



Disadvantaged Business Enterprise (DBE) Program
Goal on Federally-Assisted Opportunities
with
Federal Transit Administration

Federal Fiscal Years 2023, 2024 & 2025

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Introduction

This report details the Oklahoma Department of Transportation's (ODOT) process for setting the Federal Fiscal Years (FFYs) 2023, 2024 and 2025 overall goal for Disadvantaged Business Enterprise (DBE) participation on Transit related opportunities.

The goal setting methodology complies with the DBE rule set forth in the Code of Federal Regulations (CFR), 49 Part 26.45. This submission includes a description of the methodology used to establish the goal, including the base figure and the evidence by which it was calculated, evidence relied upon for any adjustments to the base figure, and a projection of the portions of the overall goal expected to be met through Race Conscious (RC) and Race Neutral (RN) measures, respectively.

The Oklahoma Department of Transportation's (ODOT) submits the following Disadvantaged Business Enterprise (DBE) goal methodology for 2023 - 2025 to the United States Department of Transportation (USDOT) Federal Transportation Administration (FTA) for review in accordance with 49 Code of Federal Regulations (CFR) Part 26.45, as amended by Docket No. OST-2010-0021. The goal will remain in effect until the next review cycle. ODOT will make a good faith effort to meet the goal each year. To ensure overall quality of the information and data used in the goal setting methodology, ODOT will continue to review and refine, as needed, its data collection process and analysis, and engagement with stakeholders and the public.

The goal methodology consists of two steps: the base figure for the relative availability of DBEs and any adjustments to the base figure based on available evidence. In Step 1, the base figure is established through the use of the Oklahoma Unified Certification Program (OUCP) DBE directory and 2020 United States Census Bureau data. In Step 2, ODOT reviews and considers available information and new evidence presented in public consultation meetings when determining an adjustment to the base figure. The base figure and the adjustments to the base figure are then used to determine the overall goal. The overall goal is further defined as race-neutral and race-conscious based on the amount of DBE participation that ODOT plans to meet through race-neutral means.

To engage the public, ODOT provided two types of opportunities for public participation. The first opportunity included a virtual public consultation meeting. The public was invited to discuss evidence that would influence the relative availability of DBEs or other issues that influence DBE participation. In the second opportunity, the methodology was posted on ODOT's website for a period of 30 days and public consultation letters were issued to stakeholders, to allow for public review and comment.

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Description of Methodology

Proposed DBE Goal for Federal Fiscal Years 2023, 2024 & 2025

The Oklahoma Department of Transportation (ODOT) proposes the following goal for participation by DBEs on transit related opportunities for FFYs 2023, 2024 & 2025:

Race Conscious (RC) -	3.1%
Race Neutral (RN) -	<u>.3%</u>
Total DBE Goal -	3.4%

ODOT's overall goal provides for the participation of all certified DBEs. The overall goal is not subdivided into group-specific goals (see §26.45(h)). The Overall Triennial Goal Methodology includes the following (see §26.45(f)(3)):

- Establishing the relevant Market Area
- Description of the methods used to establish the goal,
- Step 1: Determination of a Base Figure (26.45), relative availability of DBEs to all comparable firms (DBE and Non-DBEs) available to propose
- Step 2 Adjustment analysis
- Race-Neutral Race-Conscious Split
- Public participation overview in accordance with §26.45(g)

I. Establishing the Relevant Market Area

ODOT's local market was determined by identifying where the substantial majority of ODOT's contracting dollars are expended and/or where the substantial majority of contractors and subcontractors' bids or quotes are received. ODOT analyzed data, which found that the substantial majority of contractors and subcontractors' bids or quotes were received from firms located within the geographic boundary of the State of Oklahoma. Therefore, the State of Oklahoma was determined to be the relevant market area.

II. Step One Base Figure Section 26.45(c)

In determining the available pool, the relative availability (percentage) of DBEs in Oklahoma and surrounding states that apply for grants was determined. ODOT utilized the list of sub recipients that received FTA grant funds specifically for administrative, capital purchases and operating expenses. Information on the sub recipients is tracked and monitored by ODOT's Office of Mobility & Public Transit Division through an online database management system called Making Your Life Easier Online (MYLEO.net). The total amount of federal funds anticipated to be distributed was \$28,215,480.70, with a total of \$24,555,480.70 distributed to in-state sub recipients.

A total amount of \$28,215,480.70 of FTA assisted contract funds was distributed by project. To establish ODOT's Base Figure of the relative availability of DBEs to all comparable firms (DBE and Non-DBEs) available to propose on ODOT's FFY 2023/25 FTA-assisted contracting opportunities projected to be solicited during the respective goal period, ODOT followed one of the five prescribed federal goal-setting methodologies in accordance with 49 CFR Part 26 regulations. ODOT utilized Method 2 to determine our goal (Use DBE Directories and Census Bureau Data), this was accomplished by accessing the Oklahoma Unified

Certification Program (UCP) Directory of Certified DBE Firms and the 2020 U.S. Census Bureau County Business Patterns (CBP) Database.

Table 1 below illustrates the project categories as well as the North American Industry Classification System (NAICS) codes aligned with the scope of work anticipated for each project found within the Oklahoma Unified Certification Program (UCP) Directory of Certified DBE Firms and the 2020 U.S. Census Bureau County Business Patterns (CBP) Database. Each NAICS code was then weighted based on the funds anticipated for that NAICS category within each project.

Table 1

DESCRIPTION/NAICS	NAICS Weighting %	NAICS Weighting \$	Project Total
OSU Transit - TOMF Building			
Automotive Equipment			
Automotive Equipment			\$896,627
238220 Plumbing, Heating, and Air-Conditioning Contractors	5.52%	\$ 49,493.78	
238290 Other Building Equipment Contractors	28.00%	\$ 251,055.42	
238990 All Other Specialty Trade Contractors	1.00%	\$ 8,966.27	
423720 Plumbing and Heating Equipment and Supplies (Hydronics) Merchant Wholesalers	7.00%	\$ 62,763.86	
423830 Industrial Machinery and Equipment Merchant Wholesalers	22.00%	\$ 197,257.83	
423850 Service Establishment Equipment and Supplies Merchant Wholesalers	25.00%	\$ 224,156.63	
423860 Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers	10.00%	\$ 89,662.65	
532490 Other Commercial and Industrial Machinery and Equipment Rental and Leasing	0.48%	\$ 4,303.81	
484110 General Freight Trucking, Local	1.00%	\$ 8,966.27	
Building			
01.01 General Requirements			\$1,563,006
236220 Commercial and Institutional Building Construction	32.50%	\$ 507,976.90	
541330 Engineering Services	10.00%	\$ 156,300.59	
541350 Building Inspection Services	2.50%	\$ 39,075.15	
541370 Surveying and Mapping (except Geophysical) Services	2.50%	\$ 39,075.15	
541380 Testing Laboratories	5.00%	\$ 78,150.29	
541611 Administrative Management and General Management Consulting Services	40.00%	\$ 625,202.34	
541620 Environmental Consulting Services	2.50%	\$ 39,075.15	
541690 Other Scientific and Technical Consulting Services	5.00%	\$ 78,150.29	
03.10 Turnkey Concrete - Structural			\$402,440
238110 Poured Concrete Foundation and Structure Contractors	35.00%	\$ 140,853.93	
238120 Structural Steel and Precast Concrete Contractors	15.00%	\$ 60,365.97	
238190 Other Foundation, Structure, and Building Exterior Contractors	1.00%	\$ 4,024.40	
238390 Other Building Finishing Contractors	2.50%	\$ 10,061.00	
238910 Site Preparation Contractors	14.50%	\$ 58,353.77	
238990 All Other Specialty Trade Contractors	3.50%	\$ 14,085.39	
327320 Ready-Mix Concrete Manufacturing	25.00%	\$ 100,609.95	
423390 Other Construction Material Merchant Wholesalers	2.50%	\$ 10,061.00	
484110 General Freight Trucking, Local	1.00%	\$ 4,024.40	
04.00 Masonry - Turnkey			\$575,362
238140 Masonry Contractors	60.00%	\$ 345,217.32	
423320 Brick, Stone, and Related Construction Material Merchant Wholesalers	40.00%	\$ 230,144.88	
05.10 Structural Steel			\$224,969

