



**Federal Aviation
Administration**

DBE Goal Setting Tool FAA Civil Rights Connect

Office Of Civil Rights

*ACHIEVING SAFETY
THROUGH DIVERSITY*

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Presentation Disclaimer

- This presentation may use paraphrasing of the Regulation
- Please reference the actual Regulations for verbatim text

Presentation Focus

- DBE Program Resources
- DBE Program/Goal Requirements
- DBE Goal Setting Basics
- DBE Goal Setting **Tool** General Info
- DBE Goal Setting **Tool** Live Demo

DBE Program Resources

- **49 CFR Part 26 – DBE Program**
https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr26_main_02.tpl
- **Tips for Goal Setting**
<https://www.transportation.gov/osdbu/disadvantaged-business-enterprise/tips-goal-settingdisadvantaged-business-enterprise>

DBE Sample Program

- **FAA Connect System AC/Doc Vault** <https://faa.civilrightsconnect.com>
- **FAA Office of Civil Rights website**
https://www.faa.gov/about/office_org/headquarters_offices/acr/bus_ent_program/
- **FAA DBE/ACDBE Program Specialists**
https://www.faa.gov/about/office_org/headquarters_offices/acr/bus_ent_program/
- **FAA Civil Rights Connect**
<https://faa.civilrightsconnect.com>

DBE Program and Goals

§ 26.21 Who must have a DBE program?

- (a) If you are in one of these categories and let DOT assisted contracts, you must have a DBE program meeting the requirements of this part:
- (3) FAA recipients receiving grants for airport planning or development who will award prime contracts the cumulative total value of which exceeds \$250,000 in FAA funds in a Federal fiscal year.

- Requires submission of 3-year goals based on a schedule:

https://www.faa.gov/about/office_org/headquarters_offices/acr/bus_e nt_program/media/DBE%20and%20ACDBE%20Reporting%20Req uirements%20for%20Airport%20Grant%20Recipients.pdf

DBE Program - Purpose

26.45(b)

The goal must reflect your determination of the level of DBE participation you would expect absent the effects of discrimination.

26.45 Goal Setting Basics

- *Approaches to Calculate Goal*
- Minimum Requirements

Approaches to Calculate the DBE Goal

5 Approaches to Calculate the DBE Goal

1. Use of DBE Directories & Census Bureau Data to determine then number of ready, willing, and able DBEs in your market
2. Use a bidders list.
3. Use data from a disparity study
4. Use the goal from another DOT recipient in the same or substantially similar market
5. Alternative methods. Except as otherwise provided in this paragraph, you may use other methods to determine a base figure for your overall goal. Any methodology you choose must be based on demonstrable evidence of local market conditions and be designed to ultimately attain a goal that is rationally related to the relative availability of DBEs in your market

26.45 (c) (5) Identify Method Selected

The **exclusive** use of a list of prequalified contractors or plan holders is not an acceptable alternative means of determining the availability of DBEs

26.45 Goal Setting and Implementation

- Approaches to Calculate Goal
- *Minimum Requirements*

Minimum Requirements for each Method

Goal Methodology Requirements

1. List of FAA-assisted Contracting Opportunities
2. Geographic Market Area
3. Identify Sources
4. Step 1 Base Figure
5. Step 2 Adjustment
6. Race-Neutral/Race-Conscious Breakdown
7. Consultation
8. Proof of Website Publication

1. FAA-Assisted Contracting Opportunities

- ALL FAA-Assisted Activities that include Possible Contracting Opportunities
- Assign Appropriate NAICS Code for Contracting Opportunities

2. Geographic Market Area

- Determine Relevant Geographic Market Area (GMA): Geographic distribution of contractors and subcontractors and area in which contracting dollars are spent
 - **Note:** The relevant Market Area **might not** be the same State geographic boundaries.

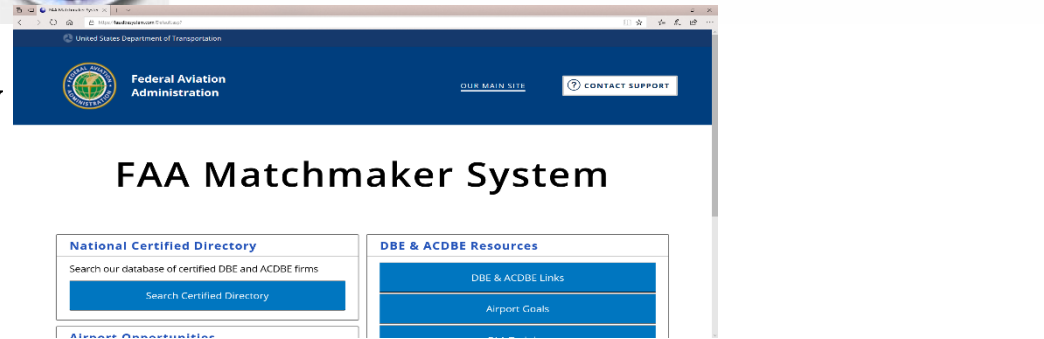
3. Identify Sources

DBE Directory



FAA Matchmaker National DBE Directory

<https://faa.dbesystem.com>



US Census Data



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

Supplemental Sources

4. Step 1 Base Figure

- You must begin your goal setting process by determining a base figure for the relative availability of DBEs.
 - *Use DBE Directories and Census Bureau Data, or*
 - *User Bidders List, or,*
 - *Use data from a disparity study, or,*
 - *Use the goal of another recipient, or,*
 - *Alternative methods*
- Do not use the same method for Step 1 and Step 2.

