakersfield has a hot desert climate with long, hot, dry summers and brief cool slightly moist winters.

Local market area where a majority of our contractors and subcontractors come from District 6 which includes Madera, Fresno, Tulare, Kings and Kern Counties.

The boundaries of the local market area is determined by examining the area in which the substantial majority of the contractors and subcontractors that are more likely to submit bids for the type of projects that will be performed in the upcoming year

#### IV. STEP ONE – BASE FIGURE CALCULATION

The purpose of Step One is to determine what percentage of DBEs represents all firms that are ready, willing, and able to compete for USDOT-assisted contracting. This percentage is calculated by dividing the number of DBEs ready, willing and able to bid for the types of work to be funded during a three-year period, by the number of all firms (DBEs and non-DBEs) ready, willing and able to bid for the types of work to be funded during the same three-year period. The calculation is summarized in the equation below.

$$\text{Step One-Base Figure} = \frac{\text{Ready, Willing and Able DBEs}}{\text{All Firms Ready, Willing and Able (Including DBEs and non-DBEs)}}$$

To complete the calculation, the first item of work was to develop a list of contracts that GETD intends to do in **FYs 22-24**. This list of anticipated projects/contracts is provided, the total of 5 anticipated contracts were identified the total \$4,068,000.

#### Data Sources and Assumptions

The DBE firms that are ready, willing and able to perform the anticipated work were identified using the California Unified Certification Program (CUCP) Statewide DBE Directory. DBE firms that indicated willingness to work in Caltrans District 6 (Madera, Fresno, Tulare, Kings & Kern Counties) were selected. North American Industry Classification (NAICS) codes were then assigned to each project to help identify DBEs and all firms that are ready, willing and able to compete for the anticipated projects. NAICS codes were obtained from the US Census Bureau web page located at: <http://www.census.gov/eos/www/naics/>.

The following table and calculations were used to calculate the base figure.