238120 Structural Steel and Precast Concrete Contractors	60.00%	\$ 134,981.28	
332312 Fabricated Structural Metal Manufacturing	15.00%	\$ 33,745.32	
332323 Ornamental and Architectural Metal Work Manufacturing	5.00%	\$ 11,248.44	
423510 Metal Service Centers and Other Metal Merchant Wholesalers	20.00%	\$ 44,993.76	
06.10 Rough Carpentry			\$33,543
238130 Framing Contractors	100.00%	\$ 33,543.30	
06.20 Finish Carpentry			\$50,139
238350 Finish Carpentry Contractors	100.00%	\$ 50,138.55	
07.10 Waterproofing			\$25,158
238390 Other Building Finishing Contractors	75.00%	\$ 18,868.50	
423390 Other Construction Material Merchant Wholesalers	25.00%	\$ 6,289.50	
07.98 Metal Wall Panels			\$122,728
238390 Other Building Finishing Contractors	35.00%	\$ 42,954.87	
238170 Siding Contractors	25.00%	\$ 30,682.05	
332322 Sheet Metal Work Manufacturing	25.00%	\$ 30,682.05	
423510 Metal Service Centers and Other Metal Merchant Wholesalers	15.00%	\$ 18,409.23	
08.00 Doors, Frames and Hardware Turnkey			\$101,950
238350 Finish Carpentry Contractors	15.00%	\$ 15,292.46	
238990 All Other Specialty Trade Contractors	5.00%	\$ 5,097.49	
423390 Other Construction Material Merchant Wholesalers	19.00%	\$ 19,370.45	
423710 Hardware Merchant Wholesalers	61.00%	\$ 62,189.35	
08.33 Coiling Doors			\$167,307
238290 Other Building Equipment Contractors	15.00%	\$ 25,096.05	
238350 Finish Carpentry Contractors	15.00%	\$ 25,096.05	
423390 Other Construction Material Merchant Wholesalers	70.00%	\$ 117,114.90	
08.40 Glass & Glazing Turnkey			\$37,325
238350 Finish Carpentry Contractors	20.00%	\$ 7,465.08	
238150 Glass and Glazing Contractors	20.00%	\$ 7,465.08	
332321 Metal Window and Door Manufacturing	60.00%	\$ 22,395.24	
08.45 Translucent Wall & Roof Assemblies			\$51,768
238160 Roofing Contractors	50.00%	\$ 25,884.08	
238390 Other Building Finishing Contractors	50.00%	\$ 25,884.08	
09.29 Drywall / Acoustical / In-wall Blocking			\$220,585
238310 Drywall and Insulation Contractors	50.00%	\$ 110,292.53	
238130 Framing Contractors	20.00%	\$ 44,117.01	
423390 Other Construction Material Merchant Wholesalers	30.00%	\$ 66,175.52	
09.62 Special Floors			\$114,641
238330 Flooring Contractors	56.00%	\$ 64,199.02	
238390 Other Building Finishing Contractors	44.00%	\$ 50,442.08	
09.68 Carpet and Resilient Tile			\$29,505
238330 Flooring Contractors	75.00%	\$ 22,128.75	
238340 Tile and Terrazzo Contractors	25.00%	\$ 7,376.25	
09.90 Painting & Wallcovering			\$167,718
238320 Painting and Wall Covering Contractors	100.00%	\$ 167,717.55	
10.10 Miscellaneous Specialties			\$15,603
423390 Other Construction Material Merchant Wholesalers	85.00%	\$ 13,262.55	
238990 All Other Specialty Trade Contractors	15.00%	\$ 2,340.45	
10.14 Signs			\$18,728
238990 All Other Specialty Trade Contractors	65.00%	\$ 12,173.07	
339950 Sign Manufacturing	35.00%	\$ 6,554.73	

10.28 Toilet & Bath Accessories			\$34,541
238390 Other Building Finishing Contractors	20.00%	\$ 6,908.16	
238990 All Other Specialty Trade Contractors	15.00%	\$ 5,181.12	
337215 Showcase, Partition, Shelving, and Locker Manufacturing	65.00%	\$ 22,451.52	
11.30 Appliances			\$1,619
423740 Refrigeration Equipment and Supplies Merchant Wholesalers	100.00%	\$ 1,619.10	
13.30 Fabricated Engineered Structures			\$1,370,671
332312 Fabricated Structural Metal Manufacturing	20.00%	\$ 274,134.21	
332311 Prefabricated Metal Building and Component Manufacturing	15.00%	\$ 205,600.66	
238990 All Other Specialty Trade Contractors	23.00%	\$ 315,254.34	
238310 Drywall and Insulation Contractors	6.00%	\$ 82,240.26	
238120 Structural Steel and Precast Concrete Contractors	20.00%	\$ 274,134.21	
238170 Siding Contractors	16.00%	\$ 219,307.37	
21.00 Fire Suppression			\$76,915
238220 Plumbing, Heating, and Air-Conditioning Contractors	40.00%	\$ 30,765.84	
423720 Plumbing and Heating Equipment and Supplies (Hydronics) Merchant Wholesalers	60.00%	\$ 46,148.76	
23.01 Mechanical (Plum. & HVAC)			\$1,407,257
423730 Warm Air Heating and Air-Conditioning Equipment and Supplies Merchant Wholesalers	30.00%	\$ 422,177.18	
423720 Plumbing and Heating Equipment and Supplies (Hydronics) Merchant Wholesalers	15.00%	\$ 211,088.59	
238220 Plumbing, Heating, and Air-Conditioning Contractors	55.00%	\$ 773,991.49	
26.00 Electrical Systems			\$1,089,416
238210 Electrical Contractors and Other Wiring Installation Contractors	65.00%	\$ 708,120.37	
423610 Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers	35.00%	\$ 381,295.58	
Canopies			
05.10 Structural Steel			\$43,781
238120 Structural Steel and Precast Concrete Contractors	100.00%	\$ 43,780.80	
05.70 Decorative Metal			\$153,232
238190 Other Foundation, Structure, and Building Exterior Contractors	40.00%	\$ 61,292.70	
332323 Ornamental and Architectural Metal Work Manufacturing	60.00%	\$ 91,939.05	
13.12 Canopies			\$2,039,130
238110 Poured Concrete Foundation and Structure Contractors	4.50%	\$ 91,760.87	
238120 Structural Steel and Precast Concrete Contractors	76.50%	\$ 1,559,934.79	
423330 Roofing, Siding, and Insulation Material Merchant Wholesalers	10.00%	\$ 203,913.05	
238160 Roofing Contractors	9.00%	\$ 183,521.74	
Fuel			
03.10 Turnkey Concrete - Structural			\$15,938
238110 Poured Concrete Foundation and Structure Contractors	61.00%	\$ 9,722.15	
238910 Site Preparation Contractors	35.00%	\$ 5,578.28	
238990 All Other Specialty Trade Contractors	2.00%	\$ 318.76	
484110 General Freight Trucking, Local	2.00%	\$ 318.76	
13.11 Fueling System			\$690,816
237120 Oil and Gas Pipeline and Related Structures Construction	40.00%	\$ 276,326.40	
333914 Measuring, Dispensing, and Other Pumping Equipment Manufacturing	40.00%	\$ 276,326.40	
332420 Metal Tank (Heavy Gauge) Manufacturing	20.00%	\$ 138,163.20	
Site			
31.00 Earthwork			\$329,844
484110 General Freight Trucking, Local	5.00%	\$ 16,492.19	

