



SUBJECT: Approval of adoption of Capital Metropolitan Transportation Authority's Disadvantaged Business ("DBE") Enterprise Triennial Goal on an interim basis for the Austin Transit Partnership's DBE Program.

FISCAL IMPACT: No Fiscal Impact.

BUSINESS CASE: ATP must develop and implement a DBE Program Plan in compliance with 49 CFR Part 26 to receive federal funding. The DBE Program Plan includes adoption of a DBE Triennial or Project Goal, which must be in place for ATP to set contract-specific DBE goals on procurements.

EXECUTIVE SUMMARY: This resolution is for the interim adoption of Capital Metro's FY 2020-2022 Triennial Goal pending Austin Transit Partnership's development and approval of its standalone Project Connect DBE Goal. The DBE goal is a component of the DBE Program that is used to achieve DBE participation for federally funded projects. An overall goal is required to allow ATP to get contract-specific goals on procurements; however, as a new entity, ATP lacks historical data for DBE utilization and the time to complete the two-step goal methodology requirements to set a Project Connect goal is extensive and will not meet the timelines set forth in the Program Sequence Plan. The interim goal is a temporary measure and ATP will have a standalone goal that will be reviewed on a semi-annual basis and evaluated annually by ATP staff.

RESPONSIBLE DEPARTMENT: Equity and DBE.

PROCUREMENT SUMMARY: Does not apply.

**RESOLUTION
OF THE
AUSTIN TRANSIT PARTNERSHIP
BOARD OF DIRECTORS**

STATE OF TEXAS

Resolution ID: ATP-2021-025

COUNTY OF TRAVIS

Adoption of Interim Disadvantaged Business Enterprise Goal

WHEREAS, the Austin Transit Partnership (“ATP”) will receive federal transit funds, and as such, ATP is required to have a Disadvantaged Business Enterprise (“DBE”) Program that conforms to 49 C.F.R. Part 26; and

WHEREAS, ATP is not eligible to receive Department of Transportation (“DOT”) financial assistance unless DOT has approved ATP’s DBE Program; and

WHEREAS, the DBE goal is a component of the DBE Program that is used to achieve DBE participation for federally-funded projects; and

WHEREAS, the DBE goal must be (i) narrowly tailored to represent the DBE participation ATP would expect absent discrimination and (ii) based on demonstrable evidence of DBE availability in the region; and

WHEREAS, the methodology to develop the DBE goal includes, but is not limited to, a determination of the number of DBEs and non-DBEs in the market area available to complete work, discussions with stakeholders including DBEs, analysis of historical data on past participation of DBEs on similar projects, review of current disparity studies, and analysis of work scopes to be performed during the triennial period; and

WHEREAS, the Capital Metropolitan Transportation Authority (“Capital Metro”) has adopted a Triennial DBE Goal that covers ATP’s geographic area for Fiscal Years 2020 – 2022; and



WHEREAS, the lack of historical data for ATP as an entity and the methodology and time required to develop a DBE Goal is extensive; and

WHEREAS, to meet the timelines for Project Connect set forth Program Sequence Plan, ATP must have a DBE goal in place immediately to establish and maintain its DBE program; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of ATP that the Capital Metropolitan Transportation Authority's Diversity Business Enterprise Triennial Goal of 19% Overall (9% race conscious and 10% race neutral) for Fiscal Years 2020 – 2022 is hereby adopted as an interim DBE goal for ATP.

Casey Burack
Secretary of the Board

Date: _____