5. Step 2 Adjustment

- Recipient must examine all available evidence and determine what adjustments, if any, are necessary
 - Common Step 2 method is determining the median of past history of DBE participation
- **It is not necessary to make a Step Two adjustment but must include explanation**

6. Race Conscious - Race Neutral

- **Race-conscious (RC)** is a conscious action to achieve DBE participation
 - DBE contract goal = RC
- **Race neutral (RN)** is a measure that can be used to assist all small businesses
 - DBE prime contractor participation
 - DBE participation obtained without a DBE contract goal
 - Overachievement of DBE goals

6. Race Conscious - Race Neutral

- Indicate all the race-neutral measures that the recipient uses to obtain DBE participation
- In addition, explain the breakout:
 - Recipient] estimates that in meeting the overall goal of __%, it will obtain __% from RN participation and __% through RC measures.
 - **The breakout of RN and RC was determined as follows:**

7. Consultation

26.45(g)(1) in establishing an overall goal, you must provide for consultation and publication. This includes:

(i) 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 your efforts to establish a level playing field for the participation of DBEs. The consultation must include 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 goal setting process..

7. Consultation

Consultation **must occur before** you are required to submit your methodology to the OA

Recipient **may not implement** the proposed goal until it has **complied with this requirement**

8. Recipient Website Publication

- **Must Post on Official Internet Webpage**
 - If recipient does not have a website, may post on FAA Matchmaker
- **May also post on other Media Outlets**
 - Must allow 30 day public comment period**

FAA Connect

DBE Goal Setting Tool

DBE Program – DBE Goal Setting Tool

- The FAA Connect DBE Goal Setting Tool mirrors the FAA Sample Program/Goal
- An ACDBE goal setting tool will be developed soon
- Logon to FAA Connect at:

<https://faa.civilrightsconnect.com>

DBE Goal Setting Tool

- Using the Goal Setting Tool is optional. It is being made available as a potentially useful resource.
- We are not recommending, suggesting, or implying that you need to change anything in regard to your goal-setting processes.

DBE Goal Setting Tool

- If you are currently using an acceptable methodology to set reasonable and achievable goals, you do not need to change that process and start using this tool.
- The tool is aimed at smaller airport recipients; larger airports likely already have an acceptable goal setting process.

DBE Goal Setting Tool-Tips

- Please read/review the guidance at the beginning of each section
- Example text is in red text and will revert to black text when updated correctly and saved
- The “Reset” button will revert the text back to the original view, before it was edited
 - For the Step 2 adjustment or RC/RN split, it will revert back to blank, and the user must pick the approach again.
- If you have questions, contact your FAA Regional Compliance Specialist.

FAA Connect-Guidance

<https://faa.civilrightsconnect.com>

FAA Civil Rights Connect Login

Disclaimer: This system is strictly for the use of authorized FAA, airport, and consultant users to provide and manage DBE/Part 26, ACDBE/Part 23, Title VI, and ADA/Sec. 504 data. All user activity is logged.

Username (email address)
nancy.cibic@faa.gov

Password

Login

[User Lookup, Password Reset, and Create Account](#)

[Customer Support](#) [Training & User Guides](#)

Recorded Video Training and User Guides

DBE Goal Setting Tool

Live Demo

Justin Talbot-Stern

FAA Office of Civil Rights Website

Federal Aviation Administration-Office of Civil Rights

http://www.faa.gov/about/office_org/headquarters_offices/acr/

Training site

https://www.faa.gov/about/office_org/headquarters_offices/acr/eeo_training/airport_civil_rights_training_conference/

DBE/ACDBE Regional Compliance Specialists

Region	Name	Phone and Email
Alaskan Region Alaska Western-Pacific Region Nevada	Sonia Cruz	(424) 405-7206 sonia.cruz@faa.gov
Central Region Iowa, Kansas, Missouri, Nebraska Western-Pacific Region Northern California	Ofelia Medina	(424) 405-7205 ofelia.medina@faa.gov
Eastern Region Delaware, Maryland, New Jersey, New York, Pennsylvania, Virginia, West Virginia Western-Pacific Region Arizona	Alexander Horton	(954) 641-6637 alexander.horton@faa.gov
Great Lakes Region Illinois, Indiana, Michigan, Minnesota, North Dakota, Ohio, South Dakota, Wisconsin	Nancy Cibic	(847) 294-7182 nancy.cibic@faa.gov

DBE/ACDBE Regional Compliance Specialists

Region	Name	Phone and Email
New England Region Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont Western-Pacific Region Southern California	Thomas Knox	(424) 405-7208 thomas.knox@faa.gov
Northwest Mountain Region Colorado, Idaho, Montana, Oregon, Utah, Washington, Wyoming	Sonia Cruz	(424) 405-7206 sonia.cruz@faa.gov
Southern Region Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Puerto Rico, Virgin Islands Western-Pacific Region Hawaii	Keturah Pristell	(404) 305-5734 keturah.pristell@faa.gov
Southwest Region Arkansas, Louisiana, New Mexico, Oklahoma, Texas	Dolores Leyva	(817) 222-5034 dolores.leyva@faa.gov
Western-Pacific Region American Samoa, Guam, Northern Mariana Islands	Gene Roth	(404) 305-5256 gene.e.roth@faa.gov

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Questions & Answers

Thank You!