484220 Specialized Freight (except Used Goods) Trucking, Local	5.00%	\$ 16,492.19	
238910 Site Preparation Contractors	90.00%	\$ 296,859.47	
32.13 Rigid Paving			\$1,685,111
238110 Poured Concrete Foundation and Structure Contractors	30.00%	\$ 505,533.42	
238990 All Other Specialty Trade Contractors	20.00%	\$ 337,022.28	
237310 Highway, Street, and Bridge Construction	20.00%	\$ 337,022.28	
327320 Ready-Mix Concrete Manufacturing	30.00%	\$ 505,533.42	
32.31 Fences & Gates			\$119,180
238990 All Other Specialty Trade Contractors	82.00%	\$ 97,727.81	
238290 Other Building Equipment Contractors	18.00%	\$ 21,452.45	
32.90 Landscape & Irrigation			\$37,448
561730 Landscaping Services	100.00%	\$ 37,448.25	
33.00 Site Utilities			\$399,866
237120 Oil and Gas Pipeline and Related Structures Construction	5.75%	\$ 22,992.31	
237110 Water and Sewer Line and Related Structures Construction	87.25%	\$ 348,883.30	
238910 Site Preparation Contractors	3.00%	\$ 11,995.99	
238110 Poured Concrete Foundation and Structure Contractors	3.00%	\$ 11,995.99	
237990 Other Heavy and Civil Engineering Construction	1.00%	\$ 3,998.66	
General Liability Insurance			
General Liability Insurance			\$148,080
524126 Direct Property and Casualty Insurance Carriers	25.00%	\$ 37,020.00	
524210 Insurance Agencies and Brokerages	75.00%	\$ 111,060.00	
Builders Risk Insurance			
Builders Risk Insurance			\$29,915
524126 Direct Property and Casualty Insurance Carriers	25.00%	\$ 7,478.75	
524210 Insurance Agencies and Brokerages	75.00%	\$ 22,436.25	
Fee			
Fee			\$544,984
236220 Commercial and Institutional Building Construction	75.00%	\$ 408,738.00	
541611 Administrative Management and General Management Consulting Services	25.00%	\$ 136,246.00	
GC Bond			
GC Bond			\$106,403
524126 Direct Property and Casualty Insurance Carriers	100.00%	\$ 106,403.00	
Architect and Engineers Services, preconstruction services fees, commissioning, FF&E			
Architect and Engineers Services, preconstruction services fees, commissioning, FF&E			\$2,356,751
541330 Engineering Services	45.00%	\$ 1,060,537.95	
541620 Environmental Consulting Services	5.00%	\$ 117,837.55	
541370 Surveying and Mapping (except Geophysical) Services	2.50%	\$ 58,918.78	
541360 Geophysical Surveying and Mapping Services	2.50%	\$ 58,918.78	
541310 Architectural Services	30.00%	\$ 707,025.30	
541320 Landscape Architectural Services	5.00%	\$ 117,837.55	
541611 Administrative Management and General Management Consulting Services	10.00%	\$ 235,675.10	
Call A Ride Public Transit			
Vehicle Liability			\$109,500.00
524126 Direct Property and Casualty Insurance Carriers	25.00%	\$ 27,375.00	
524210 Insurance Agencies and Brokerages	75.00%	\$ 82,125.00	
Financial Audit			\$33,000.00
541211 Offices of Certified Public Accountants	70.00%	\$ 23,100.00	
541611 Administrative Management and General Management Consulting Services	30.00%	\$ 9,900.00	

Central Oklahoma Transit System (COTS)/Central Oklahoma Community Action Agency			
PTRF Audit			\$14,000.00
541611 Administrative Management and General Management Consulting Services	80.00%	\$ 11,200.00	
561990 All Other Support Services	10.00%	\$ 1,400.00	
541690 Other Scientific and Technical Consulting Services	10.00%	\$ 1,400.00	
Vehicle Insurance			\$155,000.00
524126 Direct Property and Casualty Insurance Carriers	25.00%	\$ 38,750.00	
524210 Insurance Agencies and Brokerages	75.00%	\$ 116,250.00	
Insurances			\$144,000.00
524126 Direct Property and Casualty Insurance Carriers	25.00%	\$ 36,000.00	
524210 Insurance Agencies and Brokerages	75.00%	\$ 108,000.00	
Vehicle Repairs			\$69,000.00
811111 General Automotive Repair	100.00%	\$ 69,000.00	
Office Supplies			\$12,000.00
424120 Stationery and Office Supplies Merchant Wholesalers	100.00%	\$ 12,000.00	
Vehicle Signage			\$15,000.00
323111 Commercial Printing (except Screen and Books)	50.00%	\$ 7,500.00	
811121 Automotive Body, Paint, and Interior Repair and Maintenance	50.00%	\$ 7,500.00	
Audit			\$15,000.00
541611 Administrative Management and General Management Consulting Services	80.00%	\$ 12,000.00	
561990 All Other Support Services	10.00%	\$ 1,500.00	
541690 Other Scientific and Technical Consulting Services	10.00%	\$ 1,500.00	
United Community Action Program, Inc.			
PTRF Audit			\$ 15,000.00
541611 Administrative Management and General Management Consulting Services	80.00%	\$ 12,000.00	
561990 All Other Support Services	10.00%	\$ 1,500.00	
541690 Other Scientific and Technical Consulting Services	10.00%	\$ 1,500.00	
Vehicle Insurance			\$ 1,200,000.00
524126 Direct Property and Casualty Insurance Carriers	25.00%	\$ 300,000.00	
524210 Insurance Agencies and Brokerages	75.00%	\$ 900,000.00	
Cherokee Strip Transit			
Professional Services - Auditing			\$73,500.00
541611 Administrative Management and General Management Consulting Services	80.00%	\$ 58,800.00	
561990 All Other Support Services	10.00%	\$ 7,350.00	
541690 Other Scientific and Technical Consulting Services	10.00%	\$ 7,350.00	
Printing			\$16,000.00
323111 Commercial Printing (except Screen and Books)	100.00%	\$ 16,000.00	
Fuel			\$360,000.00
424720 Petroleum and Petroleum Products Merchant Wholesalers (except Bulk Stations and Terminals)	90.00%	\$ 324,000.00	
484220 Specialized Freight (except Used Goods) Trucking, Local	10.00%	\$ 36,000.00	
Vehicle Maintenance			\$120,000.00
811111 General Automotive Repair	35.00%	\$ 42,000.00	
811191 Automotive Oil Change and Lubrication Shops	55.00%	\$ 66,000.00	
811198 - All Other Automotive Repair and Maintenance	10.00%	\$ 12,000.00	
Supplies			\$1,200.00
424120 Stationery and Office Supplies Merchant Wholesalers	100.00%	\$ 1,200.00	
Delta Public Transit			
Mileage Audit for 2023, 2024 and 2025			\$10,000.00
541611 Administrative Management and General Management Consulting Services	80.00%	\$ 8,000.00	

561990 All Other Support Services	10.00%	\$ 1,000.00	
541690 Other Scientific and Technical Consulting Services	10.00%	\$ 1,000.00	
Transit part of the Agency Audit- 2023, 2024 and 2025			\$15,000.00
541611 Administrative Management and General Management Consulting Services	100.00%	\$ 15,000.00	
Vehicle Insurance for 2023, 2024 and 2025			\$150,000.00
524126 Direct Property and Casualty Insurance Carriers	25.00%	\$ 37,500.00	
524210 Insurance Agencies and Brokerages	75.00%	\$ 112,500.00	
Officers and Director Insurance for 2023, 2024 and 2025			\$900.00
524126 Direct Property and Casualty Insurance Carriers	25.00%	\$ 225.00	
524210 Insurance Agencies and Brokerages	75.00%	\$ 675.00	
Cyber Liability Insurance for 2023, 2024 and 2025			\$600.00
524128 Other Direct Insurance (except Life, Health, and Medical) Carriers	100.00%	\$ 600.00	
Computers and copying contracts for 2023, 2024 and 2025			\$10,000.00
532420 Office Machinery and Equipment Rental and Leasing	100.00%	\$ 10,000.00	
AT&T contracts for 2023, 2024 and 2025			\$30,000.00
517311 Wired Telecommunications Carriers	25.00%	\$ 7,500.00	
517312 Wireless Telecommunications Carriers (except Satellite)	75.00%	\$ 22,500.00	
Lighting for 2023, 2024 and 2025			\$10,000.00
423610 Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers	100.00%	\$ 10,000.00	
KI BOIS Community Action Foundation, Inc.			
Insurances			\$900,000.00
524126 Direct Property and Casualty Insurance Carriers	25.00%	\$ 225,000.00	
524210 Insurance Agencies and Brokerages	75.00%	\$ 675,000.00	
Auditing			\$34,500.00
541611 Administrative Management and General Management Consulting Services	80.00%	\$ 27,600.00	
561990 All Other Support Services	10.00%	\$ 3,450.00	
541690 Other Scientific and Technical Consulting Services	10.00%	\$ 3,450.00	
New Facility (waiting on RFI)			\$880,000.00
541310 Architectural Services	2.05%	\$ 18,000.00	
541320 Landscape Architectural Services	1.25%	\$ 11,000.00	
541330 Engineering Services	5.68%	\$ 50,000.00	
541350 Building Inspection Services	1.25%	\$ 11,000.00	
541380 Testing Laboratories	1.25%	\$ 11,000.00	
541620 Environmental Consulting Services	1.25%	\$ 11,000.00	
238910 Site Preparation Contractors	8.18%	\$ 72,000.00	
238990 All Other Specialty Trade Contractors	10.23%	\$ 90,000.00	
324121 Asphalt Paving Mixture and Block Manufacturing	2.27%	\$ 20,000.00	
237310 Highway, Street, and Bridge Construction	3.41%	\$ 30,000.00	
238110 Poured Concrete Foundation and Structure Contractors	4.32%	\$ 38,000.00	
327320 Ready-Mix Concrete Manufacturing	2.50%	\$ 22,000.00	
238210 Electrical Contractors and Other Wiring Installation Contractors	6.82%	\$ 60,000.00	
423610 Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers	2.73%	\$ 24,000.00	
561730 Landscaping Services	2.27%	\$ 20,000.00	
238220 Plumbing, Heating, and Air-Conditioning Contractors	4.55%	\$ 40,000.00	
423720 Plumbing and Heating Equipment and Supplies (Hydronics) Merchant Wholesalers	2.73%	\$ 24,000.00	
238120 Structural Steel and Precast Concrete Contractors	13.64%	\$ 120,000.00	
238130 Framing Contractors	7.05%	\$ 62,000.00	
238310 Drywall and Insulation Contractors	2.05%	\$ 18,000.00	

238320 Painting and Wall Covering Contractors	2.05%	\$ 18,000.00	
238330 Flooring Contractors	2.05%	\$ 18,000.00	
238160 Roofing Contractors	2.27%	\$ 20,000.00	
237110 Water and Sewer Line and Related Structures Construction	2.73%	\$ 24,000.00	
541370 Surveying and Mapping (except Geophysical) Services	5.45%	\$ 48,000.00	
LIFT Transit			
PTRF Audit			\$ 15,000.00
541611 Administrative Management and General Management Consulting Services	80.00%	\$ 12,000.00	
561990 All Other Support Services	10.00%	\$ 1,500.00	
541690 Other Scientific and Technical Consulting Services	10.00%	\$ 1,500.00	
Cleaning Service			\$ 9,000.00
561720 Janitorial Services	100.00%	\$ 9,000.00	
Vehicle Insurance			\$369,000.00
524126 Direct Property and Casualty Insurance Carriers	25.00%	\$ 92,250.00	
524210 Insurance Agencies and Brokerages	75.00%	\$ 276,750.00	
Muskogee County Public Transit Authority			
Concrete - N. Side of Building and Ramp			\$64,240.00
238110 Poured Concrete Foundation and Structure Contractors	35.00%	\$ 22,484.00	
238910 Site Preparation Contractors	15.00%	\$ 9,636.00	
238990 All Other Specialty Trade Contractors	20.00%	\$ 12,848.00	
327320 Ready-Mix Concrete Manufacturing	30.00%	\$ 19,272.00	
Lift for Maintenance			\$25,000.00
238290 Other Building Equipment Contractors	30.00%	\$ 7,500.00	
423120 Motor Vehicle Supplies and New Parts Merchant Wholesalers	70.00%	\$ 17,500.00	
SW Transit			
Professional Service Audit Services			\$5,000.00
541611 Administrative Management and General Management Consulting Services	80.00%	\$ 4,000.00	
561990 All Other Support Services	10.00%	\$ 500.00	
541690 Other Scientific and Technical Consulting Services	10.00%	\$ 500.00	
Washita Valley Community Action			
No projects - FTA funds directed towards personnel			\$0.00
Beaver City Transit			
PTRF Audit			\$825.00
541611 Administrative Management and General Management Consulting Services	80.00%	\$ 660.00	
561990 All Other Support Services	10.00%	\$ 82.50	
541690 Other Scientific and Technical Consulting Services	10.00%	\$ 82.50	
Vehicle Insurance			\$9,216.00
524126 Direct Property and Casualty Insurance Carriers	25.00%	\$ 2,304.00	
524210 Insurance Agencies and Brokerages	75.00%	\$ 6,912.00	
SORTS			
Insurance for SORTS Vehicles			\$138,000.00
524126 Direct Property and Casualty Insurance Carriers	25.00%	\$ 34,500.00	
524210 Insurance Agencies and Brokerages	75.00%	\$ 103,500.00	
Maintenance for SORTS Vehicles			\$25,000.00
811111 General Automotive Repair	35.00%	\$ 8,750.00	
811191 Automotive Oil Change and Lubrication Shops	55.00%	\$ 13,750.00	
811198 - All Other Automotive Repair and Maintenance	10.00%	\$ 2,500.00	
Replace Fence on Bus Lot			\$25,000.00
238990 All Other Specialty Trade Contractors	50.00%	\$ 12,500.00	
238910 Site Preparation Contractors	20.00%	\$ 5,000.00	

423390 Other Construction Material Merchant Wholesalers	30.00%	\$ 7,500.00	
Logan County Historical Society, Inc. dba First Capital Trolley			
Vehicle Insurance			\$250,000.00
524126 Direct Property and Casualty Insurance Carriers	25.00%	\$ 62,500.00	
524210 Insurance Agencies and Brokerages	75.00%	\$ 187,500.00	
Facility Maintenance/Upgrades			\$300,000.00
238990 All Other Specialty Trade Contractors	53.33%	\$ 160,000.00	
238210 Electrical Contractors and Other Wiring Installation Contractors	46.67%	\$ 140,000.00	
JAMM Transit			
Audit (PTRF)			\$5,000.00
541611 Administrative Management and General Management Consulting Services	80.00%	\$ 4,000.00	
561990 All Other Support Services	10.00%	\$ 500.00	
541690 Other Scientific and Technical Consulting Services	10.00%	\$ 500.00	
Financial Consultant			\$30,000.00
541611 Administrative Management and General Management Consulting Services	70.00%	\$ 21,000.00	
523930 Investment Advice	30.00%	\$ 9,000.00	
Backgrounds and MVR (Motor Vehicle Records)			\$6,000.00
541611 Administrative Management and General Management Consulting Services	60.00%	\$ 3,600.00	
541690 Other Scientific and Technical Consulting Services	40.00%	\$ 2,400.00	
Insurance			\$60,000.00
524126 Direct Property and Casualty Insurance Carriers	25.00%	\$ 15,000.00	
524210 Insurance Agencies and Brokerages	75.00%	\$ 45,000.00	
Cell Phones and Tablets			\$20,000.00
517312 Wireless Telecommunications Carriers (except Satellite)	60.00%	\$ 12,000.00	
423430 Computer and Computer Peripheral Equipment and Software Merchant Wholesalers	20.00%	\$ 4,000.00	
443142 Electronics Stores	20.00%	\$ 4,000.00	
Workers Comp			\$20,000.00
541611 Administrative Management and General Management Consulting Services	50.00%	\$ 10,000.00	
541612 Human Resources and Executive Search Consulting Services	20.00%	\$ 4,000.00	
524210 Insurance Agencies and Brokerages	30.00%	\$ 6,000.00	
MAGB Transportation, Inc.			
Fuel (Regular fuel purchases with Credit Card)			\$75,000.00
447110 Gasoline Stations with Convenience Stores	35.00%	\$ 26,250.00	
447190 Other Gasoline Stations	35.00%	\$ 26,250.00	
454310 Fuel Dealers	30.00%	\$ 22,500.00	
Insurance, Other			\$30,000.00
524126 Direct Property and Casualty Insurance Carriers	25.00%	\$ 7,500.00	
524210 Insurance Agencies and Brokerages	75.00%	\$ 22,500.00	
Office Supplies			\$30,000.00
424120 Stationery and Office Supplies Merchant Wholesalers	100.00%	\$ 30,000.00	
Legal Services			\$37,500.00
541110 Offices of Lawyers	70.00%	\$ 26,250.00	
541199 All Other Legal Services	30.00%	\$ 11,250.00	
Vehicle Insurance			\$37,500.00
524126 Direct Property and Casualty Insurance Carriers	25.00%	\$ 9,375.00	
524210 Insurance Agencies and Brokerages	75.00%	\$ 28,125.00	
Grand Gateway EDA			
PTRF Audit			\$15,000.00
541611 Administrative Management and General Management Consulting Services	80.00%	\$ 12,000.00	

561990 All Other Support Services	10.00%	\$ 1,500.00	
541690 Other Scientific and Technical Consulting Services	10.00%	\$ 1,500.00	
Vehicle Insurance			\$135,000.00
524126 Direct Property and Casualty Insurance Carriers	25.00%	\$ 33,750.00	
524210 Insurance Agencies and Brokerages	75.00%	\$ 101,250.00	
Community Action Development Corporation dba Red River Transportation			
Fleet Insurance			\$750,000.00
524126 Direct Property and Casualty Insurance Carriers	25.00%	\$ 187,500.00	
524210 Insurance Agencies and Brokerages	75.00%	\$ 562,500.00	
Independent Auditing Services			\$42,000.00
541611 Administrative Management and General Management Consulting Services	80.00%	\$ 33,600.00	
561990 All Other Support Services	10.00%	\$ 4,200.00	
541690 Other Scientific and Technical Consulting Services	10.00%	\$ 4,200.00	
The Ride			
Fuel			\$78,000.00
447110 Gasoline Stations with Convenience Stores	35.00%	\$ 27,300.00	
447190 Other Gasoline Stations	35.00%	\$ 27,300.00	
454310 Fuel Dealers	30.00%	\$ 23,400.00	
Vehicle Maintenance			\$52,000.00
811111 General Automotive Repair	35.00%	\$ 18,200.00	
811191 Automotive Oil Change and Lubrication Shops	55.00%	\$ 28,600.00	
811198 - All Other Automotive Repair and Maintenance	10.00%	\$ 5,200.00	
Supplies			\$4,000.00
424120 Stationery and Office Supplies Merchant Wholesalers	100.00%	\$ 4,000.00	
ENID			
No projects - FTA funds directed towards payroll			\$0.00
ODOT - Direct Projects			
Planning			\$300,000.00
541611 Administrative Management and General Management Consulting Services	45.00%	\$ 135,000.00	
541690 Other Scientific and Technical Consulting Services	5.00%	\$ 15,000.00	
541820 Public Relations Agencies	25.00%	\$ 75,000.00	
541910 Marketing Research and Public Opinion Polling	12.50%	\$ 37,500.00	
541720 Research and Development in the Social Sciences and Humanities	12.50%	\$ 37,500.00	
Pre & Post Award Buy America Audit			\$300,000.00
541611 Administrative Management and General Management Consulting Services	90.00%	\$ 270,000.00	
541690 Other Scientific and Technical Consulting Services	10.00%	\$ 30,000.00	
SSO			\$420,000.00
541611 Administrative Management and General Management Consulting Services	70.00%	\$ 294,000.00	
541690 Other Scientific and Technical Consulting Services	30.00%	\$ 126,000.00	
Panther Black Cat			\$1,200,000.00
541511 Custom Computer Programming Services	65.00%	\$ 780,000.00	
541513 Computer Facilities Management Services	15.00%	\$ 180,000.00	
541519 Other Computer Related Services	10.00%	\$ 120,000.00	
518210 Data Processing, Hosting, and Related Services	10.00%	\$ 120,000.00	
On Demand			\$600,000.00
541611 Administrative Management and General Management Consulting Services	26.00%	\$ 156,000.00	
541690 Other Scientific and Technical Consulting Services	8.00%	\$ 48,000.00	
541330 Engineering Services	33.00%	\$ 198,000.00	
541612 Human Resources and Executive Search Consulting Services	33.00%	\$ 198,000.00	
Drug & Alcohol Program			\$840,000.00

541611 Administrative Management and General Management Consulting Services	60.00%	\$ 504,000.00	
541690 Other Scientific and Technical Consulting Services	10.00%	\$ 84,000.00	
541820 Public Relations Agencies	10.00%	\$ 84,000.00	
541720 Research and Development in the Social Sciences and Humanities	12.50%	\$ 105,000.00	
518210 Data Processing, Hosting, and Related Services	2.50%	\$ 21,000.00	
621420 Outpatient Mental Health and Substance Abuse Centers	5.00%	\$ 42,000.00	
	Total:	\$28,215,480.70	\$28,215,480.70

To determine the relative availability of DBEs, ODOT divided the numerator representing the ratio of ready, willing, and able DBE firms, by the denominator representing all firms (DBE and Non-DBEs) available in each work category, see below:

$$\frac{\text{Number of Ready, Willing and Able DBEs}}{\text{Number of All Available Firms (DBEs and Non-DBEs)}} = \text{DBE Availability \%}$$

ODOT made a concerted effort to ensure that the scope of businesses included in the numerator was as close as possible to the scope included in the denominator. For corresponding detail of all work category classifications grouped, refer to Table 3 below.

- For the numerator: Oklahoma UCP DBE Database of Certified Firms
- For the denominator: 2020 U.S. Census Bureau's Business Pattern Database (CBP)

To determine the appropriate weighting percent by NAICS, the estimated dollar value by NAICS was divided by the total estimated federal dollars for FFY 2023/25. The weighting percent by NAICS was then multiplied by the DBE Availability % to determine the Base Figure % by NAICS, see below:

$$\text{Weighting X DBE Availability \%} = \text{Base Figure \% by NAICS}$$

To determine the Step 1 Base Figure, ODOT added together all Base Figure percentages by NAICS in Table 2 below, resulting in a Step 1 Base Figure of 6.58%.

NAICS Description	Value	Weight	# of DBEs Oklahoma UCP	Total # of Firms - Census	DBE Availability	Base Figure
236220 Commercial and Institutional Building Construction	\$916,714.90	3.25%	19	810	2.35%	0.076%
237110 Water and Sewer Line and Related Structures Construction	\$372,883.30	1.32%	16	166	9.64%	0.127%
237120 Oil and Gas Pipeline and Related Structures Construction	\$299,318.71	1.06%	4	134	2.99%	0.032%
237310 Highway, Street, and Bridge Construction	\$367,022.28	1.30%	77	142	54.23%	0.705%
237990 Other Heavy and Civil Engineering Construction	\$3,998.66	0.01%	21	41	51.22%	0.007%
238110 Poured Concrete Foundation and Structure Contractors	\$820,350.36	2.91%	19	311	6.11%	0.178%
238120 Structural Steel and Precast Concrete Contractors	\$2,193,197.05	7.77%	17	69	24.64%	1.915%
238130 Framing Contractors	\$139,660.31	0.49%	1	87	1.15%	0.006%
238140 Masonry Contractors	\$345,217.32	1.22%	1	150	0.67%	0.008%
238150 Glass and Glazing Contractors	\$7,465.08	0.03%	0	63	0.00%	0.000%

238160 Roofing Contractors	\$229,405.82	0.81%	1	360	0.28%	0.002%
238170 Siding Contractors	\$249,989.42	0.89%	0	67	0.00%	0.000%
238190 Other Foundation, Structure, and Building Exterior Contractors	\$65,317.10	0.23%	5	105	4.76%	0.011%
238210 Electrical Contractors and Other Wiring Installation Contractors	\$908,120.37	3.22%	13	1003	1.30%	0.042%
238220 Plumbing, Heating, and Air-Conditioning Contractors	\$894,251.11	3.17%	4	1500	0.27%	0.008%
238290 Other Building Equipment Contractors	\$305,103.92	1.08%	6	62	9.68%	0.105%
238310 Drywall and Insulation Contractors	\$210,532.79	0.75%	3	213	1.41%	0.011%
238320 Painting and Wall Covering Contractors	\$185,717.55	0.66%	10	279	3.58%	0.024%
238330 Flooring Contractors	\$104,327.77	0.37%	4	127	3.15%	0.012%
238340 Tile and Terrazzo Contractors	\$7,376.25	0.03%	1	91	1.10%	0.000%
238350 Finish Carpentry Contractors	\$97,992.14	0.35%	2	292	0.68%	0.002%
238390 Other Building Finishing Contractors	\$155,118.68	0.55%	8	46	17.39%	0.096%
238910 Site Preparation Contractors	\$459,423.51	1.63%	24	440	5.45%	0.089%
238990 All Other Specialty Trade Contractors	\$1,073,514.97	3.80%	24	388	6.19%	0.235%
323111 Commercial Printing (except Screen and Books)	\$23,500.00	0.08%	2	168	1.19%	0.001%
327320 Ready-Mix Concrete Manufacturing	\$647,415.37	2.29%	0	125	0.00%	0.000%
332311 Prefabricated Metal Building and Component Manufacturing	\$205,600.66	0.73%	0	19	0.00%	0.000%
332312 Fabricated Structural Metal Manufacturing	\$307,879.53	1.09%	6	78	7.69%	0.084%
332321 Metal Window and Door Manufacturing	\$22,395.24	0.08%	1	8	12.50%	0.010%
332322 Sheet Metal Work Manufacturing	\$30,682.05	0.11%	1	65	1.54%	0.002%
332323 Ornamental and Architectural Metal Work Manufacturing	\$103,187.49	0.37%	1	33	3.03%	0.011%
324121 Asphalt Paving Mixture and Block Manufacturing	\$20,000.00	0.07%	3	17	17.65%	0.013%
332420 Metal Tank (Heavy Gauge) Manufacturing	\$138,163.20	0.49%	0	24	0.00%	0.000%
333914 Measuring, Dispensing, and Other Pumping Equipment Manufacturing	\$276,326.40	0.98%	0	33	0.00%	0.000%
337215 Showcase, Partition, Shelving, and Locker Manufacturing	\$22,451.52	0.08%	0	6	0.00%	0.000%
339950 Sign Manufacturing	\$6,554.73	0.02%	2	68	2.94%	0.001%
423120 Motor Vehicle Supplies and New Parts Merchant Wholesalers	\$17,500.00	0.06%	2	123	1.63%	0.001%
423320 Brick, Stone, and Related Construction Material Merchant Wholesalers	\$230,144.88	0.82%	8	39	20.51%	0.167%
423330 Roofing, Siding, and Insulation Material Merchant Wholesalers	\$203,913.05	0.72%	2	47	4.26%	0.031%
423390 Other Construction Material Merchant Wholesalers	\$239,773.91	0.85%	9	39	23.08%	0.196%
423430 Computer and Computer Peripheral Equipment and Software Merchant Wholesalers	\$4,000.00	0.01%	1	60	1.67%	0.000%
423510 Metal Service Centers and Other Metal Merchant Wholesalers	\$63,402.99	0.22%	10	172	5.81%	0.013%
423610 Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers	\$415,295.58	1.47%	8	146	5.48%	0.081%
423710 Hardware Merchant Wholesalers	\$62,189.35	0.22%	2	57	3.51%	0.008%

423720 Plumbing and Heating Equipment and Supplies (Hydronics) Merchant Wholesalers	\$344,001.20	1.22%	2	108	1.85%	0.023%
423730 Warm Air Heating and Air-Conditioning Equipment and Supplies Merchant Wholesalers	\$422,177.18	1.50%	1	95	1.05%	0.016%
423740 Refrigeration Equipment and Supplies Merchant Wholesalers	\$1,619.10	0.01%	0	15	0.00%	0.000%
423830 Industrial Machinery and Equipment Merchant Wholesalers	\$197,257.83	0.70%	3	586	0.51%	0.004%
423850 Service Establishment Equipment and Supplies Merchant Wholesalers	\$224,156.63	0.79%	6	52	11.54%	0.092%
423860 Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers	\$89,662.65	0.32%	1	23	4.35%	0.014%
424120 Stationery and Office Supplies Merchant Wholesalers	\$47,200.00	0.17%	3	44	6.82%	0.011%
424720 Petroleum and Petroleum Products Merchant Wholesalers (except Bulk Stations and Terminals)	\$324,000.00	1.15%	5	72	6.94%	0.080%
443142 Electronics Stores	\$4,000.00	0.01%	0	214	0.00%	0.000%
447110 Gasoline Stations with Convenience Stores	\$53,550.00	0.19%	0	1647	0.00%	0.000%
447190 Other Gasoline Stations	\$53,550.00	0.19%	0	204	0.00%	0.000%
454310 Fuel Dealers	\$45,900.00	0.16%	0	115	0.00%	0.000%
484110 General Freight Trucking, Local	\$29,801.61	0.11%	19	234	8.12%	0.009%
484220 Specialized Freight (except Used Goods) Trucking, Local	\$52,492.19	0.19%	44	447	9.84%	0.018%
517311 Wired Telecommunications Carriers	\$7,500.00	0.03%	0	434	0.00%	0.000%
517312 Wireless Telecommunications Carriers (except Satellite)	\$34,500.00	0.12%	0	310	0.00%	0.000%
518210 Data Processing, Hosting, and Related Services	\$141,000.00	0.50%	5	147	3.40%	0.017%
523930 Investment Advice	\$9,000.00	0.03%	0	157	0.00%	0.000%
524126 Direct Property and Casualty Insurance Carriers	\$1,260,430.75	4.47%	1	125	0.80%	0.036%
524128 Other Direct Insurance (except Life, Health, and Medical) Carriers	\$600.00	0.00%	0	5	0.00%	0.000%
524210 Insurance Agencies and Brokerages	\$3,468,083.25	12.29%	2	2229	0.09%	0.011%
532420 Office Machinery and Equipment Rental and Leasing	\$10,000.00	0.04%	1	3	33.33%	0.012%
532490 Other Commercial and Industrial Machinery and Equipment Rental and Leasing	\$4,303.81	0.02%	1	125	0.80%	0.000%
541110 Offices of Lawyers	\$26,250.00	0.09%	1	2304	0.04%	0.000%
541199 All Other Legal Services	\$11,250.00	0.04%	1	27	3.70%	0.001%
541211 Offices of Certified Public Accountants	\$23,100.00	0.08%	0	832	0.00%	0.000%
541310 Architectural Services	\$725,025.30	2.57%	1	186	0.54%	0.014%
541320 Landscape Architectural Services	\$128,837.55	0.46%	7	25	28.00%	0.128%
541330 Engineering Services	\$1,464,838.54	5.19%	61	569	10.72%	0.557%
541350 Building Inspection Services	\$50,075.15	0.18%	4	78	5.13%	0.009%
541360 Geophysical Surveying and Mapping Services	\$58,918.78	0.21%	2	260	0.77%	0.002%
541370 Surveying and Mapping (except Geophysical) Services	\$145,993.92	0.52%	15	123	12.20%	0.063%
541380 Testing Laboratories	\$89,150.29	0.32%	10	102	9.80%	0.031%
541511 Custom Computer Programming Services	\$780,000.00	2.76%	14	361	3.88%	0.107%

541513 Computer Facilities Management Services	\$180,000.00	0.64%	4	59	6.78%	0.043%
541519 Other Computer Related Services	\$120,000.00	0.43%	10	138	7.25%	0.031%
541611 Administrative Management and General Management Consulting Services	\$2,611,483.44	9.26%	60	948	6.33%	0.586%
541612 Human Resources and Executive Search Consulting Services	\$202,000.00	0.72%	6	58	10.34%	0.074%
541620 Environmental Consulting Services	\$167,912.70	0.60%	25	108	23.15%	0.138%
541690 Other Scientific and Technical Consulting Services	\$408,032.79	1.45%	17	270	6.30%	0.091%
541720 Research and Development in the Social Sciences and Humanities	\$142,500.00	0.51%	1	9	11.11%	0.056%
541820 Public Relations Agencies	\$159,000.00	0.56%	18	65	27.69%	0.156%
541910 Marketing Research and Public Opinion Polling	\$37,500.00	0.13%	6	21	28.57%	0.038%
561720 Janitorial Services	\$9,000.00	0.03%	15	558	2.69%	0.001%
561730 Landscaping Services	\$57,448.25	0.20%	12	946	1.27%	0.003%
561990 All Other Support Services	\$24,482.50	0.09%	5	395	1.27%	0.001%
621420 Outpatient Mental Health and Substance Abuse Centers	\$42,000.00	0.15%	1	188	0.53%	0.001%
811111 General Automotive Repair	\$137,950.00	0.49%	1	819	0.12%	0.001%
811121 Automotive Body, Paint, and Interior Repair and Maintenance	\$7,500.00	0.03%	0	453	0.00%	0.000%
811191 Automotive Oil Change and Lubrication Shops	\$108,350.00	0.38%	0	126	0.00%	0.000%
811198 - All Other Automotive Repair and Maintenance	\$19,700.00	0.07%	0	23	0.00%	0.000%
Work Item Total:	\$28,215,480.70				Total DBE:	6.58% Base Figure

III. Step Two: Adjustments to the Base Figure Section 26.45(d)

Upon establishing the Base Figure, ODOT reviewed and assessed other known evidence potentially impacting the relative availability of DBEs within ODOT’s market area, in accordance with prescribed narrow tailoring provisions set forth under 49 CFR Part 26.45 Step 2; DBE Goal Adjustment guidelines.

Evidence considered in making an adjustment to the Base Figure included ODOT’s Past DBE Goal Attainments, Evidence from Disparity Studies conducted in ODOT’s market area, and Other Evidence, as follows:

A. Past DBE Goal Attainments

ODOT considered an adjustment to the Base Figure based on the median DBE participation on DOT-assisted contracts completed within the past four FFYs (2018/21). The following table below reflects the demonstrated capacity of DBEs (measured by historical DBE participation) on FTA-assisted contracts awarded by ODOT within the last four Federal Fiscal Years:

Period/ FFY	Annual Goal	Attainment %
December 2021	3%	0.16%
June 2021	3%	0.00%

December 2020	3%	0.00%
June 2020	3%	0.41%
December 2019	0%	2.14%
June 2019	0%	4.28%
December 2018	0%	2.14%
June 2018	3%	0.00%
Past Attainments: 0,0,0,.16,.41,2.14,2.14,4.28, 8 datapoints, Median: $.16+.41=.57/2=.285$ Median Participation 0.29%		

In 2020-2021, the COVID-19 pandemic caused a significant disruption for transit operators. Many ODOT subrecipients struggled to maintain service during this time. Federal stimulus funds were provided by CARES to capital, operating, and other departments to prevent, prepare for, and respond to COVID-19. As a result, external contracting activities were significantly reduced, lowering opportunities for DBE participation.

By using a median of just the last three years, the extreme outliers caused by atypical conditions would be eliminated and only the middle year, which was the start of the pandemic, would be used for comparison. Utilizing a four-year period allowed ODOT to more accurately compare a pattern of DBE participation over a time with normal contracting activity and also represents contracting activity that is more consistent with what is anticipated over the next three federal fiscal years.

The median established for the past four years is lower than the Base Figure derived from Step 1; therefore, an adjustment to the Base Figure based on ODOT’s past DBE goal participation has been made. As four years of DBE Participation data was reviewed and the years reviewed included projects with a similar variety in scope to the scopes projected for the 2023/25 period, ODOT can reasonably assume that the rates of DBE participation reflected are an accurate reflection of DBE capacity to perform in the 2023/25 overall goal period. The adjustment is calculated in accordance with FTA guidance by averaging the Base Figure with the Median DBE Past participation, as shown below.

$6.58\% \text{ Base Figure} + .29\% \text{ Median Past Participation} = 6.87\%$
$6.87/2 = 3.44\%$
Adjusted Base Figure: 3.4% (Rounded to the nearest tenths)

Pursuant to DOT guidance, ODOT is adjusting the Step 1 base figure by using the median DBE participation of .29%. This was averaged with the base figure of 6.58% resulting in a revised overall annual DBE goal of 3.4%.

B. Evidence from Disparity Studies, Barriers to Entry: Employment, Self-Employment, Education and Training, Business Ownership Rates and Access to Capital

Colette Holt & Associates was retained by the Oklahoma Department of Transportation (“ODOT”) to perform a disparity study (Disparity Study) of its contracts funded by the Federal Highway Administration in conformance with strict constitutional scrutiny and the Disadvantaged Business Enterprise (“DBE”) program regulations at 49 CFR Part 26. The Disparity Study determined ODOT’s utilization of Disadvantaged Business Enterprises during fiscal years 2015 through 2019; the availability of these firms as a percentage

of all firms in ODOT's geographic and industry market areas; and any disparities between ODOT's utilization of DBEs and DBE availability. Although the Disparity Study was conducted on Highway-related projects as opposed to transit-related projects and scopes, the Disparity Study heavily focused on procurement and contracting processes, procedures and practices and gathered input from stakeholders regarding those processes, procedures and practices and their impact to DBE availability which would apply in ODOT's Transit Program.

Additionally, ODOT consulted other recipients within Region 6 to identify if Disparity Studies within the market area were available for transit-related projects and did not identify any available Disparity Studies within Region 6.

ODOT's Disparity Study satisfies legal standards and guidance from the U.S. Department of Transportation concerning the implementation of race-conscious application, and ODOT has elected to utilize this study as a basis for continuing to implement the race-conscious component of their Overall DBE goal. ODOT will ensure that the use of race-conscious goals is narrowly tailored and consistent with other relevant legal standards.

C. Other Evidence

ODOT did not receive any anecdotal evidence nor is it aware of any other factors or adverse considerations that would have had a material effect on DBEs availability within ODOT's marketplace, or on DBEs' ability to participate (meeting bonding, insurance, and financial requirements) in ODOT's FTA-assisted contracting programs at this time.

However, as part of ODOT's 30-day period public facilitation process, it will request comments/input from industry groups both representing DBEs and non-DBEs to determine whether further consideration in making an adjustment is warranted. ODOT will also consider input received through disparity studies in ODOT's market area. The Overall DBE Goal for FFY 2023/25 goal period for ODOT's FTA-assisted contracts is 3.4 percent.

The proposed goal further serves to identify the relative availability of DBEs based on evidence of ready, willing, and able DBEs to all comparable firms, which are known to be available to compete for and perform on ODOT's FTA-assisted contracts. The proposed goal reflects a determination of the level of DBE participation, which would be expected absent the effects of discrimination.

IV. Race Conscious and Race Neutral Projections

DOT has identified that the amount of past participation obtained using DBE subcontractors on contracts without DBE goals should be considered achieved race/gender-neutrally and that those attainments can be used as a basis for estimating a similar level of race/gender-neutral participation in the next overall goal period.

Therefore, ODOT considered the amount of past DBE subcontractor participation on contracts without

DBE goals in FFYs 2018, 2019, 2020 and 2021 below:

Period/ FFY	Annual Goal	RN Attainment %
December 2021	3%	0.16%
June 2021	3%	0.00%
December 2020	3%	0.00%
June 2020	3%	0.41%
December 2019	0%	2.14%
June 2019	0%	4.28%
December 2018	0%	2.14%
June 2018	3%	0.00%
Past Attainments: 0,0,0,.16,.41,2.14,2.14,4.28, 8 datapoints, Median: $.16+.41=.57/2=.285$ Median RN Participation 0.29%		

A DBE participation value of 0.29 percent was derived by the utilization of DBE firms in the Race-Neutral (RN) periods above. ODOT confirmed that the projects completed during FFYs 2018 through 2021 were similar to the types of projects being procured in the upcoming overall goal period, a required criterion for consideration in utilizing DBE prime participation to validate race-neutral application. As 0.29 percent DBE participation was achieved on like-projects during the attainment period reviewed, ODOT concluded that this rate of DBE participation would be an accurate reflection of DBE subcontractor’s capacity to perform race-neutrally in the 2023/25 overall goal period. ODOT has applied this to the proposed DBE Goal to project the necessary race-conscious/race-neutral breakout, as illustrated below:

.3% RN Projection (Rounded to the nearest tenths)
DBE Goal: 3.4%
RN Application .3% / RC Application 3.1%

Consistent with the DOT guidance provided, and the reasons delineated above, ODOT has found it advisable to implement the race-neutral/race-conscious breakout illustrated above to meet the proposed Overall DBE Goal of 3.4% in accordance with 49 CFR Part 26.51.

ODOT will continue to monitor its DBE participation during the overall goal period to determine whether the application of ODOT’s race-neutral/race-conscious measures to meet the proposed Overall DBE Goal of 3.4 percent remains on target. ODOT will adjust the application of race/gender-neutral and race/gender-conscious measures, as necessary to ensure ODOT meets the maximum feasible portion the overall goal by using race/gender-neutral means of facilitating DBE participation.

V. Public Participation and Facilitation

In accordance with Public Participation Regulatory Requirements of Title 49 CFR Part 26.45(g), minority, women, local business chambers, and community organizations within ODOT’s market area were consulted and provided an opportunity to review ODOT’s goal analysis and provide input.

The public participation process included the following:

- A. Consultation. A virtual public meeting was held on December 15, 2022. Information regarding the

public meeting was posted on the ODOT Contract Compliance Division’s website and sent within the Public Notice. Three people joined the virtual public meeting and asked general questions about the DBE program.

- B. Published Notice. The proposed goal methodology report along with an electronic comment form was posted on the ODOT Contract Compliance Division’s website, emailed to all whose email address was registered to receive updates from ODOT, and emailed to the Association of Oklahoma General Contractors (AOGC) and American Council of Engineering Consultants (ACEC) for additional notification to its members. The notice informed the public of the proposed goal and its rationale. The notice also stated that the report was available for inspection during normal business hours and that comments would be accepted through the end of the public comment period. Additional recipients that were e-mailed included:

Stakeholders:

- Black Chamber of Commerce
- Hispanic Chamber of Commerce
- Oklahoma City Housing Authority
- Oklahoma Department of Commerce – Small, General and Minority Business
- Cherokee Nation Business
- SCORE
- Greenwood Chamber of Commerce
- Oklahoma Procurement Technical Assistance Center

ODOT Subrecipients:

- Beaver City Transit
- Call- A- Ride Public Transit
- Central Oklahoma Transit System
- Cherokee Strip Transit
- Delta Public Transit
- Enid Public Transit
- First Capital Trolley
- Grand Gateway
- Guymon- The Ride
- J.A.M.M. Transit
- KI Bois Area Transit System
- LIFT Transit Muskogee County Public Transit Authority
- MAGB
- Muskogee County Transit
- OSU-Stillwater Community Transit
- Red River Transportation Services
- Southern Oklahoma Rural Transportation System
- Southwest Transit
- United Community Action Program, Inc.
- Washita Valley Transit

ODOT Subscribers by Topic:

- Business – Contract Compliance
- Business – DBE (Subscribers Doing Business with ODOT)
- Civil Rights/Americans with Disabilities Act – General News
- Civil Rights/DBE – Certified List (Subscribers identified as DBE)
- Civil Rights/DBE – Newsletter

Furthermore, ODOT will continue to consult with minority groups and organizations year-round via event attendance and facilitation to directly solicit the public in-person, regarding input they have on DBE opportunities and any real and/or perceived barriers to DBE participation.

Comments received from the virtual public meeting and the on-going consultation were reviewed and considered but determined no adjustment was needed to the 3.4% Overall Goal (RN Application .3% / RC Application 3.1%).